



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

## 1932 CHAPTER 9

### PART I

#### SAFETY OF LIFE AT SEA.

##### *Miscellaneous Provisions for furthering Safety of Life at Sea.*

#### **22 Duties as to watertight doors and other contrivances.**

The rules set out in the Third Schedule to this Act with respect to watertight doors and other contrivances shall be complied with in every British passenger steamer registered in the United Kingdom, and if any of the said rules is contravened in the case of any such steamer, the master thereof shall for each offence be liable to a fine not exceeding one hundred pounds.

#### **23 Submersion of subdivision load lines.**

(1) Where—

- (a) a British passenger steamer registered in the United Kingdom has been marked with subdivision load lines, that is to say, load lines indicating the depth to which the steamer may be loaded having regard to the extent to which she is subdivided and to the space for the time being allotted to passengers; and
- (b) the appropriate subdivision load line, that is to say, the subdivision load line appropriate to the space for the time being allotted to passengers on the steamer, is lower than the load line indicating the maximum depth to which the steamer is for the time being entitled under Part II of this Act to be loaded;

the steamer shall not be so loaded as to submerge the appropriate subdivision load line on each side of the steamer when the steamer has no list.

- (2) If any such steamer is loaded in contravention of this section, the owner or master of the steamer shall for each offence be liable to a fine not exceeding one hundred

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pounds and to such additional fine, not exceeding the amount hereinafter specified, as the court thinks fit to impose, having regard to the extent to which the earning capacity of the ship was, or would have been, increased by reason of the submersion.

- (3) The said additional fine shall not exceed one hundred pounds for every inch or fraction of an inch by which the appropriate subdivision load line on each side of the ship was submerged, or would have been submerged if the ship had had no list.
- (4) Without prejudice to any proceedings under the foregoing provisions of this section, any such steamer which is loaded in contravention of this section may be detained until she ceases to be so loaded.
- (5) The foregoing provisions of this section shall apply to passenger steamers not registered in the United Kingdom, while they are within any port in the United Kingdom, as they apply to British passenger steamers registered in the United Kingdom.

#### **24 Report of dangers to navigation.**

- (1) The master of any British ship registered in the United Kingdom, on meeting with dangerous ice, a dangerous derelict, a tropical storm or any other direct danger to navigation, shall send information accordingly, by all means of communication at his disposal and in accordance with rules to be made for the purposes of this section, to ships in the vicinity and to such authorities on shore as may be prescribed by those rules.
- (2) Rules for the purposes of this section shall be made by the Board of Trade and shall make such provision as appears to the Board to be necessary for the purpose of giving effect to the provisions of Article forty-four (so far as it relates to safety signals) and of Regulation XLVI of the Safety Convention.
- (3) If the master of a ship fails to comply with the provisions of this section, he shall for each offence be liable to a fine not exceeding fifty pounds.
- (4) Every person in charge of a wireless telegraph station which is under the control of the Postmaster General, or which is established or installed under licence of the Postmaster General, shall, on receiving the signal prescribed by the said rules for indicating that a message is about to be sent under this section, refrain from sending messages for a time sufficient to allow other stations to receive the message, and, if so required by the Board of Trade, shall transmit the message in such manner as may be required by the Board, and compliance with this subsection shall be deemed to be a condition of every licence granted by the Postmaster General under the Wireless Telegraphy Act, 1904:  
  
Provided that nothing in this subsection shall interfere with the transmission by wireless telegraphy of any signal of distress or urgency prescribed under the next following section of this Act.
- (5) For the purposes of this section, the expression " tropical storm " means a hurricane, typhoon, cyclone, or other storm of a similar nature, and the master of a ship shall be deemed to have met with a tropical storm if he has reason to believe that there is such a storm in his vicinity.
- (6) The Derelict Vessels (Report) Act, 1896, shall cease to have effect.

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## **25 Provisions as to signals.**

- (1) His Majesty in Council may prescribe what signals shall be signals of distress and urgency, and the signals so prescribed shall be deemed to be signals of distress and urgency respectively.
- (2) Rules may be made by the Board of Trade prescribing the circumstances in and the purposes for which any signal prescribed by Order in Council under the last foregoing subsection is to be used, the circumstances in which it is to be revoked and the speed at which any message sent by wireless telegraphy in connection with the signal is to be transmitted, and those rules shall make such provision as appears to the Board to be necessary for the purpose of giving effect to Articles forty-two and forty-three of the Safety Convention and to Article forty-four thereof so far as it relates to signals of distress and urgency.
- (3) If the master of a ship uses or displays or causes or permits any person under his authority to use or display—
  - (a) any signal prescribed by Order in Council under this section except in the circumstances and for the purposes prescribed by the rules made under this section; or
  - (b) any private signal, whether registered or not, which is liable to be mistaken for any signal so prescribed by Order in Council;he shall for each offence be liable to a fine not exceeding fifty pounds and shall further be liable to pay compensation for any labour undertaken, risk incurred or loss sustained in consequence of the signal having been supposed to be a signal of distress or urgency, and that compensation may, without prejudice to any other remedy, be recovered in the same manner in which salvage is recoverable.
- (4) Section four hundred and thirty-four of the principal Act shall cease to have effect, but nothing in this Part of this Act shall affect any rules made under that section which are in force at the commencement of this Part of this Act, and any such rules shall, until revoked, have effect as if they had been made under the foregoing provisions of this section.
- (5) In addition to the private signals which the Board of Trade may refuse to register under section seven hundred and thirty-three of the principal Act, the Board may refuse to register any private signal which in their opinion cannot easily be distinguished from signals of urgency or signals prescribed for indicating that a message is about to be sent relating to a danger to navigation, and the Board may revoke the registration of any such signal registered under the said section of the principal Act, if in their opinion it cannot easily be so distinguished.

## **26 Obligation to render assistance on receiving wireless distress call.**

- (1) The master of a British ship registered in the United Kingdom, on receiving on his ship a signal of distress by wireless telegraphy from any other ship, shall proceed with all speed to the assistance of the persons in distress, unless he is unable, or in the special circumstances of the case considers it unreasonable or unnecessary, to do so, or unless he is released under the provisions of subsection (3) or subsection (4) of this section.
- (2) The master of any ship in distress may, after consultation so far as possible with the masters of the ships which answer his signal of distress, requisition such one or more of those ships as he considers best able to render assistance, and it shall be the duty of the master of any British ship registered in the United Kingdom, which is so requisitioned,

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to comply with the requisition by continuing to proceed with all speed to the assistance of the persons in distress.

- (3) A master shall be released from the obligation imposed by subsection (1) of this section as soon as he is informed by the master of the ship requisitioned, or where more ships than one are requisitioned, all the masters of the ships requisitioned, that he or they are complying with the requisition.
- (4) A master shall be released from the obligation imposed by subsection (1) of this section and, if his ship has been requisitioned, from the obligation imposed by subsection (2) of this section, if he receives information that assistance is no longer required.
- (5) If the master of a British ship registered in the United Kingdom fails to comply with the foregoing provisions of this section, he shall be guilty of a misdemeanour.
- (6) If the master of a British ship registered in the United Kingdom, on receiving on his ship a signal of distress by wireless telegraphy from another ship, is unable or, in the special circumstances of the case, considers it unreasonable or unnecessary, to go to the assistance of the persons in distress, he shall forthwith send a message by wireless telegraphy informing the master of that other ship accordingly, and enter in the official log-book his reasons for not going to the assistance of those persons, and if he fails to do so he shall be liable to a fine not exceeding one hundred pounds.
- (7) Nothing in this section shall affect the provisions of section six of the Maritime Conventions Act, 1911, and compliance by the master of a ship with the provisions of this section shall not affect his right, or the right of any other person, to salvage.

## **27 Signalling lamps.**

No British ship registered in the United Kingdom, being a ship of over one hundred and fifty tons gross tonnage, shall proceed to sea on an international voyage, unless the ship is provided with a signalling lamp of a type approved by the Board of Trade, and if any ship proceeds or attempts to proceed to sea in contravention of this section, the owner or master thereof shall for each offence be liable to a fine not exceeding twenty pounds.

## **28 Carriage of dangerous goods.**

- (1) The Board of Trade shall make such rules with respect to the carriage of goods on passenger steamers plying on international voyages, as appear to them to be necessary for the purpose of giving effect to the provisions of paragraph 1 of Article twenty-four of the Safety Convention.
- (2) If any of the rules made in pursuance of this section is contravened in the case of any British passenger steamer registered in the United Kingdom, the master or owner of the steamer shall for each offence be liable to a fine not exceeding three hundred pounds, and the steamer shall be deemed for the purposes of section four hundred and fifty-nine of the principal Act to be unsafe by reason of improper loading.
- (3) Any goods declared to be dangerous in their nature by the rules made under this section shall be deemed to be dangerous goods for the purpose of Part V of the principal Act.
- (4) The provisions of this section shall be deemed to be in addition to, and not in substitution for, or in restraint of, any other enactment for the like object, so however

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that nothing in this section shall be deemed to authorise any person to be sued or prosecuted twice in the same matter.

- (5) The foregoing provisions of this section and the rules made thereunder shall apply to passenger steamers not registered in the United Kingdom, while they are within any port in the United Kingdom, as they apply to British passenger steamers registered in the United Kingdom.

## **29 Method of giving helm orders.**

- (1) No person on any British ship registered in the United Kingdom shall when the ship is going ahead give a helm or steering order containing the word "starboard" or "right" or any equivalent of "starboard" or "right", unless he intends that the head of the ship shall move to the right, or give a helm or steering order containing the word "port" or "left", or any equivalent of "port" or "left", unless he intends that the head of the ship shall move to the left.
- (2) Any person who contravenes the provisions of this section shall for each offence be liable to a fine not exceeding fifty pounds.

## **30 Careful navigation near ice.**

- (1) The master of a British ship registered in the United Kingdom, when ice is reported on or near his course, shall at night either proceed at a moderate speed or change his course so as to keep amply clear of the ice reported and of the area of danger.
- (2) If the master of any such ship fails to comply with this section, he shall for each offence be liable to a fine not exceeding one hundred pounds.

## **31 Notice of Atlantic routes.**

- (1) The owner of any line of passenger steamers crossing the North Atlantic from or to any port in the United Kingdom by regular routes shall give public notice, in such manner as may be directed by the Board of Trade, of the routes which it is proposed that the ships belonging to the line should follow, and of any changes which may be made in those routes.
- (2) If the owner of any such line of passenger steamers fails to comply with this section, he shall for each offence be liable to a fine not exceeding twenty pounds.

## **32 Contribution towards a service for watching ice and derelicts in the North Atlantic.**

Any sums required for the contribution from the United Kingdom towards maintaining, in accordance with Articles thirty-six and thirty-seven of the Safety Convention, a service in the North Atlantic for the destruction or removal of derelicts, for the study and observation of ice conditions, and for ice patrol, shall be paid by the Board of Trade out of moneys provided by Parliament.