



Merchant Shipping Act 1921

1921 CHAPTER 28

An Act to amend the Merchant Shipping Acts, 1894 to 1920. [28th July 1921]

BE IT ENACTED by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Application of Parts I and VIII of the Merchant Shipping Act, 1894, to lighters.

- (1) Notwithstanding anything in section seven hundred and forty-two of the Merchant Shipping Act, 1894 (hereinafter referred to as " the principal Act"), the principal Act shall have effect as though in the provisions of Parts I. and VIII. thereof (which relate respectively to the registry of ships and to the limitation of the liability of the owners of ships), as amended or extended by any subsequent enactment, the expression " ship" included every description of lighter, barge, or like vessel used in navigation in Great Britain, however propelled:

Provided that a lighter, barge, or like vessel used exclusively in non-tidal waters, other than harbours, shall not, for the purposes of this Act, be deemed to be used in navigation.

- (2) In the application of Part VIII. of the principal Act to any such lighter, barge, or like vessel as aforesaid, the expression " owner " shall include any hirer who has contracted to take over the sole charge and management thereof and is responsible for the navigation, manning and equipment thereof.
- (3) Where the Board of Trade are satisfied that there are in force in any port, under any Act or order, regulations for the measurement or registration of lighters, barges, or like vessels, which provide for the measurement of their tonnage in substantial agreement with the provisions of the Merchant Shipping Acts, 1894 to 1920, and for an adequate system of identification of the vessels and their owners, the Board may by order declare that vessels measured or registered in accordance with such regulations shall, for the purposes of this Act, be deemed to be measured or registered under Part I. of the principal Act.

2 Use of unsafe lighters, &c.

- (1) If any person uses or causes or permits to be used in navigation any lighter, barge, or like vessel when, through the defective condition of its hull or equipment or "by reason of overloading or improper loading or through undermanning, it is so unsafe that human life is likely to be thereby endangered, he shall be liable on summary conviction to a fine not exceeding one hundred pounds or to imprisonment for a term not exceeding six months.
- (2) A prosecution under this section shall not, except in Scotland, be instituted otherwise than by, or with the consent of, the Board of Trade.

3 Saving for workmen.

This Act shall not affect the liability of the owners of any lighter, barge, or like vessel in respect of loss of life or personal injury caused to any person carried therein.

4 Short title, construction, and commencement.

- (1) This Act may be cited as the Merchant Shipping Act, 1921, and shall be construed as one with the Merchant Shipping Acts, 1894 to 1920, and those Acts and this Act may be cited together as the Merchant Shipping Acts, 1894 to 1921.
- (2) This Act shall come into operation on the first day of January, one thousand nine hundred and twenty-two.