

1988 No. 1909

MERCHANT SHIPPING

**The Merchant Shipping (Fishing Vessels—Tonnage)
Regulations 1988**

<i>Made - - - -</i>	<i>2nd November 1988</i>
<i>Laid before Parliament</i>	<i>10th November 1988</i>
<i>Coming into force</i>	<i>1st December 1988</i>

The Secretary of State for Transport, in exercise of powers conferred by section 1 of the Merchant Shipping Act 1965(a) and now vested in him(b) and all other powers enabling him in that behalf, hereby makes the following Regulations:

1. These Regulations may be cited as the Merchant Shipping (Fishing Vessels—Tonnage) Regulations 1988 and shall come into force on 1st December 1988.

Interpretation

2. In these Regulations:—

“Authorised Measurer” means the Secretary of State for Transport or any person authorised for the purposes of these Regulations to carry out the measurement of fishing vessels by the Minister of Agriculture Fisheries and Food, the Commissioners of Customs and Excise, the Secretary of State for Scotland or the Secretary of State for Northern Ireland;

“ITC length”, “ITC breadth” and “ITC moulded depth” mean respectively length, breadth and moulded depth as defined in Schedule 2 hereto.

3. A fishing vessel of less than 24 metres in ITC length registered or to be registered under Part II of the Merchant Shipping Act 1988(c), shall be measured, and its tonnage shall be calculated by an Authorised Measurer in accordance with these Regulations.

4. If the length of the vessel measured in accordance with the rules specified in paragraph 1 of Schedule 1 hereto is less than 24 metres, that length shall be its Registered Length and its Registered Breadth and Registered Depth shall be respectively its breadth and depth measured in accordance with the rules specified in paragraphs 2 and 3 of that Schedule.

5. If the length of the vessel measured in accordance with the rules specified in paragraph 1 of Schedule 1 is 24 metres or over but the ITC length of the vessel is less than 24 metres, its Registered Length, Registered Breadth and Registered Depth shall be respectively its ITC length, ITC breadth and ITC moulded depth.

6. The overall length of every vessel to which these Regulations apply shall be its length measured from the foreside of the foremost fixed permanent structure to the aftside of the aftermost fixed permanent structure.

(a) 1965 c.47; section 1 was amended by section 91 of the Merchant Shipping Act 1970 (c.36) and by paragraph 6 of Part VI of Schedule 6 of the Merchant Shipping Act 1979 (c.39).

(b) See S.I. 1970/1537.

(c) 1988 c.12.

7. The Registered Tonnage of every vessel to which these Regulations apply shall be calculated in accordance with the rules specified in Schedule 3 hereto.

8. The Authorised Measurer shall on receipt of the prescribed fee (if any) measure the vessel and calculate its tonnage in accordance with these Regulations and shall issue and deliver to the Secretary of State a Certificate of Measurement in a form approved by the Secretary of State.

9. The tonnage and other particulars stated in the certificate shall, unless any alteration is made in the particulars of the vessel, or it is shown that its tonnage or measurements have been erroneously recorded, be taken to be as recorded in the certificate.

10. On re-measurement of a vessel any certificate of measurement in force in relation to the vessel shall be invalid and the Authorised Measurer shall issue a new certificate in place thereof.

11. Nothing in these Regulations shall be taken to require any vessel the tonnage of which was validly determined under the law in force immediately before the coming into force of these Regulations to have its tonnage re-determined, but any vessel required under that law to be re-measured shall be re-measured in accordance with these Regulations.

Signed by authority of
the Secretary of State
2nd November 1988

Michael Portillo
Minister of State,
Department of Transport

SCHEDULE 1

[Regulation 4]

Rules for the measurement of vessels to which regulation 4 applies

The measurements of the vessel shall be ascertained as follows:-

Length

1. Measure the length from the foreside of the foremost fixed permanent structure to the aftermost part of the rudder post, or, in a vessel not having a rudder post, to the foreside of the rudder stock at the point where the rudder stock passes out of the hull. In vessels not having a rudder post or rudder stock, measure to the aftermost part of the stern or transom.

Breadth

2. Measure the maximum breadth of the vessel to the outside of the shell, planking or plating.

Depth

3. Measure the depth amidships in one of the following ways:-

(i) from the underside of the upperdeck on the centre line to the upperside of the double bottom plating or to the top of the normal line of open floors or timbers as the case may be or, where no frames or timbers are fitted, to the inside of the hull on the centre line;

(ii) for open vessels from the upper edge of the shell or the upper strake of planking or plating to the upper side of bottom frames or timbers on the centre line.

Where ceiling or insulation is fitted on the tank top, its thickness up to a maximum 8 cm shall be deducted from the measurement.

SCHEDULE 2

[Regulation 5]

Measurements of vessels to which regulation 5 applies

ITC measurements

(being measurements as defined in the International Convention on Tonnage Measurement 1969(a))

1. Length

“length” means the greater of the following distances:-

- (a) the distance between the foreside of the stem and the axis of the rudder stock; or
- (b) a distance measured from the foreside of the stem, being 96 per cent of the distance between that point and the aftside of the stern,

the said points and measurements being taken respectively at and along a waterline at 85 per cent of the least moulded depth of the ship. In the case of a ship having a rake of keel the waterline shall be parallel to the designed waterline.

2. Breadth

“breadth” means the maximum breadth of the ship, measured amidships to the moulded line of the frame in a vessel with a metal shell and to the outer surface of the hull in a vessel with a shell of any other material and for the purposes of this definition “amidships” means the mid point of the length as defined in paragraph 1 above.

3. Depth

“moulded depth” means:

- (a) the vertical distance measured from the top of the keel to the underside of the upper deck at side. In wood and composite ships the distance is to be measured from the lower edge of the keel rabbet. Where the form at the lower part of the midship section is of a hollow character, or where thick garboards are fitted, the distance is to be measured from the point where the line of the flat of the bottom continued inwards cuts the side of the keel;
- (b) in ships having rounded gunwales, the moulded depth shall be measured to the point of intersection of the moulded lines of the deck and side shell plating, the lines extending as though the gunwales were of angular design;
- (c) where the upper deck is stepped and the raised part of the deck extends over the point at which the moulded depth is to be determined, the moulded depth shall be measured to a line of reference extending from the lower part of the deck along a line parallel with the raised part;

and for the purposes of this definition,

- (i) “upper deck” means the uppermost complete deck exposed to weather and sea, which has permanent means of weather tight closing of all openings in the weather part thereof and below which all openings in the sides of the ship are fitted with permanent means of watertight closing. In a ship having a stepped upper deck, the lowest line of the exposed deck and the continuation of that line parallel to the upper part of the deck is taken as the upper deck; and
- (ii) “weather tight” means that in any sea conditions water will not penetrate into the ship.

SCHEDULE 3

[Regulation 7]

Rules for the calculation of Tonnage

1. Multiply together the Registered Length, Registered Breadth and Registered Depth in metres and multiply the product by the factor 0.16. The result shall be the Registered Tonnage of the vessel, except for those vessels to which paragraph 2 also applies.

2. For vessels with a break or breaks above the line of deck multiply together the mean length, mean breadth and mean depth in metres of the space or each of the spaces thereby formed, then multiply the product for each space so measured by the factor 0.35 and add the results to the figure obtained by the calculation set out in paragraph 1. For such vessels the final result shall be the Registered Tonnage of the vessel.

(a) Cmnd. 4332.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations continue the provisions for tonnage measurement laid down in the Merchant Shipping (Fishing Boats Registry) Order 1981 (S.I. 1981/740) for vessels under 24 metres in length.

For vessels of 24 metres in length and over the provisions for tonnage measurement are laid down in the Merchant Shipping (Tonnage) Regulations 1982 (S.I. 1982/841), as amended by the Merchant Shipping (Tonnage) (Amendment) Regulations 1988 (S.I. 1988/1910).

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