



Isle of Man

Ellan Vannin

AT 24 of 1981

**MERCHANT SHIPPING (LOAD LINES) ACT
1981**



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Index

Section	Page
1 to 19 [Repealed].....	5
20 [Repealed]	5
21 [Repealed]	5
22 to 25 [Repealed].....	5
26 Interpretation.....	5
27 [Repealed]	5
28 [Repealed]	5
29 to 32 [Repealed].....	5
33 Short title, construction and commencement	5
 SCHEDULE 1	 7
 SCHEDULE 2	 7
<hr/> INTERPRETATION	<hr/> 7
 SCHEDULE 3	 9
 ENDNOTES	 11
<hr/> TABLE OF LEGISLATION HISTORY	<hr/> 11
TABLE OF RENUMBERED PROVISIONS	11
TABLE OF ENDNOTE REFERENCES	11

**Isle of Man***Ellan Vannin*

MERCHANT SHIPPING (LOAD LINES) ACT 1981

Received Royal Assent: 28 October 1981
Passed: 15 December 1981
Commenced: 19 October 1984

AN ACT to make better provisions as to load lines and related matters, and for connected purposes.

GENERAL NOTE: The maximum fines in this Act are as increased by the *Fines Act 1986* and by the *Criminal Justice (Penalties, Etc.) Act 1993* s 1.

1 to 19 [Repealed]¹

20 [Repealed]²

21 [Repealed]³

22 to 25 [Repealed]⁴

26 **Interpretation**

The definitions and other matters specified in Schedule 2 shall have effect.

27 [Repealed]⁵

28 [Repealed]⁶

29 to 32 [Repealed]⁷

33 **Short title, construction and commencement**

(1) This Act may be cited as the Merchant Shipping (Load Lines) Act 1981 and shall be construed as one with the Passenger Ships' Survey Act, and that Act and this Act may be cited together as the Merchant Shipping (Safety Regulations) Acts 1979 and 1981.



- (2) This Act shall come into force on such day as the Board may by order appoint.⁸

SCHEDULE 1⁹**SCHEDULE 2****INTERPRETATION**

Section 26 [P1969/27/32(1)-(7)]

PART I – GLOSSARY OF TERMS

“**the 1967 Act**” means the Merchant Shipping (Load Lines) Act 1967 (an Act of Parliament);

“**alteration**” includes deterioration;

“**clearance**” includes a transire;

“**Contracting Government**” means such Government as is referred to in paragraph (a) of the definition of “Convention Country”;¹⁰

“**the Convention of 1966**” means the International Convention on Load Lines 1966;¹¹

“**Convention Country**” means a country or territory which is either —

- (a) a country the Government of which has been declared under section 31 of the 1967 Act to have accepted or acceded to the Convention of 1966, and has not been so declared to have denounced that Convention, or
- (b) a territory to which it has been so declared that the Convention of 1966 extends, not being a territory to which it has been so declared that that Convention has ceased to extend;¹²

“**construction rules**” means the regulations relating to the construction of passenger ships made under sections 1 and 2 of the *Merchant Shipping Act 1985* or any legislation of the United Kingdom applied to the Island under section 5 of that Act and which relates to those matters;¹³

“**the Department**” means the Department for Enterprise;¹⁴

“**the deck cargo regulations**” [Repealed]¹⁵

“**the Detention of Ships Act**” means the *Merchant Shipping (Detention of Ships) Act 1979*;

“**International Load Line Certificate (1966)**” has the meaning assigned to it by section 5(2)(a);¹⁶

“**International Load Line Exemption Certificate**” has the meaning assigned to it by section 17(2)(a) and (2A);¹⁷

“**the load line rules**” means rules made under section 2 of the 1967 Act and includes those rules as amended by the Merchant Shipping (Load Line) (Amendment) Rules 1990;¹⁸

“**the Load Lines Convention Orders**” means Orders in Council under section 31 of that Act;¹⁹

“**the load lines exemption order**” means an order made under section 18 of that Act;

“**the load lines (length of ship) regulations**” means regulations made under section 32(6) of that Act;

“**the load lines (particulars of depth of loading) regulations**” means regulations made under section 10 of that Act;

“**Manx load line certificate**” has the meaning assigned to it by section 5(2);

“**Manx load line exemption certificate**” has the meaning assigned to it by section 17(2);

“**Manx ship**” has the meaning assigned to it by section 1 of the *Merchant Shipping Registration Act 1991*;²⁰

“**parent country**”, in relation to a ship, means the country or territory in which the ship is registered, or, if the ship is not registered anywhere, means the country or territory whose flag the ship flies;

“**the Passenger Ships’ Survey Act**” means the *Merchant Shipping (Passenger Ships’ Survey) Act 1979*;

“**prescribed**” [Repealed]²¹

“**Safety Convention**” means the International Convention for the Safety of Life at Sea signed in London on the 1st November 1974 as amended and the Protocol of 1978 relating to that Convention;²²

“**valid Convention certificate**” means a certificate which either —

- (a) has been issued under section 12(2) of the 1967 Act and is for the time being in force; or
- (b) having been issued as mentioned in section 12(3) of that Act, is produced in circumstances in which it is required by the load line rules to be recognised for the purposes of this Act.²³

PART II – SUPPLEMENTAL

1. In this Act, subject to paragraph 2 —

“**international voyage**” means a voyage between —

- (a) a place in the Island and a place outside the Island;

- (b) a place in a Convention country (other than the Island) and a place in any other country or territory (whether a Convention country or not) which is outside the Island.²⁴
2. In determining, for the purposes of paragraph 1, what are the places between which a voyage is made, no account shall be taken of any deviation by a ship from her intended voyage which is due solely to stress of weather or any other circumstances which neither the master nor the owner, nor the charterer (if any), of the ship could have prevented or forestalled; and, for the purposes of that paragraph, any colony, protectorate or other dependency, any territory for whose international relations a Government is separately responsible, and any territory for which the United Nations are the administering authority, shall be taken to be a separate territory.
3. In this Act, “**a new ship**” means a ship whose keel is laid, or which is at a similar stage of construction, on or after the material date, and “**existing ship**” means a ship which is not a new ship; and for the purposes of this paragraph, the material date —
- (a) in relation to a ship whose parent country is a Convention country (other than the Island) is the date as from which it is declared by a Load Lines Convention Order either that the Government of that Country has accepted or acceded to the Convention of 1966 or that it is a territory to which that Convention extends; and²⁵
- (b) in relation to any other ship, is the 21st July 1968.
4. Any reference in this Act to the gross tonnage of a ship shall be construed as a reference to the tonnage of a ship as ascertained in accordance with tonnage regulations made under the *Merchant Shipping Registration Act 1991*; and where, in accordance with those regulations, alternative tonnages are assigned to a ship, the gross tonnage of the ship shall, for the purposes of this Act, be taken to be the larger of those tonnages.²⁶
5. For the purposes of this Act, the length of a ship shall be ascertained in accordance with the load lines (length of ship) regulations.
6. Any reference in this Act to any provision of the Convention of 1966 shall, in relation to any time after that provision has been amended in pursuance of Article 29 of that Convention, be construed as a reference to that provision as so amended.²⁷

SCHEDULE 3²⁸

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement

Table of Renumbered Provisions

Original	Current

Table of Endnote References

¹ S 1 to 19 repealed by SD2020/0552.

² S 20 repealed by SD667/97.

³ S 21 repealed by Merchant Shipping (Miscellaneous Provisions) Act 1996 Sch 2.

⁴ S 22 to 25 repealed by SD2020/0552.

⁵ S 27 repealed by SD2020/0552.

⁶ S 28 repealed by Statute Law Revision Act 1992 Sch 2.

⁷ S 29 to 32 repealed by SD2020/0552.

⁸ ADO (whole Act) 19/10/1984 (by order dated 14/9/84).

⁹ Sch 1 repealed by SD2020/0552.

¹⁰ Definition of “Contracting Government” inserted by Merchant Shipping Act 1985 Sch 1.

¹¹ Definition of “the Convention of 1966” inserted by Merchant Shipping Act 1985 Sch 1.

¹² Definition of “Convention Country” inserted by Merchant Shipping Act 1985 Sch 1.

¹³ Definition of “construction rules” inserted by Merchant Shipping Act 1985 Sch 1.

¹⁴ Definition of “the Department” inserted by SD155/10 Sch 2 and amended by SD2017/0325.

¹⁵ Definition of “the deck cargo regulations” repealed by SD667/97.

¹⁶ Definition of “International Load Line Certificate (1966)” inserted by Merchant Shipping Act 1985 Sch 1.

¹⁷ Definition of “International Load Line Exemption Certificate” inserted by Merchant Shipping Act 1985 Sch 1.

¹⁸ Definition of “the load line rules” amended by GC361/92.

¹⁹ Definition of “the Load Lines Convention Orders” inserted by Merchant Shipping Act 1985 Sch 1.

²⁰ Definition of “Manx Ship” inserted by GC254/92.

²¹ Definition of “prescribed” repealed by Merchant Shipping Act 1985 Sch 1.

²² Definition of “Safety Convention” added by Merchant Shipping Act 1985 Sch 1.

²³ Definition of “valid Convention certificate” added by Merchant Shipping Act 1985 Sch 1.

²⁴ Subpara (b) substituted by Merchant Shipping Act 1985 Sch 1.

²⁵ Subpara (a) substituted by Merchant Shipping Act 1985 Sch 1.

²⁶ Para 4 amended by Merchant Shipping Registration Act 1991 Sch 5.

²⁷ Para 6 added by Merchant Shipping Act 1985 Sch 1.

²⁸ Sch 3 repealed by Statute Law Revision Act 1992 Sch 2.