



MERCHANT SHIPPING REGISTRATION ACT 1991

MERCHANT SHIPPING (TONNAGE) REGULATIONS 1998

Approved by Tynwald : 21st October 1998

Coming into operation : 1st November 1998

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**MEASUREMENT OF FISHING VESSELS OF 15 METRES AND OVER LENGTH
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This text includes the amendments (indicated by *bold italics*) made to the Regulations by:
SD 288/01 Fishing Vessels (Tonnage and Registration) (Amendment) Regulations 2001.
SD396/03 Merchant Shipping (Pleasure Vessel) Regulations 2003 - the amendment changes the definition of a Pleasure Vessel.

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In exercise of the powers conferred on the Department of Trade and Industry by section 44 of the Merchant Shipping Registration Act 1991 ^(a), and of all other powers enabling it in that behalf, the following Regulations are hereby made-

PART I

GENERAL

Citation, commencement and revocation

1. (1) These Regulations may be cited as the Merchant Shipping (Tonnage) Regulations 1998 and, subject to section 76(3) of the Act, shall come into operation on the 1st November 1998.

(2) The public documents mentioned in Schedule 3 are revoked to the extent specified in the third column of that Schedule.

Interpretation

2. In these Regulations -

“the Act” means the Merchant Shipping Registration Act 1991;

“Administration” means the Government of the state whose flag the ship is flying;

“amidships” means the mid point of the length (as defined below), except in the case of a ship of less than 24 metres in length when it means the mid-point of the length overall;

“breadth” means the maximum breadth of the ship, measured amidships to the moulded line of the frame in a ship with a metal shell and to the outer surface of the hull in a ship with a shell of any other material;

“break” means the space bounded longitudinally by a side to side upward step in the lowest line of the upper deck and another such step or the end of the ship, transversely by the sides of the ship and vertically by the higher part of the deck and the lowest line of the upper deck continued parallel thereto;

“Cargo Spaces” means enclosed spaces appropriated for the transport of cargo which is to be discharged from the ship, provided that such spaces have been included in the computation of gross tonnage. Such cargo spaces shall be certified by permanent markings with the letters CC (cargo compartment) to be so positioned that they are readily visible and not to be less than 100 millimetres in height;

“Certifying Authority” means the Department or any person authorised by the Department for the purposes of these Regulations;

^(a) 1991 c.15

“Contracting Government” means the Government of a country which has accepted the Convention;

“Convention” means the International Convention on Tonnage Measurement of Ships, 1969 ^(b);

“Department” means the Department of Trade and Industry^(bb);

“enclosed spaces” means all those spaces, other than excluded spaces, which are bounded by the ship's hull, by fixed or portable partitions or bulkheads, or by decks or coverings other than permanent or movable awnings.

No break in a deck, nor any opening in the ship's hull, in a deck or in a covering of a space, or in the partitions or bulkheads of a space, nor the absence of a partition or bulkhead, shall preclude a space from being included in the enclosed spaces and, for the purposes of this definition, “excluded spaces” means, subject to sub-paragraph (f), any of the spaces specified in sub-paragraphs (a) to (e)-

- (a) that part of an enclosed space within an erection opposite an end opening and extending from the opening to an athwartship line at a fore and aft distance from the opening equal to half the breadth of the deck at the line of the opening. Such end opening shall have a breadth equal to or greater than 90 per cent of the breadth of the deck at the line of the opening and shall extend from deck to deck or to a curtain plate of a depth not exceeding by more than 25 millimetres the depth of the adjacent deck beams, as specified in figure 1 of Schedule 1 : provided that -
 - (i) where at any point the width of the enclosed space, because of any arrangement except convergence of the outside plating, as specified in figure 3 of Schedule 1, becomes less than 90 per cent of the breadth of the deck at the line of the opening, the excluded space shall extend only to an athwartship line intersecting that point, as specified in figures 2 and 4 of Schedule 1;
 - (ii) where the opposite ends of two enclosed spaces are separated by a gap, which is completely open except for bulwarks or open rails and of fore and aft length less than half the least breadth of the deck at the gap, then no part of the enclosed spaces shall be excluded, as specified in figures 5 and 6 of Schedule 1;
- (b) a space under an overhead deck covering open to the sea and weather having no other connection on the exposed sides with the body of the ship than the stanchions necessary for its support. In such a space, open rails or

(b) Cmnd 4332

(bb) The functions in these Regulations have been transferred by SD155/10 to the Department of Economic Development and then to the Department for Enterprise by SD2017/0325 the Transfer of Functions (Economic Development and Education) Order 2017 with effect from 24 November 2017.

a bulwark and curtain plate may be fitted or stanchions fitted at the ship's side, provided that the distance between the top of the rails or the bulwark and the curtain plate is not less than 0.75 metres or one-third of the height of the space, whichever is the greater, as specified in figure 7 of Schedule 1;

- (c) a space in a side-to-side erection between opposite side openings not less in height than 0.75 metres or one-third of the height of the erection, whichever is the greater. If the opening in such an erection is provided on one side only, the space to be excluded from the volume of enclosed spaces shall be limited inboard from the opening to a maximum of one half of the breadth of the deck in way of the opening, as specified in figure 8 of Schedule 1;
- (d) a space in an erection immediately below an uncovered opening in the deck overhead, provided that such an opening is exposed to the weather and the space excluded from enclosed spaces is limited to the area of the opening, as specified in figure 9 of Schedule 1;
- (e) a recess in the boundary bulkhead of an erection which is exposed to the weather and the opening of which extends from deck to deck without means of closing, provided that the interior width is not greater than the width at the entrance and its extension into the erection is not greater than twice the width of its entrance, as specified in figure 10 of Schedule 1;
- (f) notwithstanding the provisions of sub-paragraphs (a) to (e) inclusive, any space listed in those sub-paragraphs which fulfils at least one of the following conditions shall be treated as an enclosed space -
 - (i) the space is fitted with shelves or other means for securing cargo or stores;
 - (ii) the openings are fitted with any means of closure;
 - (iii) the construction provides any possibility of such openings being closed;

“fishing vessel” has the meaning given by section 78 of the Act;

“length” means the greater of the following distances -

- (a) the distance between the fore side of the stem and the axis of the rudder stock; or
- (b) 96 per cent of the distance between the fore side of the stem and the aft side of the stern;

the 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;

“length overall” means the distance between the foreside of the foremost fixed permanent structure and the afterside of the aftermost fixed permanent structure; and “fixed permanent structure” includes any portion of the hull which is capable of being detached, but which is fixed in place during the normal operation of the vessel. It does not include functional arrangements such as safety rails, bowsprits, pulpits, stemhead fittings, rudders, steering gear, outdrives, outboard motors, propulsion machinery, diving platforms, boarding platforms, rubbing strips and fenders, other than where such functional arrangements are designed to replace any part of the hull that has been removed;

“Manx ship” has the meaning assigned to it by section 1 of the Act;

“Manx waters” means any waters (including inland waters) within the seaward limits of the territorial sea adjacent to the Island;

“moulded depth”, and in the case of a ship of less than 24 metres “depth”, means the vertical distance measured from the top of the keel of a metal ship, or in wood and composite ships from the lower edge of the keel rabbet, to the underside of the upper deck at side, or, in the case of a ship which is not fully decked, to the top of the upper strake or gunwale, provided that -

- (a) 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 measured from the point where the line of the flat of the bottom continued inwards cuts the side of the keel;
- (b) in the case of a glass reinforced plastic ship where no keel member is fitted and the keel is of open trough construction, the distance is measured from the top of the keel filling, if any, or the level at which the inside breadth of the trough is 100 millimetres, whichever gives the lesser depth;
- (c) in ships having rounded gunwales, the distance is 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; and
- (d) where the upper deck is stepped and the raised part of the deck extends over the point at which the moulded depth is measured, the distance is measured to a line of reference extending from the lower part of the deck along a line parallel with the raised part;

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- (c) 1968/1053 which has effect in the Island by virtue of the Merchant Shipping (Load Lines) Act 1981 and G.C. 232/84. These Rules are superseded by the Merchant Shipping (Load Lines) Regulations 2000 (SD 492/00).

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 weathertight 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) “weathertight” means that in any sea conditions water will not penetrate into the ship;

“moulded draught” means -

- (a) for ships assigned load lines in accordance with the *Merchant Shipping (Load Lines) Regulations 2020*, the draught corresponding to the Summer Load Line (other than timber load lines);
- (b) for passenger ships, the draught corresponding to the deepest subdivision load line assigned in accordance with the Merchant Shipping (Passenger Ship Construction) Regulations 1980 ^(d) or the Merchant Shipping (Passenger Ship Construction and Survey) Regulations 1984 ^(e) as those regulations have effect in the Island, whichever is applicable;
- (c) for ships to which no load line has been assigned but the draught of which is restricted by the Department, the maximum permitted draught; and
- (d) for other ships, 75 per cent of the moulded depth amidships as defined in this regulation;

“oil tanker” means a ship constructed or adapted to carry oil in bulk in its cargo spaces and includes combination carriers. For the purposes of this definition “combination carrier” means a ship designed to carry either oil or solid cargoes in bulk;

“passenger” means any person carried in a ship except -

- (a) a person employed or engaged in any capacity on board the ship on the business of the ship;
- (b) a person on board the ship either in pursuance of the obligation laid upon the master to carry shipwrecked, distressed or other

(d) S.I. 1980/535 as applied to the Island by G.C. 38/85

(e) S.I. 1984/1216 as applied to the Island by G.C. 38/85

persons, or by reason of any circumstances that neither the master nor the owner nor the charterer (if any) could have prevented; and

- (c) a child under one year of age;

Definition of Pleasure Vessel as amended by SD 396/03 MS (Pleasure Vessel) Regulations 2003

“Pleasure Vessel” means any vessel which at the time it is being used:

(a) is wholly owned by an individual or individuals, and is used only for the sport or pleasure of the owner or the immediate family or friends of the owner; or

(b) is owned by a body corporate, and is carrying only such persons as are the employees or officers of the body corporate, or their immediate family or friends; and

(c) is on a voyage or excursion which is one for which the owner does not receive money or money’s worth for or in connection with the operation of the vessel or the carrying of any person other than as a contribution to the direct expenses of the operation of the vessel incurred during the voyage or excursion, and no other payments are made by, on behalf of, or for the benefit of users of the vessel, other than by the owner; or

(d) is owned by a body corporate but pursuant to a long term lease agreement, is used only for the sport or pleasure of the lessee, and the immediate friends or family of the lessee, if an individual, or the employees or officers and their immediate friends and family, if a corporate lessee.

Such lease agreement must specify that:

(i) the vessel may only be used for private purposes and must not be used for commercial purposes;

(ii) the vessel must not be sub-leased or chartered, and

(iii) no other payments are made by, on behalf of, or for the benefit of users of the vessel, other than by the lessee.

(e) is wholly owned by or on behalf of a members’ club formed for the purpose of sport or pleasure, and at the time it is being used, is used only for the sport or pleasure of members of that club or their immediate family, and any charges levied in respect of that use are paid into club funds and applied for the general use of the club, and no other payments are made by, on behalf of, or for the benefit of users of the vessel, other than by the club.

“surveyor” means a surveyor appointed by a Certifying Authority.

PART II

APPLICATION, ASCERTAINMENT OF TONNAGE AND CERTIFICATION FOR MANX SHIPS OF 24 METRES IN LENGTH AND OVER

Application of Part II

3. This Part applies to ships, being ships of 24 metres in length or over, registered or to be registered in the Island under Part I of the Act and for which the ascertainment of tonnage is required under section 7 of the Act.

Method of measurement

4. (1) A ship shall be measured by a surveyor.

(2) The gross and net tonnages shall be determined in accordance with regulations 6 and 7 provided that in the case of novel types of craft with constructional features which render the application of the provisions of these Regulations unreasonable or impracticable, the gross and net tonnages shall be determined as required by the Department.

(3) All measurements used in the calculations of volumes shall be taken and expressed in metres to the nearest one hundredth of a metre.

(4) Gross and net tonnages shall be expressed as whole numbers, decimals being rounded off downwards.

Calculation of Volumes

5. (1) All volumes included in the calculation of gross and net tonnages shall be measured, irrespective of the fitting of insulation or the like, to the inner side of the shell or structural boundary plating in ships constructed of metal, and to the outer surface of the shell or to the inner side of the structural boundary surfaces in ships constructed of any other material.

(2) Volumes of appendages shall be included in the total volume.

(3) Volumes of spaces open to the sea shall be excluded from the total volume.

(4) The method and accuracy of the calculations shall be sufficiently detailed to facilitate checking.

Gross tonnage

6. The gross tonnage (GT) of a ship shall be determined by the following formula -

$$GT = K_1V$$

where -

V = total volume of all enclosed spaces of the ship in cubic metres; and

$K_1 = 0.2 + 0.02 \log_{10}V$, as specified in Schedule 2;

Net tonnage

7. The net tonnage (NT) of a ship shall be determined by the following formula :

$$NT = K_2 V_c \frac{[4d]^2}{[3D]} + K_3 \frac{[N_1 + N_2]}{10}$$

where -

V_c = total volume of cargo spaces in cubic metres;

$K_2 = 0.2 + 0.02 \log_{10} V_c$ as specified in Schedule 2.

$$K_3 = 1.25 \frac{GT + 10,000}{10,000}$$

where -

GT = gross tonnage calculated in accordance with regulation 6;

D = moulded depth amidships in metres;

d = moulded draught amidships in metres;

N_1 = number of berths for passengers in cabins with not more than 8 berths; and

N_2 = number of other passengers who may be accommodated on the ship;

Provided that :

(a) the factor -

$$\frac{[4d]^2}{[3D]}$$

shall not be taken as greater than unity;

(b) the term -

$$K_2 V_c \frac{[4d]^2}{[3D]}$$

shall not be taken as less than 0.25 GT;

(c) N_1 and N_2 shall be taken as zero when $N_1 + N_2$ is less than 13; and

(d) NT shall not be taken as less than 0.30 GT.

Segregated ballast oil tankers

8. Where segregated ballast tanks complying with Regulation 13 of Annex I of the International Convention for the Prevention of Pollution from Ships, 1973 ^(h) as modified

by the Protocol of 1978 ⁽ⁱ⁾ relating to that Convention, are provided in oil tankers, an entry may be made on the International Tonnage Certificate (1969) indicating the total tonnage of these tanks. The tonnage of such segregated ballast tanks shall be calculated according to the following formula -

$$K_1 \times V_b$$

where -

$K_1 = 0.2 + 0.02 \log_{10} V$, as specified in Schedule 2.

V = the total volume of all enclosed spaces of the ship in cubic metres; and

V_b = the total volume of segregated ballast tanks in cubic metres measured in accordance with regulation 5.

Issue of certificates

9. If it is in order to do so, the Certifying Authority shall issue to the owner an International Tonnage Certificate (1969) in the form set out in the Convention certifying the tonnages of the ship and containing the particulars to be shown thereon. The IMO number of the ship shall be included as a distinctive number.

Cancellation of Certificates

10 (1) Where alterations are made in the arrangement, construction, capacity, use of spaces, total number of passengers the ship is permitted to carry under the terms of the ship's passenger certificate, assigned load line, or permitted draught of the ship such as would cause an increase in the gross or net tonnage, the existing International Tonnage Certificate (1969) shall cease to be valid and shall be delivered up to and cancelled by the Certifying Authority.

(2) When a ship is transferred from the register of ships maintained in the Island under Part I of the Act the International Tonnage Certificate (1969) shall cease to be valid except when the transfer is to the Administration of a state which is a Contracting Government, in which case the certificate may remain in force for a period not exceeding 3 months or until the new Administration issues another International Tonnage Certificate (1969), whichever is the earlier. The Certifying Authority shall transmit to the Administration of that Government as soon as possible after the transfer has taken place a copy of the certificate carried by the ship at the time of transfer and a copy of the relevant tonnage calculations.

Change of net tonnage necessitating issue of certificate

11. (1) When alterations in the values of V , V_c , d , N_1 or N_2 as defined in regulations 6 and 7 result in an increase in the net tonnage a new International Tonnage Certificate (1969) incorporating the increased net tonnage shall be issued.

(2) In the case of a passenger ship assigned sub-division load lines in accordance with the Merchant Shipping (Passenger Ship Construction) Regulations 1980 or the Merchant Shipping (Passenger Ship Construction and Survey) Regulations 1984 and load lines in accordance with the *Merchant Shipping (Load Lines) Regulations 2020*, only one net tonnage shall be applied. Where the draught

corresponding to the Summer load line differs from that corresponding to the deepest sub-division load line the net tonnage shall, subject to paragraph (3)(a), be that determined in accordance with regulation 7 by applying the draught corresponding to the appropriate assigned load line for the trade in which the ship is engaged.

- (3) (a) Subject to subparagraph (b) below, where alterations in the values of V , V_c , d , N_1 or N_2 as defined in regulations 6 and 7, or changes in the position of the load lines result in a decrease in the net tonnage, a new International Tonnage Certificate (1969) incorporating the decreased net tonnage shall not be issued until 12 months have elapsed from the date on which the current certificate was issued.
- (b) A new International Tonnage Certificate (1969) may be issued when :
- (i) a ship which was registered outside the Island is re-registered in the Island;
 - (ii) a ship undergoes alterations or modifications of a major character, such as the removal of a superstructure, which requires an alteration of the assigned load line; or
 - (iii) the ship is a passenger ship employed in special trades for the carriage of large numbers of special trade passengers, such as the pilgrim trade.

Use of gross tonnage ascertained under previous Regulations

12. (1) In the case of a ship -
- (a) which is a ship the keel of which was laid or which was at a similar stage of construction before 18th July 1982; or
 - (b) which is a ship the keel of which was laid or which was at a similar stage of construction not later than 31st December 1985, not being a ship referred to in subparagraph (a); or
 - (c) which is a cargo ship of less than 1,600 tons gross tonnage when ascertained in accordance with the provisions of Schedule 5 and Appendices 1 to 4 thereto of the Merchant Shipping (Tonnage) (Isle of Man) Regulations 1984 (now revoked) ⁽ⁱ⁾, the keel of which was laid or which was at a similar stage of construction before 18th July 1994, not being a ship referred to in sub-paragraph (a);

The Department may permit the continuing use of a gross tonnage additionally ascertained in accordance with the provisions of Schedule 5 and Appendices 1 to 4 thereto of the Merchant Shipping (Tonnage) (Isle of Man) Regulations 1984 (now

revoked) for the purpose of the application of the provisions of regulations implementing the International Convention for the Safety of Life at Sea 1974 ^(k), the Protocol of 1978 relating to that Convention ^(l), the International Convention for the Prevention of Pollution from Ships 1973, the Protocol of 1978 relating to that Convention and the International Convention on Standards of Training, Certification and Watchkeeping of Seafarers, 1978 ^(m), as amended on 7th July 1995.

(2) An International Tonnage Certificate (1969) may be annotated, under “Remarks”, by the Certifying Authority -

(a) in the case of a ship to which paragraph (1)(a) refers, with the duly completed and signed entry -

“The ship is remeasured according to article 3(2)(d) of the 1969 Tonnage Convention.

The GROSS TONNAGE according to the measurement system previously in force to the measurement system of the International Convention on Tonnage Measurement of Ships, 1969 is:.....RT, according to the regulations”; and

(b) in the case of a ship to which paragraph (1)(b) or (c) refers,
with the duly completed and signed entry -

“The ship is additionally remeasured according to resolution A.494(XII).

The GROSS TONNAGE according to the measurement system previously in force to the measurement system of the International Convention on Tonnage Measurement of Ships, 1969, is :.....RT, according to the Regulations.....”.

(3) Where such an entry has been made on an International Tonnage Certificate (1969) and the ship undergoes alterations or modifications which affect its tonnage the old tonnage referred to in paragraph (1) shall be deleted.

(4) Where a gross tonnage has been ascertained and is to be used in accordance with paragraph (1), then any certificate issued for the purposes of the conventions and protocols referred to shall record only that gross tonnage together with an appropriate footnote -

“The above gross tonnage has been determined by a Certifying Authority (a tonnage authority) of the Isle of Man in accordance with the national tonnage rules which were in force prior to the coming into force of the International Convention on Tonnage Measurement of Ships, 1969.”; or

“See REMARKS column of the valid International Tonnage Certificate (1969)”.

(j) GC 234/84 (k) Cmnd 7814 (l) Cmnd 7346 (m) Cmnd 9266

PART IIA

MEASUREMENT OF FISHING VESSELS OF 15 METRES AND OVER LENGTH OVERALL

12A. (1) *Subject to paragraph (2), this Part applies to fishing vessels of 15 metres or more length overall but less than 24 metres registered length which are registered or are to be registered under Part III of the Act for which the ascertainment of tonnage is required by section 7 of the Act.*

(2) *Fishing vessels which were first registered before 1st July 2001, shall be remeasured in accordance with this Part no later than 31st December 2003.*

12B. *A fishing vessel shall be measured by an authorised measurer.*

12C. *Regulation 4(2), (3) and (4) and regulations 5, 6 and 7 shall apply for the measurement of tonnage of vessels to which this Part applies as they apply for the purposes of Part II.*

12D. *The authorised measurer shall, if it is in order to do so, issue a certificate in a form approved by the Department.*

12E. *Where alterations are made to the dimensions, arrangement, construction, capacity, use of spaces, or permitted draught of the vessel such as would cause an increase in the tonnage, the existing measurement shall cease to be valid, any certificate shall be delivered up to and cancelled by the issuer and the owner of the vessel shall make an application for it to be remeasured in accordance with regulation 12B.*

PART III

APPLICATION, ASCERTAINMENT OF TONNAGE AND CERTIFICATION FOR MANX SHIPS OF LESS THAN 24 METRES IN LENGTH, OTHER THAN FISHING VESSELS

Application of Part III

13. This Part applies to Manx ships of less than 24 metres in length, and not being fishing vessels, registered or to be registered under Part I of the Act and for which the ascertainment of tonnage is required under Regulations made under section 44 of the Act.

Measurement and certification

14. (1) A ship shall be measured by a surveyor or by a measurer appointed by an organisation as may be authorised by the Department.

(2) The tonnage of a ship shall be the sum of -

(a) the product of multiplying together its length overall, extreme breadth over the outside hull and depth in metres and

multiplying the resultant figure by 0.16; and

- (b) the tonnage of any break or breaks, calculated for each break by multiplying together its mean length, mean breadth and mean height in metres and multiplying the resultant figure by 0.35.

(3) For the purpose of this Part -

- (a) the breadth of a ship shall be its extreme breadth over the outside plating, planking or hull, no account being taken of rubbers or fenders even if they are moulded so as to be integral with the hull;

- (b) the depth of a ship shall be measured vertically at the midpoint of the length overall.

- (i) The upper terminal point for depth shall be -

- (aa) in the case of a decked ship, the underside of the deck on the middle line or, if there is no deck on the middle line at the point of measurement, the underside of the deck at the side of the ship plus the full deck camber;

- (bb) in the case of an open ship, the top of the upper strake or gunwale.

- (ii) The lower terminal point of depth shall be -

- (aa) in the case of a wooden ship, the upper side of the planking at the side of the keel or hog;

- (bb) in the case of a metal ship, the top of the plating at the side of the keel;

- (cc) in the case of a glass reinforced plastic ship, the inside of the hull. Where no keel member is fitted and the keel is of open trough construction, the lower terminal point for depth shall be the top of the keel filling, if fitted, or the level at which the inside breadth of the trough is 10 centimetres, whichever gives the greater depth.

- (iii) Where a break exists in way of the point of measurement for depth, the height of the break shall not be included in the measurement of depth.

(4) the tonnage determined in accordance with paragraph (2) shall be the gross tonnage and net tonnage.

(5) In the case of a multi-hull ship the tonnage of each hull shall be measured separately and the sum of such tonnages shall be used in computing the tonnage referred to in paragraph (2).

(6) All measurements used in the calculations of volumes shall be taken and expressed in metres to the nearest one hundredth of a metre.

(7) Tonnage shall be expressed to two decimal places, the second decimal place being increased by one if the third decimal place is 5 or more.

(8) On completion of the measurement the surveyor or measurer, as the case may be, shall forward to the Department a Certificate of Measurement in a form approved by the Department.

(9) Where alterations are made in the arrangement, construction, capacity, use of spaces, total number of passengers the ship is permitted to carry under the terms of the ship's passenger certificate, assigned load line, or permitted draught of the ship such as would cause an increase in the tonnage, the existing measurement shall cease to be valid, any certificate shall be delivered up to and cancelled by the issuer and the owner of the ship shall make application for it to be remeasured in accordance with paragraph (1).

(10) Notwithstanding paragraph (2) nothing in this Part shall be taken to require any ship 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.

PART IV NON-MANX SHIPS

Ascertainment of tonnage and certification

15. (1) The Department may, at the request of the Administration of a Contracting Government, ascertain the gross and net tonnages of a foreign ship in accordance with Part II and issue to the owner an International Tonnage Certificate (1969). In such cases the certificate shall be endorsed to the effect that it has been issued at the request of the Government of the state whose flag the ship is or will be flying, and a copy of the certificate and the calculations of the tonnages shall be transmitted to the requesting Government as soon as possible.

(2) The Certifying Authority may, at the request of an owner of a non-Manx ship flying the flag of a State whose Government is not a Contracting Government, ascertain the gross and net tonnages of the ship in accordance with Part II and issue a Certificate of British Tonnage Measurement. In such a case the certificate shall bear the endorsement "for use only whilst within Manx territorial waters".

PART V PENALTIES

Penalties

16. Any owner or master who fails without reasonable cause to deliver up a certificate for cancellation as required by regulations 10(1), *12E or 14(9)* shall be guilty of an offence and liable on summary conviction to a fine not exceeding **£2,000⁽ⁿ⁾**.

⁽ⁿ⁾ Increased to a fine not exceeding £2,000 by section 55 of the Interpretation Act 2015 with effect from 1 January 2018

SCHEDULE 3**REVOCAATION**

G.C. No.	Title	Extent of Revocation
234/84	The Merchant Shipping (Tonnage) (Isle of Man) Regulations 1984	The whole Regulations
336/88	The Merchant Shipping (Tonnage) (Isle of Man) Regulations 1988	Schedule 4
209/90	The Merchant Shipping (Tonnage) (Amendment) Regulations 1990	The whole Regulations

Dated 27th August, 1998*David North,*

Minister for Trade and Industry

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations consolidate with amendments the Merchant Shipping (Tonnage) (Isle of Man) Regulations 1984, as amended.

The Regulations re-enact those provisions of the earlier Regulations relating to the International Convention on Tonnage Measurement of Ships 1969 (Cmnd. 4332) (Part II), and the calculation of tonnage for pleasure vessels of less than 13.7 metres in length (Part III).

The Regulations simplify the earlier tonnage requirements for ships of less than 24 metres in length by adopting a method of tonnage computation, previously restricted to those pleasure vessels of less than 13.7 metres in length, for all ships under 24 metres in length other than fishing vessels.

The Regulations deal with the tonnage computation of segregated ballast oil tankers, and with the use of gross tonnage which has been ascertained under previous Regulations.

The Regulations enable the Department of Trade and Industry to authorise persons to act as Certifying Authorities for the purpose of the Regulations. Currently so authorised are Lloyd's Register of Shipping, the British Committee of Bureau Veritas, the British Committee of Det Norske Veritas, the British Committee of Germanischer Lloyd, the British Committee of Registro Italiano Navale and the British Technical Committee of the American Bureau of Shipping.

The Conventions and Protocols referred to in the Regulations may be obtained from the International Maritime Organisation, 4 Albert Embankment, London SE1 75R.

Amendments:

This text includes the amendments (indicated by *bold italics*) made to the Regulations by:

SD 288/01 Fishing Vessels (Tonnage and Registration) (Amendment) Regulations 2001.
SD396/03 Merchant Shipping (Pleasure Vessel) Regulations 2003 - the amendment changes the definition of a Pleasure Vessel.

These Regulations are marked with amendments (in *bold italic*) made to these Regulations by section 55 of the Interpretation Act 2015 which increase the fines with effect from 1 January 2018.

The functions in these Regulations have been transferred by SD155/10 to the Department of Economic Development and then to the Department for Enterprise by SD2017/0325 the Transfer of Functions (Economic Development and Education) Order 2017 with effect from 24 November 2017.

SD2020/0552 Merchant Shipping (Load Lines) Regulations 2020.