

STATES OF JERSEY

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DRAFT SHIPPING (TONNAGE) (JERSEY) REGULATIONS 200

**Lodged au Greffe on 17th February 2004
by the Harbours and Airport Committee**

STATES GREFFE



Jersey

DRAFT SHIPPING (TONNAGE) (JERSEY) REGULATIONS 200

REPORT

Background

The current Regulations are based on the United Kingdom Merchant Shipping Act 1965. The U.K. Order applying the Act to Jersey will be revoked on the introduction of the Shipping (Jersey) Law 2002. Furthermore, the current Regulations do not apply the international standard which is set by the International Convention on Tonnage Measurement of Ships 1969.

The new Regulations

The draft Regulations are made under Article 21 of the Shipping (Jersey) Law 2002 which requires that any ship registered in Jersey is measured in accordance with Tonnage Regulations made by the States.

Drafting has been based on the current United Kingdom Statutory Instruments, which clearly set out the requirements in accordance with the Convention. Advice has also been sought from the Committee's retained surveyor.

The Regulations authorise the issue of International Tonnage Certificate for vessels over 24 metres in length and a certificate of measurement in a form approved by the Committee for ships under this size.

Application and exemption

The Regulations apply primarily to Jersey registered ship, including fishing vessels, and those to be registered in Jersey.

The Regulations do not apply to small ships (those under 24 metres in length) which are to be registered on the local small ships register.

Offences and penalties

Only one offence is necessary, to ensure a cancelled certificate is returned. This is set out in Regulation 25. The penalty is a fine not exceeding level 3 (currently £2,000).

Financial and manpower implications

As this is essentially a continuation of existing arrangements, there are no additional financial or manpower implications for the States.

Explanatory Note

These Regulations specify how a ship is to be measured and its net and gross tonnages (measurements of volume not mass) are to be calculated.



Jersey

DRAFT SHIPPING (TONNAGE) (JERSEY) REGULATIONS 200

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Jersey

DRAFT SHIPPING (TONNAGE) (JERSEY) REGULATIONS 200

Made

[date to be inserted]

Coming into force

in accordance with Regulation 26(2)

THE STATES, in pursuance of Article 21 of the Shipping (Jersey) Law 2002,^[1] have made the following Regulations –

PART 1

PRELIMINARY

1 Interpretation

(1) In these Regulations, unless the context otherwise requires –

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

“amidships”, in respect of a ship, means the mid-point of its length, except in the case of a ship of less than 24 metres in length when it means the midpoint of its length overall;

“authorized measurer” means a measurer appointed by an organisation authorized by the Committee for the purpose;

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

“break”, in respect of a ship, means the space bounded longitudinally by a side to side upward step in the lowest line of the upper deck of the ship 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 of the ship continued parallel thereto;

“cargo spaces”, in respect of a ship, means enclosed spaces in it that are appropriated for the transport of cargo to be discharged from the ship;

“Certifying Authority” means the Committee or a person authorized by the Committee for the purposes of these Regulations;

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

“Convention” means the International Convention on Tonnage Measurement of Ships, 1969;

“enclosed spaces”, in respect of a ship, means all those spaces in the ship, other than excluded spaces, that are bounded by the ship’s hull, by fixed or portable partitions or bulkheads or by decks or coverings other than permanent or moveable awnings but –

(a) a break in a deck; or

(b) an 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; or

(c) the absence of a partition or bulkhead,

does not preclude a space from being included as an enclosed space;

“excluded spaces”, for the purposes of the definition of enclosed spaces, means, subject to subparagraph (f), any of the spaces specified in subparagraphs (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 having a breadth equal to or greater than 90 per cent of the breadth of the deck at the line of the opening and extending 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, that 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 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 that 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 subparagraphs (a) to (e) inclusive, any space listed in those subparagraphs that fulfills 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 a means of closure,
 - (iii) the construction provides a possibility of the openings being closed;

“fixed permanent structure”, in respect of a ship, includes any portion of its hull that is capable of being detached if it is fixed in place during the normal operation of the ship but does not include a functional arrangement such as a safety rail, a bowsprit, a pulpit, a stemhead fitting, a rudder, steering gear, an outdrive, an outboard motor, propulsion machinery, a diving platform, a boarding platform, a rubbing strip or a fender, unless the functional arrangement is designed to replace a part of the hull that has been removed;

“immediate family”, in relation to an individual, means the husband or wife of the individual and a relative of the individual or the individual's husband or wife;

“Law” means the Shipping (Jersey) Law 2002,^[2]

“length”, in respect of a ship, means the greater of the following –

- (a) the distance between the fore side of its stem and the axis of its rudder stock; or
- (b) 96 per cent of the distance between the fore side of its stem and the aft side of its 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 being taken to be parallel to the designed waterline;

“length overall”, in respect of a ship, means the distance between the foreside of the foremost fixed permanent structure of the ship and the afterside of its aftermost permanent structure;

“load line provisions” means –

- (a) the provisions of the Shipping (Load Line) Regulations 200-;^[3] or
- (b) in relation to a ship not registered in Jersey, any corresponding provisions of the country in which the ship is registered;

“moulded depth”, in respect of a ship, or 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 its keel rabbet, to the underside of its upper deck at side, or, in the case of a ship that is not fully decked, to the top of its upper strake or gunwale, provided that –

- (a) if the form at the lower part of the midship section is of a hollow character, or if 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) if 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;

“moulded draught”, in respect of a ship, means –

- (a) for a ship assigned load lines in accordance with the load line provisions, the draught corresponding to the Summer Load Line (other than timber load lines);
- (b) for a passenger ship, the draught corresponding to the deepest subdivision load line that would be assigned to it if the Passenger Ship Construction Regulations applied to it;
- (c) for a ship to which no load line has been assigned but the draught of which is restricted by the Committee, its maximum permitted draught; and
- (d) for any other ship, 75 per cent of its moulded depth amidships;

“non-Jersey ship” means a ship which is not a Jersey ship within the meaning of Article 2 of the Law;^[4]

“oil tanker” means a ship constructed or adapted to carry oil in bulk in its cargo spaces and includes a combination carrier, being 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 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;

“Passenger Ship Construction Regulations” means the Merchant Shipping (Passenger Ship Construction: Ships of Classes I, II and II(A)) Regulations 1998 of the United Kingdom as for the time being amended or replaced and in force in the United Kingdom;

“pleasure vessel” means –

- (a) a vessel which at the time it is being used –
 - (i) in the case of a vessel wholly owned –
 - (A) by an individual (or individuals), is being used only for the sport or pleasure of the owner or immediate family or friends of the owner, or
 - (B) by a body corporate, is being used only for sport or pleasure and on which the persons are employees or officers of the body corporate, or their immediate family or friends; and
 - (ii) is on a voyage or excursion that is one for which the owner does not receive money for or in connection with operating the vessel or carrying any person, other than as a contribution to the direct expenses of the operation of the vessel incurred during the voyage or excursion; or
- (b) a vessel wholly owned by or on behalf of a members' club formed for the purpose of sport or pleasure that, 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 for the use of which any charges levied are paid into club funds and applied for the general use of the club,

and where no other payment is made by or on behalf of users of the vessel, other than by the owner;

“relative” means brother, sister, ancestor or lineal descendant;

“similar stage of construction” means the stage at which –

- (a) construction identifiable with a specific ship begins; and
- (b) assembly of that ship has commenced comprising at least 50 tonnes or one per cent of the estimated mass of all structural material whichever is the less;

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

“upper deck”, in respect of a ship, means the uppermost complete deck exposed to weather and sea, that has permanent means of weathertight closing of all openings in the part exposed to weather, 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 to be taken as the upper deck;

“weathertight”, in respect of a ship, means that in any sea conditions water will not penetrate into the ship.

(2) In these Regulations –

- (a) a reference to a numbered Part is, unless otherwise stated, a reference to the Part of that number in these Regulations;
- (b) a reference to a numbered regulation is, unless otherwise stated, a reference to the regulation of that number in these Regulations;
- (c) a reference in a regulation to a numbered paragraph is, unless otherwise stated, a reference to the paragraph of that number in that regulation; and
- (d) a reference to a numbered Schedule is, unless otherwise stated, a reference to the Schedule of that number to these Regulations.

PART 2

SHIPS OF 24 METRES IN LENGTH AND OVER

2 Application

This Part applies to a ship –

- (a) that is 24 metres in length or over;
- (b) that is registered or to be registered in Jersey under Part 3 of the Law,^[5] and
- (c) for which the ascertainment of tonnage is required under Regulations made under Article 13 of the Law.^[6]

3 Method of measurement

- (1) The ship shall be measured by a surveyor.
- (2) The surveyor shall determine its gross and net tonnages in accordance with Regulations 5 and 6.
- (3) However if the ship is a novel type of craft with constructional features that render the application of the provisions of Regulations 5 and 6 unreasonable or impracticable, the surveyor shall determine its gross and net tonnages in the manner specified by the Committee.
- (4) Measurements used in the calculations of volumes shall be taken and expressed in metres to the nearest one hundredth of a metre.
- (5) Gross and net tonnages shall be expressed as whole numbers, decimals being rounded off downwards.

4 Calculation of volumes

- (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 a ship constructed of metal, and to the outer surface of the shell or to the inner side of the structural boundary surfaces in a ship 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.

5 Gross tonnage

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

$$GT = K_1 V$$

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.

6 Net tonnage

- (1) Subject to paragraph (2), the net tonnage (NT) of a ship shall be determined by the following formula –

$$NT = K_2 V_c ()^2 + K_3 (N_1 +)$$

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;

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

GT = gross tonnage calculated in accordance with regulation 5;

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.

- (2) The formula in paragraph (1) shall be calculated on the basis that–

- (a) the factor –

$()^2$ shall not be taken as greater than unity;

- (b) the term –

$$K_2 V_c ()^2$$

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.

7 Segregated ballast oil tankers

- (1) If segregated ballast tanks complying with Regulation 13 of Annex 1 of the International Convention for the Prevention of Pollution from Ships 1973, as modified by the Protocol of 1978 relating to that Convention, are provided in an oil tanker, an entry may be made on its International Tonnage Certificate (1969) indicating the total tonnage of the tanks.

- (2) The tonnage of the 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 the segregated ballast tanks in cubic metres measured in accordance with regulation 4.

8 Issue of certificates

- (1) If, in respect of a ship, the Certifying Authority is satisfied that it is in order to do so, it shall issue to

the owner of the ship an International Tonnage Certificate (1969) in the form set out in the Convention that certifies the tonnages of the ship and contains the other particulars to be shown on the form.

(2) In particular the official number of the ship shall be included as a distinctive number.

9 Alteration or change in ship

(1) This Regulation applies where an alteration is made in –

- (a) the arrangement of the ship;
- (b) the construction of the ship;
- (c) the capacity of the ship;
- (d) the use of spaces in the ship;
- (e) the total number of passengers the ship is permitted to carry under the terms of its passenger certificate;
- (f) the ship's assigned load line or permitted draught,

that would cause an increase in the gross or net tonnage of the ship.

(2) Where this Regulation applies –

- (a) any International Tonnage Certificate (1969) issued in respect of the ship ceases to be valid and must be delivered to the Certifying Authority for cancellation; and
- (b) the owner of the ship must apply for it to be remeasured in accordance with Regulation 3.

10 Transfer from Jersey registry

(1) This Regulation applies where a ship is transferred from the Jersey Register.

(2) Where this Regulation applies any International Tonnage Certificate (1969) issued in respect of the ship ceases to be valid.

(3) However if the transfer is to the Administration of a state that is a Contracting Government the certificate does not cease to be valid until the end of 3 months after the transfer or until the new Administration issues another International Tonnage Certificate (1969), being whichever happens first.

(4) Where paragraph (2) applies the Certifying Authority shall, as soon as practicable after the transfer transmit to the Administration of the Contracting Government –

- (a) a copy of the certificate carried by the ship at the time of the transfer; and
- (b) a copy of the relevant tonnage calculations.

11 Change of net tonnage necessitating issue of certificate

(1) The Certifying Authority shall issue a new International Tonnage Certificate (1969) in respect of a ship if an alteration in the value of V , V_c , d , N_1 or N_2 (as defined in regulations 5 and 6) results in an increase in the net tonnage of the ship.

(2) The new Certificate shall incorporate the increased net tonnage.

(3) If the draught corresponding to the Summer load line differs from that corresponding to the deepest subdivision load line the net tonnage shall, subject to paragraph (4), be that determined in accordance with Regulation 6 by applying the draught corresponding to the appropriate assigned load line for the trade in which the ship is engaged.

(4) Subject to paragraph (5), if an alteration in the value of V , V_c , d , N_1 or N_2 (as defined in regulations 5 and 6) or a change in the position of the load lines result in a decrease in the net tonnage, the

certifying Authority shall not issue a new International Tonnage Certificate (1969) incorporating the decreased net tonnage until 12 months have elapsed from the date on which the current certificate was issued.

- (5) The certifying Authority may issue a new International Tonnage Certificate (1969) forthwith if –
- (a) a ship that was registered outside Jersey is re-registered in Jersey;
 - (b) a ship undergoes an alteration or modification of a major character, such as the removal of a superstructure, that requires an alteration of the assigned load line; or
 - (c) the ship is a passenger ship employed in special trade for the carriage of a large number of special trade passengers, such as the pilgrim trade.

PART 3

FISHING VESSELS - 15 TO 24 METRES

12 Application and interpretation

This Part applies to a fishing vessel –

- (a) that is 15 metres or more in length overall but less than 24 metres in length;
- (b) that is registered or to be registered under Part 3 of the Law,^[7] and
- (c) for which the ascertainment of tonnage is required under Regulations made under Article 13 of the Law.^[8]

13 Measurement to be made by authorized measurer

The vessel shall be measured by a surveyor or by an authorized measurer.

14 Application of certain provisions of Part 2

Regulation 3(2), (3), (4) and (5) and regulations 4, 5 and 6 apply for the measurement of the tonnages of the vessel in the same way as they apply for the measurement of the tonnages of a vessel to which Part 2 applies.

15 Certificate to be issued

The surveyor or authorized measurer shall, if it is in order to do so, issue a certificate in a form approved for the purpose by the Committee.

16 Alterations to vessel

If alterations are made in the arrangement, construction, capacity, use of spaces, or permitted draught of the vessel such as would cause an increase in its tonnage –

- (a) the existing measurement of the vessel shall cease to be valid; and
- (b) its owner shall deliver the certificate issued in respect of the vessel to the issuer and make an application for the vessel to be remeasured in accordance with Regulation 12.

PART 4

SHIPS LESS THAN 24 METRES IN LENGTH AND FISHING VESSELS LESS THAN 15 METRES IN LENGTH

17 Application

This Part shall apply to a ship –

- (a) that –
 - (i) not being a fishing vessel, is less than 24 metres in length, or
 - (ii) being a fishing vessel, is less than 15 metres in length;
- (b) that is registered or to be registered under Part 3 of the Law,^[9] and
- (c) for which the ascertainment of tonnage is required under Regulations made under Article 21 of the Law.^[10]

18 Who to make measurement

The ship shall be measured by a surveyor or by an authorized measurer.

19 Measurement

The tonnage of the ship shall be the sum of –

- (a) the product of multiplying together its length, breadth 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.

20 Measurement - non fishing vessels

- (1) When Regulation 19 is applied to a ship that is not a fishing vessel–
 - (a) the length of the ship means its length overall;
 - (b) the breadth of the ship means 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;
 - (c) the depth of the ship means its depth measured vertically at the midpoint of its length overall.
- (2) For the purpose of paragraph (1)(c)–
 - (a) the upper terminal point for depth shall be –
 - (i) 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,
 - (ii) in the case of an open ship, the top of the upper strake or gunwale;
 - (b) the lower terminal point of depth shall be –
 - (i) in the case of a wooden ship, the upper side of the plank at the side of the keel or hog,
 - (ii) in the case of a metal ship, the top of the plating at the side of the keel,
 - (iii) 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; and

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

21 Measurement - fishing vessels

- (1) When Regulation 19 is applied to a ship that is a fishing vessel–
 - (a) the length of the ship means its length measured from the foreside of its foremost fixed permanent structure to –
 - (i) the aftermost part of its rudder post,
 - (ii) if the vessel has no rudder post, the foreside of its rudder stock at the point where the rudder post passes out of the hull, or
 - (iii) if the vessel has no rudder post or rudder stock, to the aftermost part of its stern or transom;
 - (b) the breadth of the ship means 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;
 - (c) the depth of the ship means its depth measured vertically amidship.
- (2) For the purpose of paragraph (1)(c) the measurement shall be taken, subject to paragraph (3)–
 - (a) from the underside of the upperdeck on the centre line to –
 - (i) the upperside of the double bottom plating or to the normal line of the open floors or timbers, as the case may be, or
 - (ii) if the ship has no frames or timbers fitted, the inside of the hull on the centre line; or
 - (b) in the case of an open ship, from the upper edge of the shell or the upper strake of planking or plating to the upper side of the bottom frames or timbers on the centre line.
- (3) If a break exists in the way of the measurement for depth, the height of the break shall not be included in the measurement of depth.
- (4) If ceiling or insulation is fitted on the tank top its thickness up to a maximum of 8 cm shall be deducted from the measurement obtained by the application of paragraphs (2) and, if applicable, (3).

22 Measurement -general

- (1) The tonnage determined in accordance with Regulation 19 shall be the gross tonnage and net tonnage.
- (2) 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 (1).
- (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) 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.
- (5) On completion of the measurement the surveyor or measurer, as the case may be, shall forward to the Committee a Certificate of Measurement in a form approved by the Committee.

23 Alteration or change in ship

- (1) This Regulation applies where an alteration is made in –
 - (a) the arrangement of the ship;
 - (b) the construction of the ship;

- (c) the capacity of the ship;
 - (d) the use of spaces in the ship;
 - (e) the total number of passengers the ship is permitted to carry under the terms of its passenger certificate;
 - (f) the ship's assigned load line or permitted draught,
that would cause an increase in the gross or net tonnage of the ship.
- (2) Where this Regulation applies –
- (a) any tonnage certificate issued in respect of the ship ceases to be valid and must be delivered to the Certifying Authority for cancellation; and
 - (b) the owner of the ship must apply for it to be remeasured in accordance with Regulation 3.

PART 5

NON-JERSEY SHIPS

24 Ascertainment of tonnage and certification

- (1) The Committee may, at the request of the Administration of a Contracting Government, ascertain the gross and net tonnages of a non-Jersey ship in accordance with Part 2 and issue to the owner an International Tonnage Certificate (1969).
- (2) The Committee shall endorse any certificate it issues in accordance with paragraph (1) 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 shall transmit a copy of the certificate and the calculations of the tonnages to the requesting Government as soon as practicable.
- (3) The Certifying Authority may, at the request of an owner of a non-Jersey 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 2 and issue a Certificate of Jersey Tonnage measurement.
- (4) The Certifying Authority shall endorse any certificate it issues in accordance with paragraph (3) "for use only whilst within Jersey waters".

PART 6

PENALTIES

25 Penalties

An owner or a master who fails without reasonable cause to deliver up a certificate for cancellation as required by regulations 9(2)(a), 16(b) or 19(2)(b) shall be guilty of an offence punishable on summary conviction by a fine not exceeding level 3 on the standard scale.^[11]

26 Citation and commencement

- (1) These Regulations may be cited as the Shipping (Tonnage) (Jersey) Regulations 2002.
- (2) They shall come into force on the same day as the Shipping (Jersey) Law 2002.

SCHEDULE 1

EXCLUDED SPACES AS DEFINED IN REGULATION 1

In the following figures:

- O = excluded space;
- C = enclosed space;
- I = space to be considered as an enclosed space. (Hatched-in parts to be included as enclosed spaces);
- B = breadth of the deck in way of the opening. (In ships with rounded gunwales the breadth is measured as indicated in Figure 11).

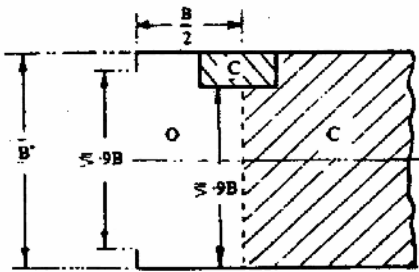


Fig. 1

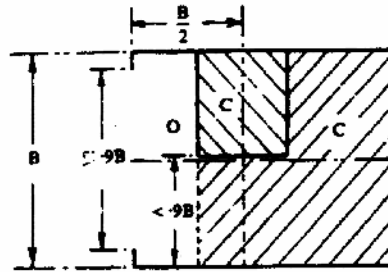


Fig. 2

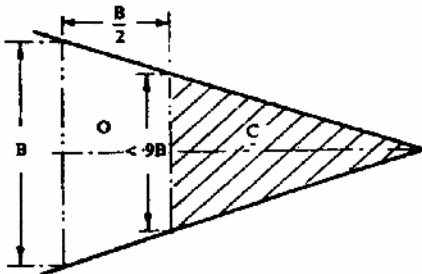


Fig. 3

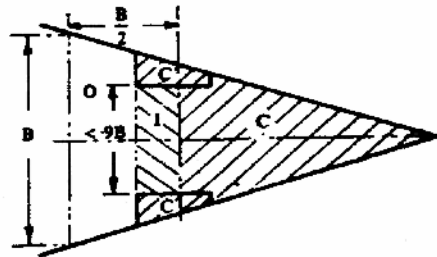


Fig. 4

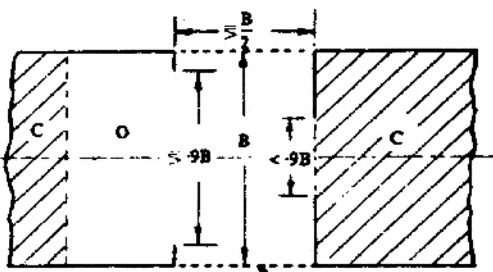


Fig. 5

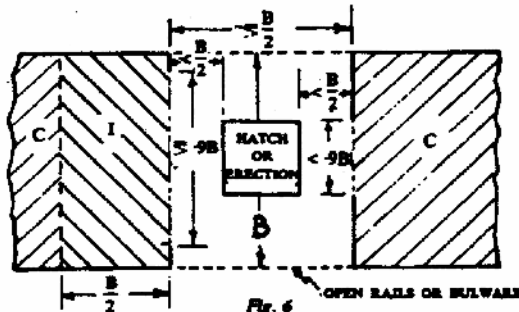
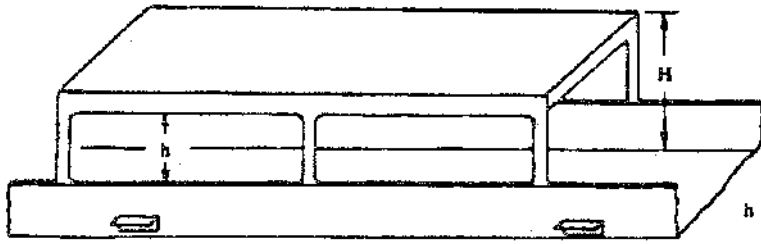
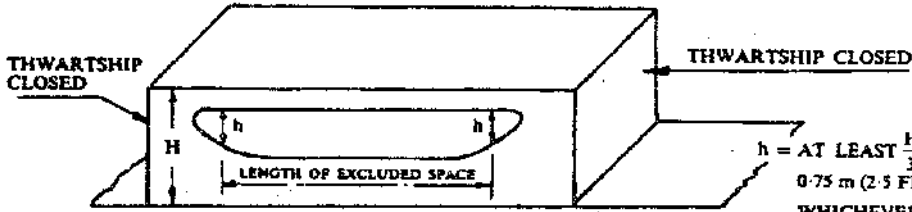


Fig. 6

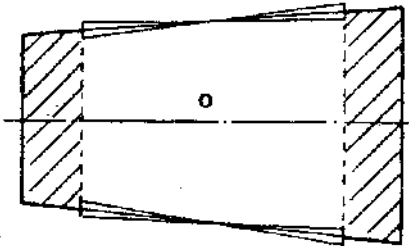


$h = \text{AT LEAST } \frac{H}{3} \text{ OR}$
 $0.75 \text{ m (2.5 FEET)}$
WHICHEVER IS
THE GREATER

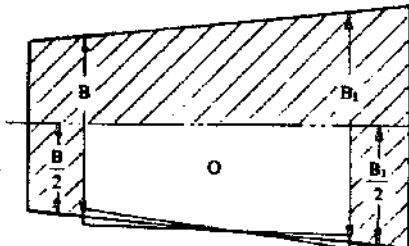
Fig. 7



$h = \text{AT LEAST } \frac{H}{3} \text{ OR}$
 $0.75 \text{ m (2.5 FEET)}$
WHICHEVER IS
THE GREATER

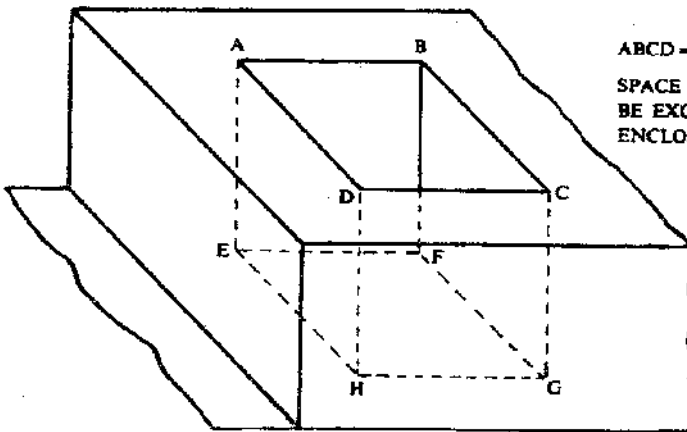


OPPOSITE SIDE OPENINGS



OPENING ON ONE SIDE ONLY

Fig. 8



ABCD - OPENING IN THE DECK
SPACE ABCDEFGH SHALL
BE EXCLUDED FROM
ENCLOSED SPACE

Fig. 9

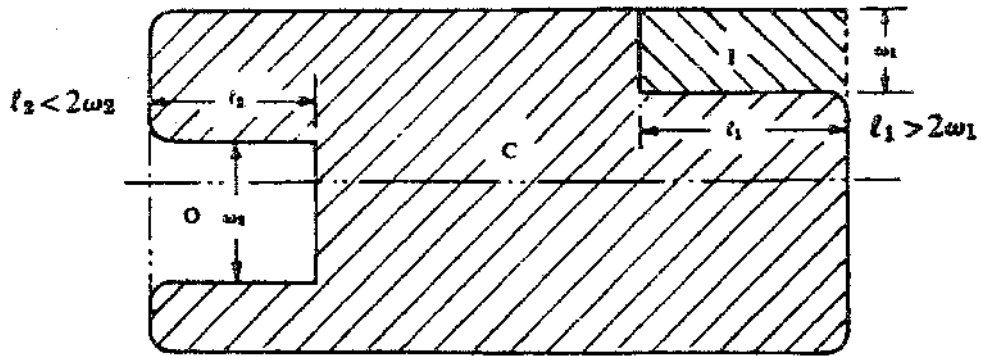


Fig. 10

SHIPS WITH ROUNDED GUNWALES

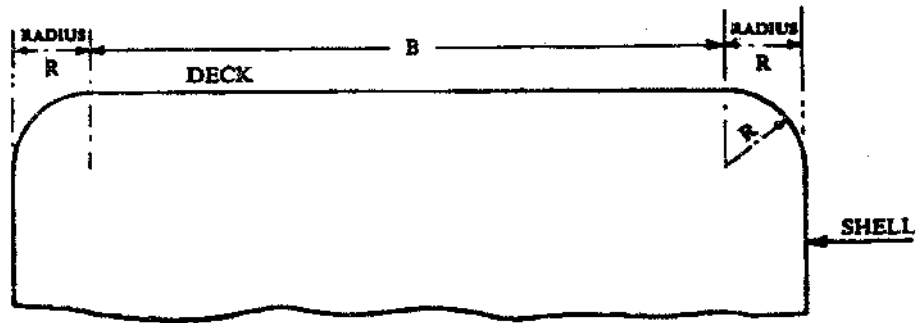


Fig. 11

SCHEDULE 2

COEFFICIENTS K_1 AND K_2 REFERRED TO IN REGULATIONS 5, 6 AND 7

V or V_C = Volume in cubic metres;

Coefficients K_1 or K_2 at intermediate values of V or V_C shall be obtained by linear interpolation.

V or V_C	K_1 or K_2	V or V_C	K_1 or K_2	V or V_C	K_1 or K_2	V or V_C	K_1 or K_2
10	0.2200	45 000	0.2931	330 000	0.3104	670 000	0.3165
20	0.2260	50 000	0.2940	340 000	0.3106	680 000	0.3166
30	0.2295	55 000	0.2948	350 000	0.3109	690 000	0.3168
40	0.2320	60 000	0.2956	360 000	0.3111	700 000	0.3169
50	0.2340	65 000	0.2963	370 000	0.3114	710 000	0.3170
60	0.2356	70 000	0.2969	380 000	0.3116	720 000	0.3171
70	0.2369	75 000	0.2975	390 000	0.3118	730 000	0.3173
80	0.2381	80 000	0.2981	400 000	0.3120	740 000	0.3174
90	0.2391	85 000	0.2986	410 000	0.3123	750 000	0.3175
100	0.2400	90 000	0.2991	420 000	0.3125	760 000	0.3176
200	0.2460	95 000	0.2996	430 000	0.3127	770 000	0.3177
300	0.2495	100 000	0.3000	440 000	0.3129	780 000	0.3178
400	0.2520	110 000	0.3008	450 000	0.3131	790 000	0.3180
500	0.2540	120 000	0.3016	460 000	0.3133	800 000	0.3181
600	0.2556	130 000	0.3023	470 000	0.3134	810 000	0.3182
700	0.2569	140 000	0.3029	480 000	0.3136	820 000	0.3183
800	0.2581	150 000	0.3035	490 000	0.3138	830 000	0.3184
900	0.2591	160 000	0.3041	500 000	0.3140	840 000	0.3185
1 000	0.2600	170 000	0.3046	510 000	0.3142	850 000	0.3186
2 000	0.2660	180 000	0.3051	520 000	0.3143	860 000	0.3187
3 000	0.2695	190 000	0.3056	530 000	0.3145	870 000	0.3188
4 000	0.2720	200 000	0.3060	540 000	0.3146	880 000	0.3189
5 000	0.2740	210 000	0.3064	550 000	0.3148	890 000	0.3190
6 000	0.2756	220 000	0.3068	560 000	0.3150	900 000	0.3191
7 000	0.2769	230 000	0.3072	570 000	0.3151	910 000	0.3192
8 000	0.2781	240 000	0.3076	580 000	0.3153	920 000	0.3193
9 000	0.2791	250 000	0.3080	590 000	0.3154	930 000	0.3194
10 000	0.2800	260 000	0.3083	600 000	0.3156	940 000	0.3195
15 000	0.2835	270 000	0.3086	610 000	0.3157	950 000	0.3196
20 000	0.2860	280 000	0.3089	620 000	0.3158	960 000	0.3196
25 000	0.2880	290 000	0.3092	630 000	0.3160	970 000	0.3197
30 000	0.2895	300 000	0.3095	640 000	0.3161	980 000	0.3198
35 000	0.2909	310 000	0.3098	650 000	0.3163	990 000	0.3199
40 000	0.2920	320 000	0.3101	660 000	0.3164	1 000 000	0.3200

[1] *Recueil des Lois, Volume 2002, page 840.*

[2] *Recueil des Lois, Volume 2002, page 801 and Volume 2003, page 457.*

[3] *P.4/2004.*

[4] *Recueil des Lois, Volume 2002, page 820 and Volume 2003, page 459.*

[5] *Recueil des Lois, Volume 2002, page 827 and Volume 2003, page 460.*

[6] *Recueil des Lois, Volume 2002, page 830 and Volume 2003, page 460.*

[7] *Recueil des Lois, Volume 2002, page 827 and Volume 2003, page 460.*

[8] *Recueil des Lois, Volume 2002, page 830 and Volume 2003, page 460.*

[9] *Recueil des Lois, Volume 2002, page 827 and Volume 2003, page 460.*

[10] *Recueil des Lois, Volume 2002, page 840.*

[11] *Recueil des Lois, Volume 1992-1993, page 437.*