
STATUTORY INSTRUMENTS

1998 No. 1915

MERCHANT SHIPPING

**The Merchant Shipping (Registration of Ships)
(Tonnage Amendment) Regulations 1998**

<i>Made</i>	- - - -	<i>4th August 1998</i>
<i>Laid before Parliament</i>		<i>12th August 1998</i>
<i>Coming into force</i>	- -	<i>4th September 1998</i>

The Secretary of State for the Environment, Transport and the Regions, in exercise of the powers conferred by section 10 of the Merchant Shipping Act 1995⁽¹⁾ and of all other powers enabling him in that behalf, makes the following Regulations:

1. These Regulations may be cited as the Merchant Shipping (Registration of Ships) (Tonnage Amendment) Regulations 1998 and shall come into force on 4th September 1998.
2. The Merchant Shipping (Registration of Ships) Regulations 1993⁽²⁾ shall be amended as follows.
3. In regulation 1(2)—
 - (a) the following definitions shall be inserted in the appropriate alphabetical positions—
 - “(a) (i) “length” in regulations 29, 42 and 56 (except in regulation 56(4)(b)) has the same meaning as in the Tonnage Regulations”;
 - “(ii) “Tonnage Regulations” means the Merchant Shipping (Tonnage) Regulations 1997⁽³⁾”;
 - (b) for the definitions of “overall length” there shall be substituted—

““overall length” has the same meaning as “length overall” in the Tonnage Regulations.”.
4. In regulation 29(1)—
 - (i) after “length” there shall be inserted “to which Part IIA of Merchant Shipping Tonnage Regulations 1997 does not apply”; and
 - (ii) for “tonnage regulations made under the Merchant Shipping Act 1965” there shall be substituted “Tonnage Regulations”.

⁽¹⁾ 1995 c. 21.

⁽²⁾ S.I.1993/3138, amended by S.I. 1994/541.

⁽³⁾ S.I. 1997/1509, amended by S.I. 1998/1916.

5. In regulation 29(2) after “24 metres” there shall be inserted “other than a fishing vessel to which Part IIA of the Tonnage Regulations applies”.
6. In regulation 42(1) there shall be inserted a new sub-paragraph (c)—
 - “(c) in respect of all fishing vessels, except those below 24 metres in length to which Part IIA of the Tonnage Regulations does not apply, a declaration that the fishing vessel is correctly measured for tonnage under those Regulations.”.
7. In regulation 56(1), at the end, a new sub-paragraph (i) shall be added as follows—
 - “(i) except in the case of a fishing vessel below 24 metres in length to which Part IIA of the Tonnage Regulations does not apply, when the tonnage of a fishing vessel has not been measured in accordance with those Regulations, or though so measured, that information has not been notified to the Registrar.”.
8. After regulation 56(2) there shall be inserted a new paragraph (2A) as follows—
 - “(2A) Where the Registrar terminates registration under paragraph (1)(i) above he shall issue a closure transcript—
 - (a) in the case of fishing vessels of 24m or more in length, having effect on or, as the case may be, after 1st January 1999;
 - (b) in the case of fishing vessels to which Part IIA of the Tonnage Regulations apply, having effect on or, as the case may be, after the date on which that Part applies to them.”

Signed by authority of the Secretary of State of the Environment, Transport and the Regions

Glenda Jackson
Parliamentary Under Secretary of State
Department of the Environment, Transport and
the Regions

4th August 1998

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations provide for the enforcement of Council Regulation (EEC) 2930/86 defining the characteristics of fishing vessels (O.J. L274 25.9.86 p.1), amended by Council Regulation (EC) 3259/94 (O.J. L339 29.12.94 p.11), by amending the Merchant Shipping (Registration of Ships) Regulations 1997.

All owners of fishing vessels except certain small fishing vessels are required to provide a declaration, on renewal of registration, that their vessels are correctly measured for tonnage under the Merchant Shipping (Tonnage) Regulations 1997, and in addition the Regulations provides power to terminate registration of a fishing vessel if it has not been measured in accordance with those Regulations, or if the Registrar has not been notified of re-measurement.

A revised definition of “overall length” is included (*reg. 3(b)*).