
STATUTORY INSTRUMENTS

1991 No. 1366

MERCHANT SHIPPING

THE MERCHANT SHIPPING ACT 1970 (UNREGISTERED SHIPS) REGULATIONS 1991

*Text of the Regulations as they have effect in **the Isle of Man**. Amendments are indicated by **Bold italics***

<i>MANX EXTENDING INSTRUMENT</i>	<i>UK S.I.s APPLIED</i>
The Merchant Shipping (Masters and Seamen) (Unregistered Ships) (Application) Order 1991 (GC 388/91)	S.I. 1991/1366

Text Revised : August 2013

These Regulations are marked with amendments made to these Regulations by:
SD0234/13 Merchant Shipping (Maritime Labour Convention) Regulations 2013.
SD2015/0387 Merchant Shipping (Official Log Book and List of Crew) Regulations 2015

Price : £1.20.

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1991 No. 1366

MERCHANT SHIPPING

THE MERCHANT SHIPPING ACT 1970 (UNREGISTERED SHIPS) REGULATIONS 1991

<i>Made</i>	<i>12th June 1991</i>
<i>Laid before Parliament</i>	<i>17th June 1991</i>
<i>Coming into force</i>	<i>8th July 1991</i>

The Secretary of State for Transport, after consulting with the organisations referred to in section 99(2) of the Merchant Shipping Act 1970 ^(a), in exercise of powers conferred by section 92 of that Act, and now vested in him ^(b), and of all other powers enabling him in that behalf, hereby makes the following Regulations :-

Citation, commencement and revocation

1.- (1) These Regulations may be cited as the Merchant Shipping Act 1970 (Unregistered Ships) Regulations 1991.

(2) *(Omitted by Application Order).*

Extension to ships entitled to be registered of 24 metres or more in length

2. It is hereby directed that-

- (a) the provisions of the *Merchant Shipping (Masters and Seamen) Act 1979 (an Act of Tynwald)* specified in column 1 of Part I of Schedule 1 to these Regulations; and
- (b) the provisions of the Regulations *applied to the Isle of Man under that Act* specified in column 1 of Part II of that Schedule;

shall extend to ships (other than fishing vessels) of the following description, that is to say, sea-going ships-

- (i) which are wholly owned by a person resident in, or by a body corporate (not being a general lighthouse authority) having a principal place of business in the *Isle of Man*;

(a) 1970 C.36

(b) S.I. 1970/1537

- (ii) which are entitled to be registered in the *Isle of Man* under *the Merchant Shipping Registration Act 1991* ^(c) (*an Act of Tynwald*) but are not registered, whether in the *Isle of Man* or elsewhere; and
- (iii) which are 24 metres or more in length;

and to masters and seamen employed in them, with such exceptions, adaptations or modifications (if any) as are specified in column 2 of that Schedule.

Extension to ships entitled to be registered of less than 24 metres in length

3. It is hereby directed that-

- (a) the provisions of the *Merchant Shipping (Masters and Seamen) Act 1979* (*an Act of Tynwald*) specified in column 1 of Part I of Schedule 2 to these Regulations; and
- (b) the provisions of the Regulations *applied to the Isle of Man under that Act* specified in column 1 of Part II of that Schedule;

shall extend to ships (other than fishing vessels) of the following description, that is to say, sea-going ships-

- (i) which are wholly owned by a person resident in, or by a body corporate (not being a general lighthouse authority) having a principal place of business in the *Isle of Man*;
- (ii) which are entitled to be registered in the *Isle of Man* under *the Merchant Shipping Registration Act 1991* (*an Act of Tynwald*) but are not registered, whether in the *Isle of Man* or elsewhere; and
- (iii) which are less than 24 metres in length;

and to masters and seamen employed in them, with such exceptions, adaptations or modifications (if any) as are specified in column 2 of that Schedule.

Extension of section 22 of the Merchant Shipping (Masters and Seamen) Act 1979

4.- (1) It is hereby directed that *section 22 of the Merchant Shipping (Masters and Seamen) Act 1979* (*An Act of Tynwald*) shall extend to ships (other than fishing vessels) of the following description, that is to say sea-going ships -

- (i) which are wholly owned by a person resident in, or a body corporate (not being a general lighthouse authority) having a principal place of business in the *Isle of Man*; and
- (ii) which are entitled to be registered in the *Isle of Man* under *the Merchant Shipping Registration Act 1991* (*an Act of Tynwald*) but are not registered, whether in the *Isle of Man* or elsewhere;

and to masters and seamen employed in them.

(c) 1991 C.15

(2) It is hereby directed that the said *section 22* shall apply to sea-going ships (other than fishing vessels) which are not registered, whether in the *Isle of Man* or elsewhere, other than ships falling within paragraph (1) above, and to masters and seamen employed in them, when such ships are within the seaward limits of the territorial sea of the *Isle of Man* while proceeding to or from a port in the *Isle of Man*.

Amendment of Regulations

5. The Merchant Shipping (Crew Accommodation) Regulations 1978^(a) shall be amended by substituting for regulation 4(1)(b) the following-

"(b) is not registered in the *Isle of Man* or elsewhere".

6. The Merchant Shipping (Returns of Births and Deaths) Regulations 1979^(b) shall be amended by deleting the word "British" from regulation 12(1).

Signed by authority of the
Secretary of State for Transport

Brabazon of Tara
Minister of State,
Department of Transport.

12th June 1991

(a) SI 1978/795
(b) SI 1979/1577

SCHEDULE 1

EXTENSION TO UNREGISTERED SHIPS OF THE DESCRIPTION
CONTAINED IN REGULATION 2

PART I

Column 1	Column 2
<i>Provision of the Merchant Shipping (Masters and Seamen) Act 1979 (an Act of Tynwald)</i>	<i>Exception, adaptation or modification to which extension is subject</i>
<p><i>Section 1;</i> <i>Section 2;</i></p> <p><i>Sections 4 to 8;</i> <i>Section 17;</i> <i>Sections 20 and 21;</i> <i>Section 24;</i> <i>Section 26;</i> <i>Section 31 to 33;</i> <i>Sections 35 to 37;</i> <i>Sections 39 and 40;</i> <i>Section 45 to 48;</i> <i>Section 50 to 52;</i> <i>Section 55;</i> <i>Sections 57 to 60.</i></p>	<p>Subject to the modification that, for the reference to a ship ceasing to be registered in the <i>Isle of Man</i>, there shall be substituted a reference to its ceasing to be entitled to be registered under the <i>Merchant Shipping Registration Act 1991 (an Act of Tynwald)</i>.</p>

PART II

Column 1	Column 2
<p><i>Regulations applied to the Isle of Man under the Merchant Shipping (Masters and Seamen) Act 1979 (an Act of Tynwald)</i></p>	<p><i>Exception, adaptation or modification to which extension is subject</i></p>
<p>The Merchant Shipping (Crew Agreements, Lists of Crew and Discharge of Seamen) Regulations 1991 ^(a).</p> <p><i>omitted by SD0234/13(b).</i></p> <p>The Merchant Shipping (Seamen's Wages) (Contributions) Regulations 1972 ^(c).</p> <p><i>omitted by SD0234/13(d)</i></p> <p>The Merchant Shipping (Repatriation) Regulations 1979 ^(e).</p> <p><i>omitted by SD2015/0387 (f).</i></p>	

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- (a) S.I. 1991/2144
(b) *omitted by SD0234/13*
(c) S.I. 1972/1699
(d) *omitted by SD0234/13*
(e) S.I. 1979/97
(f) GC 363/92

SCHEDULE 2

EXTENSION TO UNREGISTERED SHIPS OF THE DESCRIPTION
CONTAINED IN REGULATION 3

PART I

Column 1	Column 2
<i>Provision of the Merchant Shipping (Masters and Seamen) Act 1979 (an Act of Tynwald)</i>	<i>Exception, adaptation or modification to which extension is subject</i>
<p><i>Sections 31 and 32;</i></p> <p><i>Sections 35 to 37;</i></p> <p><i>Section 39;</i></p> <p><i>Section 45;</i></p> <p><i>Sections 46 to 48;</i></p> <p><i>Section 50;</i></p> <p><i>Section 57.</i></p>	<p>Subject to the modification that, where</p> <p>(a) any person dies in a ship of the description contained in regulation 3; or</p> <p>(b) the master of or a seaman employed in such a ship dies in a country outside the <i>Isle of Man;</i></p> <p>an inquiry into the cause of death shall be held only if the <i>Department of Trade and Industry</i> so directs.</p>

PART II

Column 1	Column 2
<i>Regulations applied to the Isle of Man under the Merchant Shipping (Masters and Seamen) Act 1979(an Act of Tynwald)</i>	<i>Exception, adaptation or modification to which extension is subject</i>
The Merchant Shipping (Repatriation) Regulations 1979.	Except regulations 8 to 10.