

## **MERCHANT SHIPPING (SAFETY CONVENTION CERTIFICATES) RULES, 1968**

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## **MERCHANT SHIPPING (SAFETY CONVENTION CERTIFICATES) RULES, 1968**

<sup>1</sup>1. Subs. by G.S.R. 382, dated 1st March, 1978. In exercise of the powers conferred by sub-section (2) of Sec. 7, Cl. (d) of sub-section (2) of Sec. 299-B, Sec. 344 and Cls. (d) and (o) of sub-section (2) of Sec. 344 of the Merchant Shipping Act, 1958 (44 of 1958), and in supersession of the Merchant Shipping (Safety Convention Certificates) Rules, 1954, the Central Government hereby makes the following rules the same having been previously published as required by the said Secs. 299-B and 344, namely

### **1. Short title and commencement :-**

(1) Nuclear passenger ship safety certificate nuclear cargo ship safety certificate passenger ship effects certificate, special made passenger ship space certificate called ship safety construction certificate cargo ship safety equipment certificate. Cargo ship safety radiotelegraphy certificate and exemption certificate shall be granted in duplicate in the appropriate form set out in the Second Schedule.

(2) Qualified passenger ship safety certificate, qualified cargo ship safety construction certificate and qualified cargo ship safety equipment certificate shall be in one of the appropriate forms referred to in sub-rule (1) with such modifications as may be necessary to show in what respect the ship, in respect of which the certificate is issued complies with the requirements of the International Convention for the Safety of Life at Sea, signed in London on the 17th day of June, 1960."]

## **2. Definitions :-**

In these rules, unless the context otherwise requires,

(a) "Act" means the Merchant Shipping Act, 1958 (44 of 1958).

(b) "principal officer" means the principal officer of the Mercantile Marine Department of the district concerned or, in his absence, the surveyor who carries out his duties

(c) "Schedule" means a Schedule appended to these rules,

## **3. Application for certificates :-**

Every application for the grant of a certificate referred to in sub-Sees. (1), (2) and (2-A) of Sec. 307 and sub-section (1) of Sec. 344-B of the Act shall be made by the owner, his agent or master of the ship to the principal officer at least three days before the commencement of survey and shall be accompanied by the appropriate amount of fees as specified in items I to IX of the First Schedule.

## **4. Inspection by surveyor :-**

On receipt of an application under rule 3 the principal officer shall depute a surveyor or surveyors, a radio inspector or a person appointed under sub-section (1) of Sec. 344-B, as the case may be, for the inspection of the ship, who shall, after inspection, submit a report to the principal officer: Provided that where the owner, his agent or master desires such inspection to be made on a Sunday or other holiday or between the hours of 5 P.M. and 7 A.M. he shall be liable to pay additional fees as specified in items X and XI of the First Schedule.

## **1. Forms of certificates :-**

(1) Nuclear passenger ship safety certificate nuclear cargo ship safety certificate passenger ship effects certificate, special made passenger ship space certificate called ship safety construction

certificate cargo ship safety equipment certificate. Cargo ship safety radiotelegraphy certificate and exemption certificate shall be granted in duplicate in the appropriate form set out in the Second Schedule.

(2) Qualified passenger ship safety certificate, qualified cargo ship safety construction certificate and qualified cargo ship safety equipment certificate shall be in one of the appropriate forms referred to in sub-rule (1) with such modifications as may be necessary to show in what respect the ship, in respect of which the certificate is issued complies with the requirements of the International Convention for the Safety of Life at Sea, signed in London on the 17th day of June, 1960."]

**6. Certificates to be affixed in conspicuous part of ship :-**

The owner or master of every ship for which a certificate has been granted under these rules shall forthwith on receipt of the certificates cause one of the duplicates thereof to be affixed and kept affixed so long as the certificate remains in force and the ship is in use on some conspicuous part of the ship where it may be easily read by all persons on board thereof.

**7. Cancellation, suspension or withdrawal of certificate :-**

(1) Any certificate granted under these rules may be cancelled, suspended or withdrawn by the Director- General of Shipping or any other officer authorised by him in this behalf, if he has reason to believe,

(a) that the declaration regarding the sufficiency of hull, boilers, engines or any of the equipment of the ship has been fraudulently or erroneously made or

(b) that the certificate has otherwise been issued upon false or erroneous information.

(2) Before any certificate is cancelled, suspended or withdrawn under sub-rule (1), the holder thereof shall be given a reasonable opportunity of showing cause why the certificate should not be cancelled, suspended or withdrawn as the case may be: Provided that this sub-rule shall not apply where the Director-General of Shipping is satisfied that for some reason, which shall be recorded in writing, it is not reasonably practicable to give to the holder of the certificate an opportunity of showing cause.

**8. Alterations in ships subsequent to grant of certificates :-**

(1) The owner, his agent or master of a ship in respect of which a certificate granted under these rules is in force, shall, as soon as possible after any alteration is made in the ship's hull, equipment or machinery which affects the efficiency thereof or the seaworthiness of the ship, give written notice containing full particular of the alteration to the principal officer.

(2) If the principal officer has reason to believe that since the survey of a ship for the purpose of issue of any certificate under these rules

(a) any such alteration as aforesaid has been made in the hull, equipment or machinery of the ship or

(b) the hull, equipment or machinery of the ship has sustained any injury or is otherwise insufficient, the principal officer may require the ship to be surveyed again to such extent as he may think fit, and if such requirement is not complied with, he may cancel, suspend or withdraw the certificate issued under these rules in respect of the said ship.

**9. Delivery of certificate whose period has expired or which has been cancelled, suspended or withdrawn :-**

Every certificate granted under these rules, whose period has expired or which has been cancelled or suspended, or withdrawn shall be delivered to the principal officer.

**10. Savings :-**

Nothing in these rules shall apply to the survey of cargo ships carried out by a person or body of persons in pursuance of sub-section (1-A) of Sec. 9 of the Act.

**SCHEDULE 1**

Schedule

**FIRST SCHEDULE**

(See rule 3)

**The fees for certificates shall be as follows:**

|    |  |
|----|--|
| I. | For a passenger ship safety or a qualified passenger ship safety certificate |
|    | Rs. 120.00   |

|       |  |  |
|-------|--|--|
| II.   | For a cargo ship safety radiotelegraphy or a cargo ship safety radiotelephony  |  |
| (IA)  | For a special trade passenger ship safety certificate  | Rs.120.00  |
| (IB)  | For a special trade passenger ship space certificate   | Rs. 120.00   |
| III.  | For a cargo qualified cargo ship   |  |
|       | (i) for ships not exceeding 1600 tons gross .....  | Rs. 150.00   |
|       | (ii) for ships exceeding 1600 tons gross but not exceeding 3000 tons gross .....   | Rs. 200.00   |
|       | (in) for ships exceeding 3000 tons gross   | Rs. 300.00   |
| IV    | For a cargo ship safety construction certificate or a qualified cargo ship safety construction certificate   | Rs. 120.00   |
| V     | For a nuclear passenger ship safety certificate  | Rs. 120.00   |
| VI.   | For a nuclear cargo ship safety certificate  | Rs. 32.00  |
| VII.  | For an exemption certificate   | Rs. 120.00   |
| VIII. | For each additional copy of any certificate  | Rs. 20.00  |
| IX.   | For extension of   |  |
|       | (a) Cargo ship safety radiotelegraphy or cargo ship safety radiotelephony certificate  | Rs. 300  |
|       | (b) Certificate not covered by Cl. (a) above   |  |
|       |  | (Half the fee prescribed for issue of the original certificate.) |
| X     | Holiday Fees. In addition to the fees payable as prescribed above, a fee of Rs.  |  |
|       | 60 shall be payable along with every application for inspection which the applicant desires to be made on a Sunday or any day which is observed as a holiday by the office of the Mercantile Marine Department in the district concerned.  |  |
| XI.   | Overtime fees. Overtime fees shall be charged as follows :   |  |
|       | (a) Where, at the request of the owner, his agent or master of a ship, a surveyor or a radio inspector or other officer undertakes inspection of the ship after 5 P.M. and before 7 A.M., an additional fee of Rs. 50 shall be charged ;   |  |
|       | (b) Where a surveyor, or radio inspector or other officer is detained at the request of the owner, his agent or master after 5 P.M. to complete an inspection undertaken between the hours of 7 A.M. and 5 P.M., and additional fee of Rs. 25 if the surveyor, radio inspector or other officer is released from duty before 6 P.M., and of Rs. 50 if he is detained later than 6 P.M., shall be charged ; |  |
|       | (c) Where the owner, his agent or master has asked for inspection between the hours of 7 A.M. and 5 P.M. but the official arrangements have not allowed of the work being done between those hours, no additional fee shall be chargeable.   |  |
|       | In every case falling under Cl. (a) or Cl. (b), the owner, his agent or master shall give information in writing to the principal officer stating the hours during which the surveyor, radio inspector or other officer was in attendance.   |  |



SCHEDULE 2

Schedule