

Subsidiary Legislation made under s.118, read with s.119 and the Schedule.

**GIBRALTAR MERCHANT SHIPPING (TONNAGE
MEASUREMENT OF SHIPS) REGULATIONS 2017**

(LN. 2017/182)

Commencement **7.9.2017**

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1995-13

Gibraltar Merchant Shipping (Safety, etc.)

**Subsidiary
2017/182**

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In exercise of the powers conferred on it by section 118, read with section 119 and the Schedule of the Gibraltar Merchant Shipping (Safety, etc.) Act, 1993, and all other powers enabling, the Government, for the purposes of implementing the International Convention on Tonnage Measurement of Ships, 1969, has made the following Regulations:

**PART 1
PRELIMINARY**

Title and commencement.

1. These Regulations may be cited as the Gibraltar Merchant Shipping (Tonnage Measurement of Ships) Regulations 2017 and come into operation on the day of publication.

Interpretation.

2.(1) In these Regulations, unless the context otherwise requires-

“Act” means the Gibraltar Merchant Shipping (Safety, etc.) Act, 1993;

“Administration” means the Maritime Administrator in the case of Gibraltar, and in other cases the person in the relevant flag State holding equivalent responsibilities;

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

“Annex I” means the Regulations for determining gross and net tonnage of ships which is a part of the Convention;

“BGTW” means British Gibraltar Territorial Waters which is the area of sea, the sea bed and subsoil within the seaward limits of the territorial sea adjacent to Gibraltar under British sovereignty and which, in accordance with the United Nations Convention on the Law of the Sea 1982, currently extends to three nautical miles and to the median line in the Bay of Gibraltar;

“breadth” means the maximum breadth of the ship, measured amidships to the –

- (a) moulded line of the frame in a ship with a metal shell; and
- (b) outer surface of the hull in a ship with a shell of any other material;

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“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 which are appropriated for the transport of cargo to be discharged from the ship;

“Certifying Authority” means the Maritime Administrator or any person or recognised organisation authorised by the Maritime Administrator for the purposes of these Regulations;

“Contracting Government” means the Government of a Convention State;

“Convention” means the International Convention on Tonnage Measurement of Ships, 1969 including amendments thereto in their up-to-date versions as in force at the time of reference;

“Convention State” means a State or territory which is either-

- (a) a State which is a party to the Convention or which has accepted the Convention; or
- (b) a territory to which the Convention is extended;

“Gibraltar ship” means a ship registered in Gibraltar under the provisions of the Gibraltar Merchant Shipping (Registration) Act, 1993;

“length overall” means the distance between the foreside of the foremost fixed permanent structure and the afterside of the aftermost permanent structure;

“Load Line Rules” means the Gibraltar Merchant Shipping (Load Lines) Regulations 2004; or in relation to any ship not registered in Gibraltar any corresponding rules of the country implementing the International Convention on Load Lines 1966 in which the ship is registered;

“marine surveyor” means a surveyor appointed or authorised under section 52 of the Act to survey and measure ships;

“non-Gibraltar ship” means a ship which is not a Gibraltar ship;

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

“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;

“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;

“weathertight” 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;

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- (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 in these Regulations.

Interpretation for “enclosed spaces”.

3.(1) For the purposes of these Regulations, “enclosed spaces” are all those 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 moveable awnings.

(2) Nothing of the following shall preclude a space from being included in the enclosed spaces-

- (a) break in a deck,
- (b) any opening-
 - (i) in the ship's hull,
 - (ii) in a deck,
 - (iii) in a covering of a space,
 - (iv) in the partitions or bulkheads of a space; or
- (c) the absence of a partition or bulkhead.

Interpretation for “excluded spaces”.

4. (1) Notwithstanding regulation 3, spaces referred to in sub-regulations (2), (6), (8), (10) and (11) and explained in sub-regulations (3), (4), (5), (7) and (9) inclusive of this sub-regulation shall be called excluded spaces and shall not be included in the volume of enclosed spaces, except that any such space which fulfils at least one of the following three conditions shall be treated as an enclosed space where-

- (a) the space is fitted with shelves or other means for securing cargo or stores;
- (b) the openings are fitted with any means of closure; and

- (c) the construction provides any possibility of such openings being closed.

(2) Subject to sub-regulations (3) to (5), a space within an erection opposite an end opening extending from deck to deck except for a curtain plate of a depth not exceeding by more than 25 millimetres (one inch) the depth of the adjoining deck beams, such opening having a breadth equal to or greater than 90 per cent of the breadth of the deck at the line of the opening of the space.

(3) Sub-regulation (2) shall be applied so as to exclude from the enclosed spaces only the space between the actual end opening and a line drawn parallel to the line or face of the opening at a distance from the opening equal to one half of the width of the deck at the line of the opening as is specified in Figure 1 of Schedule 1.

(4) If the width of the space because of any arrangement except by convergence of the outside plating, become less than 90 per cent of the breadth of the deck, only the space between the line of the opening and a parallel line drawn through the point where the athwartships width of the space becomes equal to, or less than, 90 per cent of the breadth of the deck shall be excluded from the volume of enclosed spaces as are shown in Figures 2, 3 and 4 of Schedule 1.

(5) Where an interval which is completely open except for bulwarks or open rails separates any two spaces, the exclusion of one or both of which is permitted under sub-regulations (2) and (3) or sub-regulation (4) or under all those sub-regulations, that exclusion shall not apply if the separation between the two spaces is less than the least half breadth of the deck in way of the separation as are shown in Figures 5 and 6 of Schedule 1.

(6) A space under an overhead deck covering open to the sea and weather, having no other connexion on the exposed sides with the body of the ship than the stanchions necessary for its support.

(7) In a space referred to in sub-regulation (6), open rails or a bulwark and curtain plate may be fitted or stanchions fitted at the ship's side, if the distance between the top of the rails or the bulwark and the curtain plate is not less than 0.75 metres (2.5 feet) or one-third of the height of the space, whichever is the greater as is shown in Figure 7 of Schedule 1.

(8) A space in a side-to-side erection directly in way of opposite side openings not less in height than 0.75 metres (2.5 feet) or one-third of the height of the erection, whichever is the greater.

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(9) If the opening in an erection referred to in sub-regulation (8) 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 is shown in Figure 8 of Schedule 1.

(10) 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 is shown in Figure 9 of Schedule 1.

(11) 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, if 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 is shown in Figure 10 of Schedule 1.

Interpretation for “cargo spaces”.

5.(1) Cargo spaces are enclosed spaces which are-

- (a) to be included in the computation of net tonnage; and
- (b) appropriated for the transport of cargo to be discharged from the ship,

if such spaces have been included in the computation of gross tonnage.

(2) The cargo spaces referred to in sub-regulation (1) shall be certified by permanent marking with the letters CC (cargo compartment) to be so positioned that they are readily visible and not to be less than 100 millimetres (4 inches) in height.

Interpretation for “moulded depth”.

6.(1) Subject to sub-regulations (2) and (3), the moulded depth in the case of a ship of less than 24 metres is-

- (a) the vertical distance measured from the top of the keel of to the underside of the upper deck at side in a metal ship;
- (b) the distance that is measured from the lower edge of the keel rabbet to the underside of the upper deck at side in wood and composite ships;

- (c) the distance that is measured from the point where the line of the flat of the bottom continued inwards cuts the side of the keel where-
 - (i) the form at the lower part of the midship section is of a hollow character, or
 - (ii) thick garboards are fitted; or
- (d) the distance that 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 in the case of a glass reinforced plastic ship where no keel member is fitted and the keel is of open trough construction.

(2) In ships having rounded gunwales, the moulded depth shall be 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.

(3) Where the upper deck is stepped and the raised part of the deck extends over the point at which the moulded depth is to be determined, the moulded depth shall be measured to a line of reference extending from the lower part of the deck along a line parallel with the raised part.

Interpretation for “moulded draught”.

7. The moulded draught (d) referred to in regulation 14 (1) shall be one of the following draughts-

- (a) for ships to which the Gibraltar Merchant Shipping (Load Lines) Regulations 2004 apply or the International Convention on Load Lines 1966 applies, the draught corresponding to the Summer Load Line (other than timber load lines) assigned in accordance with those Regulations or that Convention;
- (b) for passenger ships to which the International Convention for the Safety of Life at Sea, 1974 applies, the draught corresponding to the deepest subdivision load line assigned in accordance with that Convention or other international agreement where applicable;
- (c) for ships to which the International Convention on Load Lines 1966 does not apply, but which have been assigned a load line in compliance with the requirements of the Gibraltar Merchant Shipping (Load Lines) Regulations 2004, the draught

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corresponding to the summer load line so assigned under those Regulation;

- (d) for ships to which no load line has been assigned but the draught of which is restricted in compliance with requirements of the Gibraltar Merchant Shipping (Load Lines) Regulations 2004, the maximum permitted draught;
- (e) for other ships, 75 per cent of the moulded depth amidships.

**PART II
SHIPS OF 24 METRES IN LENGTH AND OVER****Application of Part 2.**

8.(1) This Part applies to ships-

- (a) which are of 24 metres in length or over, registered or to be registered in Gibraltar; and
- (b) for which the ascertainment of tonnage is required under the Convention and section 9 of the Gibraltar Merchant Shipping (Registration) Act, 1993.

(2) This part shall not apply to-

- (a) ships of war; and
- (b) ships of less than 24 metres (79 feet) in length.

Force Majeure.

9(1) A ship to which the provisions of this Part did not apply at the time of its departure on any voyage, this Part shall not be applicable on account of any deviation from that ship's intended voyage due to stress of weather or any other cause of force majeure.

(2) In applying the provisions of this Part, due consideration shall be given to any deviation or delay caused to any ship due to stress of weather or any other cause of force majeure.

Determination of tonnage.

10.(1) The tonnage of a ship shall consist of gross tonnage and net tonnage.

(2) The gross tonnage and net tonnage shall be determined in accordance with Annex I of the Convention.

(3) Where the gross tonnage and net tonnage of novel types of craft whose constructional features are such as to render the application of the Annex I unreasonable or impracticable, the Administration shall determine its tonnage in accordance with Part 3 of these Regulations and in such case the Administration shall communicate to the IMO details of the method used for that purpose.

(4) The Administration shall carry out the determination of gross tonnage and net tonnage of ships to which Part 2 applies through its marine surveyors or recognised organisations authorised by the Maritime Administrator.

(5) In every case the Administration shall accept full responsibility for the determination of gross tonnage and net tonnage.

Method of measurement.

11.(1) Every ship to which this Part applies shall be measured by a marine surveyor.

(2) The owner and the master of a ship to be measured shall-

- (a) make the ship available for measurement by a marine surveyor;
- (b) afford all necessary facilities for its survey and measurement;
and
- (c) produce such plans, drawings, specifications and other documents relating to the ship that the marine surveyor may require for his use or retention.

(3) Subject to sub-regulation (4), the gross and net tonnages shall be determined in accordance with regulations 13 and 14.

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

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

Calculation of volumes.

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12.(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 –

- (a) inner side of the shell or structural boundary plating in ships constructed of metal; and
- (b) 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 –

- (a) appendages shall be included in the total volume; and
- (b) spaces open to the sea shall be excluded from the total volume.

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

Gross tonnage.

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

$$GT = K1V$$

Where-

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

$K1 = 0.2 + 0.02 \log_{10} V$, as specified in Schedule 2.

Net tonnage.

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

$$N = K_2 V_c \left(\frac{4d}{3D} \right)^2 + K_3 \left(N_1 + \frac{N_2}{1} \right)$$

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;

$$K_3 = \frac{1.2 (G + 1,0)}{1,0}$$

GT = gross tonnage calculated in accordance with regulation 11;

D = moulded depth amidships in metres

d = moulded draught amidships in metres;

N₁ = number of berths for passengers in cabins with not more than 8 berths; and

N₂ = number of other passengers who may be accommodated on the ship;

(2) The formula referred to in sub-regulation (1) shall be subject to the followings-

- (a) the factor $\left(\frac{4d}{3D}\right)^2$ shall not be taken as greater than unity;
- (b) the term $K_2V_c \left(\frac{4d}{3D}\right)^2$ shall not be taken as less than 0.25 GT;
- (c) N₁ and N₂ shall be taken as zero when N₁ + N₂ is less than 13; and
- (d) NT shall not be taken as less than 0.30 GT.

Segregated ballast oil tankers.

15.(1) Where segregated ballast tanks complying with regulation 24 of the Gibraltar Merchant Shipping (Prevention of Pollution from Ships) Regulations 2009 (Implementing Regulation 18 of Annex 1 of the MARPOL Convention), are provided in oil tankers, an entry shall be made on the International Tonnage Certificate (1969) indicating the total tonnage of these tanks.

(2) The tonnage of such segregated ballast shall be calculated according to the following formula –

$$K1 \times Vb$$

where –

K1 = 0.2 + 0.02 log₁₀ V, as specified in Schedule 2;

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

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Vb = the total volume of segregated ballast tanks in cubic metres measured in accordance with regulation 13.

Issue of tonnage certificates.

16.(1) The Certifying Authority shall, upon receipt of the appropriate fees, issue to the owner of every ship registered in Gibraltar, the tonnage of which have been ascertain in accordance with regulations 13 and 14 of these Regulations, a certificate to be called “an International Tonnage Certificate (1969)”-

- (a) certifying the tonnages of the ship; and
- (b) containing the particulars specified in sub-regulation (2).

(2) The particulars required by sub-regulation (1) are as follows-

- (a) the name, port of registry and official number of the ship;
- (b) it's length, breath, and moulded depth;
- (c) it's gross and net tonnage; and
- (d) the date on which the keel was laid or the ship was at a similar stage of construction or date on which the ship underwent alterations or modifications of a major character.

(3) The International Tonnage Certificate (1969) issued under sub-regulation (1) shall be drawn up in English language and in the form prescribed by the Convention which is set out in Schedule 3.

(4) In every case, the Administration shall assume full responsibility for the certificate issued under this regulation.

Issue of certificate by another Government.

17.(1) The Maritime Administrator may request any Administration of a Convention state –

- (a) to determine the gross tonnage and net tonnage of a ship and, if satisfied that the provisions of the Convention are complied with, issue or authorise the issue to the ship of an International Tonnage Certificate (1969); and

- (b) if appropriate, to endorse or authorise the endorsement of International Tonnage Certificate (1969) on the ship, in accordance with the Convention.

(2) An International Tonnage Certificate (1969) issued in accordance with a request under sub-regulation (1) containing a statement that it has been so issued shall have the same effect as if it had been issued under regulation 16.

Cancellation of tonnage certificates.

18.(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-

- (a) cease to be valid; and
- (b) be delivered up to and cancelled by the Certifying Authority.

(2) When a ship is transferred from the register of Gibraltar, 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.

(3) In a case under sub-regulation (2), the Certifying Authority shall transmit to the Administration of the contracting Government as soon as possible after the transfer has taken place a copy of -

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

Change of net tonnage necessitating issue of tonnage certificate.

19.(1) When alterations in the values of V, Vc, d, N1 or N2 as defined in regulations 13 and 14 result in an increase in the net tonnage as determined in accordance with regulation 14-

- (a) the net tonnage of the ship corresponding to new values shall be determined; and

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- (b) a new International Tonnage Certificate (1969) incorporating the increased net tonnage shall be issued.

(2) A ship to which load lines referred to in regulation 7 are concurrently assigned shall be given only one net tonnage as determined in accordance with the provisions of regulation 14 and that tonnage shall be the tonnage applicable to the appropriate assigned load line for the trade in which the ship is engaged.

(3) Subject to sub-regulation (4), where alterations in the values of V, Vc, d, N1 or N2, as defined in regulations 13 and 14 are altered or when the appropriate assigned loadline referred to in sub-regulation (2) is altered due to the change of the trade in which the ship is engaged and where such an alteration results in a decrease in its net tonnage as determined under regulation 14, 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 tonnage certificate was issued.

(4) The requirement under sub-regulation (3) shall not apply and a new International Tonnage Certificate (1969) may be issued forthwith when –

- (a) a ship which was registered outside Gibraltar is re-registered in Gibraltar;
- (b) 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
- (c) the ship is a passenger ship employed in special trades for carriage of large numbers of special trade passengers, such as the pilgrim trade.

PART 3**SHIPS OF LESS THAN 24 METRES IN LENGTH, OTHER THAN
FISHING VESSELS****Application of Part 3.**

20. This Part shall apply to ships-

- (a) which are of less than 24 metres in length;
- (b) which are not fishing vessels;

- (c) which are registered or are to be registered under the Gibraltar Merchant Shipping (Registration) Act, 1993; and
- (d) for which the ascertainment of tonnage is required under section 9 of the Gibraltar Merchant Shipping (Registration) Act, 1993.

Measurement and certification.

21.(1) Every ship to which this Part applies shall be measured by a marine surveyor or by a measurer appointed by the Certifying Authority.

(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;
- (c) 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, and
 - (ii) in the case of an open ship, the top of the upper strake or gunwale;
- (d) the lower terminal point of depth shall be -

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- (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, and
 - (iii) in the case of a glass reinforced plastic ship, the inside of the hull;
- (e) in the case of a glass reinforced plastic ship 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
- (f) 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.

(4) The tonnage determined in accordance with sub-regulation (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 sub-regulation (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 Certifying Authority a Certificate of Measurement in a form approved by the Maritime Administrator.

(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 an application for it to be re-measured in accordance with this regulation.

(10) Notwithstanding sub-regulation (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 4
NON- GIBRALTAR SHIPS**

Ascertainment of tonnage and certification.

22.(1) The Certifying Authority may, at the request of the Administration of a Contracting Government, ascertain the gross and net tonnages of a non-Gibraltar ship in accordance with Part 2 and issue to the owner an International Tonnage Certificate (1969) and in such cases-

- (a) the tonnage certificate shall be endorsed to the effect that it has been issued at the request of the Government of the Country whose flag the ship is or will be flying; and
- (b) a copy of the tonnage certificate and the calculations of the tonnages shall be transmitted to the requesting Government as soon as possible.

(2) The tonnage certificate issued under sub-regulation (1) shall have the same validity and receive the same recognition as a certificate issued under Part 2.

(3) The Certifying Authority may, at the request of an owner of a non-Gibraltar ship flying the flag of a State which is not a Convention State, ascertain the gross and net tonnages of the ship in accordance with Part 2 and issue a Certificate of Tonnage Measurement and in such a case the certificate shall bear the endorsement “for use only whilst within BGTW”.

(4) No International Tonnage Certificate (1969) shall be issued to a ship which is flying the flag of a State the Government of which is not a Contracting Government.

**PART V
MISCELLANEOUS**

Acceptance of certificate.

23. The International Tonnage Certificate (1969) issued under the authority of any Contracting Government in accordance with the Convention shall be –

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- (a) accepted by the Administration; and
- (b) regarded for all purposes covered by these Regulations and the Convention as having the same validity as a certificate issued by the Administration.

Inspection.

24.(1) A ship flying the flag of a Convention State shall be subject, when in BGTW, to inspection under port state control by marine surveyors.

(2) An inspection under sub-regulation (1) shall be limited to the purpose of verifying that-

- (a) the ship is provided with a valid International Tonnage Certificate (1969); and
- (b) the main characteristics of the ship correspond to the data given in that certificate.

(2) In no case the exercise of the port state control by inspection under this regulation shall cause any delay to the ship.

(3) If the inspection reveals that the main characteristics of the ship differ from those entered on the International Tonnage Certificate (1969) so as to lead to an increase in the gross tonnage or the net tonnage, the Administration of the State whose flag the ship is flying shall be informed without delay.

Privileges.

25. No privilege of the Convention shall be given to any ship unless that ship holds a valid International Tonnage Certificate (1969).

Offence and penalty.

26. Where an owner or the master of a ship fails, without reasonable cause, to deliver up a certificate for cancellation as required by regulation 18(1) or 21(9) commits an offence and is liable on summary conviction to a fine not exceeding level 4 on the standards scale.

SCHEDULE 1

Regulation 4

EXCLUDED SPACES AS DEFINED IN REGULATION 4

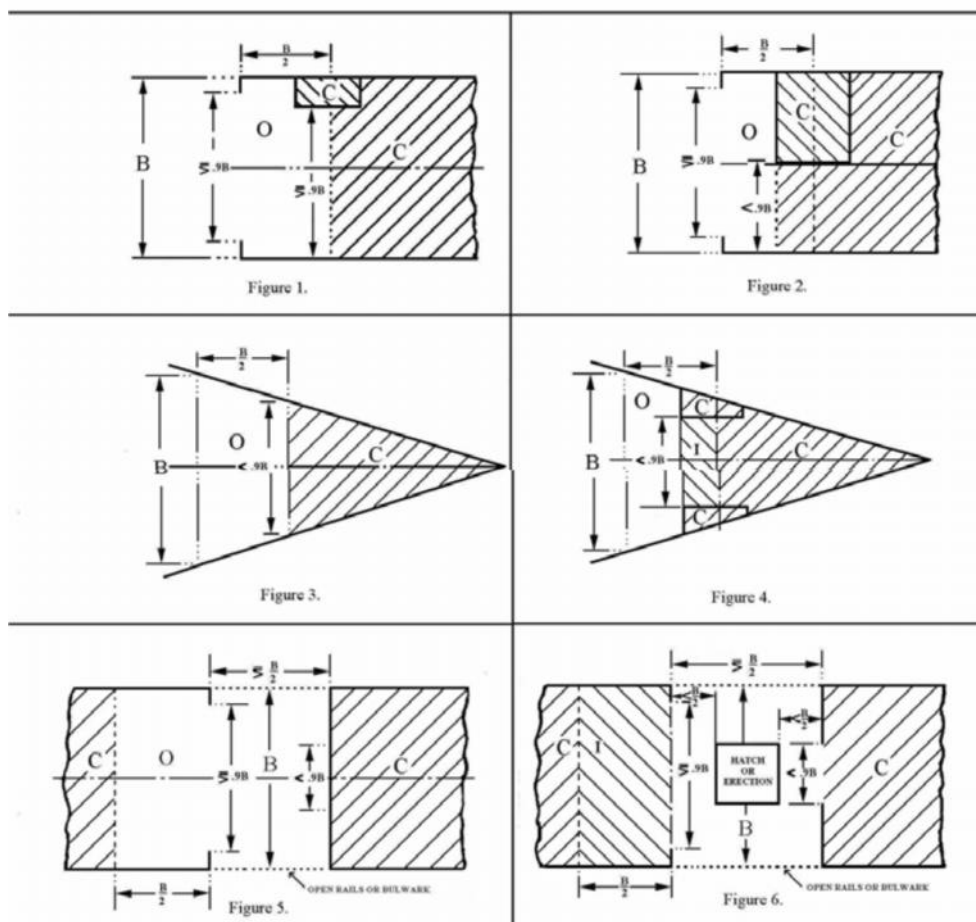
In the following figures:

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).

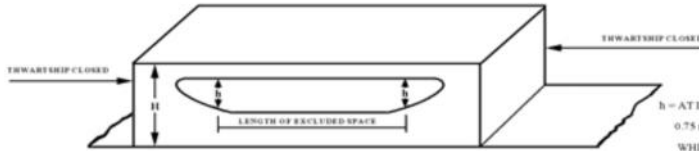


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Figure 7.

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



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

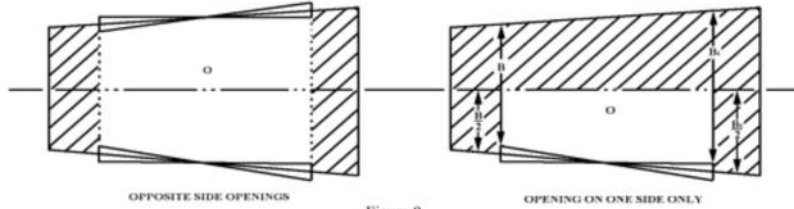
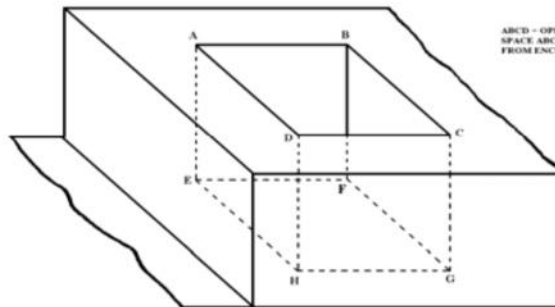


Figure 8.



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

Figure 9.

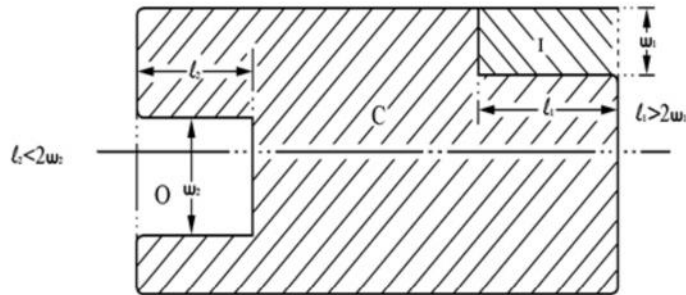


Figure 10.

SHIPS WITH ROUNDED GUNWALES

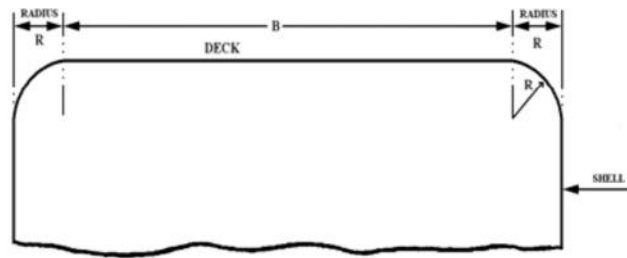


Figure 11.

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SCHEDULE 2

Regulations 13, 14 and 15

COEFFICIENTS K1 AND K2 REFERRED TO IN REGULATIONS 11 12
AND 13

V or Vc = Volume in cubic metres;

Coefficients K1 or K2 at intermediate values of V or Vc shall be obtained
by linear interpolation

V or Vc	K1 or K2	V or Vc	K1 or K2	V or Vc	K1 or K2	V or Vc	K1 or K2
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	1000 000	0.3200

SCHEDULE 3

Regulation 16(3)

INTERNATIONAL TONNAGE CERTIFICATE (1969)

(Official seal)

Issued under the provisions of the International Convention on Tonnage Measurement of Ships, 1969, under the authority of the Government of

.....

(full official designation of country)

For which the Convention came into force on20.....

By.....

(full official designation of the competent person or organization recognised under the provisions of the International Convention on Tonnage Measurement of Ships, 1969)

Name of Ship	Distinctive Number or Letters	Port of Registry	*Date

*Date on which the keel was laid or ship was at a similar stage of construction (Article 2(6), or date on which the ship underwent alterations or modifications of a major character (Article 3(2)(b)), as appropriate.

MAIN DIMENSIONS

Length (Article 2(8))	Breadth (Regulation 2(3))	Moulded Depth Amidships to Upper Deck (Regulation 2(2))

THE TONNAGES OF THE SHIP ARE:

GROSS

TONNAGE.....

NET

TONNAGE.....

Gibraltar Merchant Shipping (Safety, etc.)

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This is to certify that the tonnages of this ship have been determined in accordance with the provisions of the International Convention of Tonnage Measurement of Ships, 1969.

Issued at 20..... (Place of issue certificate) (date of issue)

..... (signature of official issuing the certificate) And/or (seal of issuing authority)

If signed, the following paragraph is to be added: The undersigned declares that he is duly authorised by the said Government to issue this certificate.

..... (signature)

Table with 6 columns: SPACES INCLUDED IN TONNAGE, GROSS TONNAGE, NET TONNAGE, Name of Space, Location, Length. Includes 'Underdeck' entry.

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			<p style="text-align: center;">NUMBER OF PASSENGERS (Regulation 4(1))</p> <p style="text-align: center;">Number of passengers in cabins with not more than 8 berths.....</p> <p style="text-align: center;">.....</p> <p style="text-align: center;">Number of other passengers.....</p> <p style="text-align: center;">..</p>
<p>EXCLUDED SPACES (Regulation 2(5))</p> <p>An asterisk (*) should be added to those spaces listed above which comprise both enclosed and excluded spaces.</p>		<p>MOULDED DRAUGHT (Regulation 4(2))</p>	
<p>Date and place of original measurement.....</p> <p>.....</p>			
<p>Date and place of last previous measurement.....</p> <p>.....</p>			
<p>REMARKS:</p> 			