
MERCHANT SHIPPING (TONNAGE MEASUREMENT OF SHIPS) RULES, 1960

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MERCHANT SHIPPING (TONNAGE MEASUREMENT OF SHIPS) RULES, 1960

In exercise of the powers conferred by clauses (a) and (b) of sub-section (2) of Sec. 74 of the Merchant Shipping Act, 1958 (44 of 1958), the Central Government hereby makes the following rules, namely

1. Short title, commencement and application :-

- (1) These rules may be called the Merchant Shipping (Tonnage Measurement of Ships) Rules, 1960.
- (2) They shall come into force on the 1st January, 1961.
- (3) They shall apply to sea-going ships which exceed 15 tons net and which are fitted with mechanical means of propulsion.

2. Definitions :-

In these rules, unless the context otherwise requires,

(a) "Act" means the Merchant Shipping Act, 1958;

(b) "break" means the space above the line of the upper deck, when the deck is cut off and continued at a higher elevation;

(c) "continuous deck" includes a deck continuous athwartship and in a fore and aft direction, at least between peak bulkheads, with interruptions in way of propelling machinery space, openings, leader and stairway, openings, trunks, chain lockers, cofferdams or steps which do not exceed 1220 millimetres in height:

(d) "crew" means seamen and apprentices;

(e) "exempted spaces" means spaces in a ship which, either by virtue of their location and usage or by nature of tonnage opening or other specified openings in their sides, are exempted and, therefore, not included in ascertaining her gross tonnage;

(f) "gross tonnage" means the sum total of the cubic capacity of spaces below the upper deck and spaces permanently covered and closed-in spaces on or above the upper deck (other than such spaces which are exempt from measurement under these rules) and consists of

(i) the tonnage below the tonnage deck ;

(ii) the tonnage of the spaces between the tonnage deck and the uppermost complete deck;

(iii) the covered and closed-in spaces on or above the uppermost complete deck;

(iv) the engine and light and air spaces above the upper deck; and

(v) the excess of hatchways;

(g) "load line rules" means the Indian Merchant Shipping (Load Line) Rules, 1934, as continued in force by sub-section (3) of section 461 of the Act;

(h) "method" means one of the methods of determining the tonnage of a ship specified in Schedule 1;

(i) "propelling power allowance" means the deduction from the gross tonnage on account of the space occupied by the propelling power machinery;

(j) "register tonnage" or "net tonnage" means the tonnage arrived at after making from the gross tonnage of a ship the allowances and deductions permissible under these rules;

(k) "Schedule" means a Schedule to these rules;

(l) "Second deck" for the purpose of tonnage mark means the deck next below the uppermost complete deck which is continuous in a fore and aft direction at least between peak bulkheads is continuous athwartships, and is fitted as an integral and permanent part of the ship's structure, with proper covers fitted to all main hatchways;

(m) "Surveyor" means a surveyor appointed under section 9 of the Act;

[(n) "ton" means a unit of volume equal to 2.83 cubic metres (alternatively one cubic metre is equivalent to 0.353 ton);]

(o) "tonnage deck" means the second deck except in the case of single deck ships, in which case it means the upper deck;

(p) "trunk" means a hatch and ventilation trunks which do not extend longitudinally completely between main transverse bulkheads;

(q) "uppermost complete deck" for the purpose of tonnage mark means the upper deck of a ship exposed to sea and weather fitted as an integral part of the ship's structure with permanent means of closing all openings in the weather portions thereof:

Provided that all openings in the sides of ship below the deck, other than openings situated abaft a transverse water-tight bulkhead, placed aft of the rudder stock, are fitted with permanent means of water-tight closing.]

3. Gross Tonnage :-

(1) The gross tonnage of a ship shall be determined by the methods and in the circumstances specified below, namely

(a) By method I at the time of registration of a ship and in other cases to which that method is applicable;

(b) By method II with the permission of the Central Government, where the ship has cargo on board and in other cases where method I is not applicable:

Provided that the owner of any ship the tonnage of which was determined by method II may, at any subsequent time, apply to the Central Government for the determination of its tonnage by method I. The ship shall thereupon be re-measured and tonnage altered accordingly.

(c) By method III, in the case of open ships.

(2) All measurements for the purpose of ascertaining the tonnage of a ship shall be in metres or fractions of a metre [* * *].

4. Deductions from Gross, Tonnage :-

(1) From the gross tonnage of a ship determined in accordance with the provisions of rule 3, deductions shall be made on account of the following spaces, namely:

(a) allowance for propelling power machinery in ships propelled by steam or other mechanical power determined in accordance with rule 5;

(b) any space used exclusively for the accommodation of master or crew:

Provided that such space conforms to the requirements of the Merchant Shipping (Crew Accommodation) Rules, 1960, but excluding the following space:

(i) space appropriated for the storage of fresh water;

(ii) space appropriated for the storage of provisions (other than fresh water) in excess of 15 per cent of the aggregate crew accommodation space;

(c) the wheel house and chartroom, and space fitted with the appropriated for the use of radio and navigational aids;

(d) chain lockers and space appropriated for, or for the working of the steering gear, anchor gear and capstan;

(e) space appropriated for the storage of safety equipment or batteries;

(f) workshop and store rooms appropriated for the use of pumpmen, electricians, carpenters and boatswains, and the lamp-room;

(g) space occupied by the donkey engine and boilers if they are

outside the propelling machinery space and connected to the main pumps of the ship;

(h) space occupied by the main pumps of the ship if they are outside the propelling machinery space;

(i) any space below the upper deck (other than double bottom) adapted solely for water ballast:

Provided that no deduction shall be made on account of any space unless it has previously been included in the gross tonnage.]

(2) No deduction on account of any space shall be made under sub-rule (1) unless

(a) the space has been certified by a surveyor as reasonable in extent and properly and efficiently constructed for the purpose for which it is intended;

(b) a notice is permanently marked in or over such space stating the purpose for which it is to be applied.

5. Propelling Power Allowance :-

(1) The allowance for engine-room space in ships propelled by steam or other power requiring engine-room shall be ascertained

(a) where the tonnage of the space occupied by and necessary for the proper working of the boilers and machinery is 13 per cent or above and under 20 per cent of the gross tonnage the deduction shall be 32 per cent of the gross tonnage;

(b) where such space is below 13 per cent of the gross tonnage, the deduction shall be 32 per cent of the gross tonnage reduced proportionately;

(c) where such space is 20 per cent and above of the gross tonnage, the deduction shall consist of the tonnage of the space occupied by or required to be enclosed for the proper working of the boilers and machinery with the addition of three-fourth of the tonnage of that space;

(d) in cases falling under clauses (b) and (c), the space occupied by the shaft tunnel shall also be added to the engine-room space.

(2) Such portion of the space above the crown of the engine-room and above the upper deck as is framed in for the machinery or for the admission of light and air shall not be included in the

measurement of the spaces occupied by the propelling power machinery, unless the owner of the ship has applied in writing to the Central Government in that behalf: Provided that

(a) the portion is first included in the measurement of the gross tonnage;

(b) a surveyor certifies that the portion so framed in is reasonable in extent and is so constructed as to be safe and seaworthy and that it cannot be used for any purpose other than the machinery or for the admission of light and air to the machinery or boilers of the ship.

(3) The allowance made under this head shall not in any case exceed fifty-five per cent of that portion of the tonnage of the ship which remains after deducting from the gross tonnage the allowance on account of the space used for the accommodation of the master and the crew provided that this shall not apply to ships constructed for the purpose of towing vessels so long as they are employed as tugs but not employed for the carriage of passengers, cargo or stores or when using dry docks, floating docks or places provided for repairing of vessels.

6. Spaces for master and crew :-

(1) No deduction on account of any space intended for the master or the crew shall be made unless a surveyor has certified that that space is used for that purpose.

(2) The maximum space allowable on account of storage under this head shall not exceed fifteen per cent of the deductions for the master's and crew accommodation.

7. Allowance for Water Ballast :-

The allowance on account of water ballast spaces shall be regulated in accordance with the 1[provisions of] Schedule II.

8. Exemptions :-

(1) The following spaces shall be measured but, save as provided in rule 8A, exempted from inclusion in the gross tonnage

(a) on application in writing the owner or agent of the ship-

(i) deck shelters for deck passengers;

(ii) spaces abreast side openings ;

(iii) open passage-ways serving other than passenger spaces above deck;

(b) permanently closed spaces which, had they been provided with tonnage openings, would have qualified for exemption but for the coming into force of the Merchant Shipping (Tonnage Measurement of Ships) Amendment Rules, 1970

(i) spaces, including spaces situated in the detached superstructures or deck houses, on or above the uppermost complete deck;

(ii) spaces situated within the uppermost tween deck so long as, when the ship is in the summer zone, the upper edge of the tonnage mark referred to in rule 8B, or when the ship is in fresh water or the tropical zone, the upper edge of the additional line referred to in rule 8C, is not submerged.]

[(2) The following permanently closed-in spaces situated on or above the upper deck shall not be included in the Gross Tonnage provided they are reasonable in extent, namely:

(a) space fitted with the appropriated for the use of machinery or condensers;

(b) the wheel house and chartroom, and space fitted with and appropriated for the use of radio and navigational aids;

(c) skylights, domes and trunks which light or ventilate the space they serve;

(d) chain lockers, and space appropriated for working the anchor gear and capstan;

(e) space appropriated for the storage of safety equipment or batteries;

(f) companions and access hatches serving as protection for stairways or ladderways leading to space below, and openings over such stairways and ladderways including escape trunks;

(g) the galley, and any separate bakery fitted with ovens ; provided in either case that no part thereof is appropriate for use for any other purpose;

(h) washing and sanitary accommodation forming part of the crew accommodation or appropriated for the use of the master;

(i) workshops and storerooms appropriated for the use of pumpmen, engineers, electricians, carpenters and boatwains, and the lamproom;

(j) water ballast tanks not appropriated for use for any other purpose.]

(3) The Central Government may, subject to such conditions as may be prescribed, grant further exemptions as may be deemed necessary.

8A. :-

Assignments of tonnage markThe spaces referred to in sub-clause (ii) of clause (b) of sub-rule 1 of rule 8 shall not be exempted from inclusion in the gross tonnage of a ship which does not have tonnage markings in accordance with these rules.

8B. Form and position of tonnage mark :-

(1) The tonnage mark shall be of the form set out in Schedule IIA and shall consist of a horizontal line 380 millimetres long and 25 millimetres wide, upon which shall be placed for identification an inverted equilateral triangle, each side of which shall be 300 millimetres long and 25 millimetres wide, with its apex on the mid-point of the said horizontal line.

(2) Such mark shall be cut or welded on each side of the ship abaft amidships, but as near thereto as practicable, but the apex of the triangle shall not be nearer than 540 millimetres to the centre of the load line disc assigned under the load line rules, nor farther than 2000 millimetres abaft the vertical centre line of such load line disc.

(3) The upper edge of the tonnage mark shall be located below the line of the second deck, the position of which shall be determined in accordance with the Table set out in Schedule IIB.

(4) Notwithstanding anything contained in sub-rule (3), when the free board deck, as determined under the load line rules, coincides with the second deck, the tonnage mark shall be placed on a line level with the uppermost part of the load line grid.

8C. Additional line :-

(1) To indicate fresh water and tropical draught an additional horizontal line, 230 millimetres long and 25 millimetres wide, may

be cut or welded above the tonnage mark (see Schedule IIA), except when the tonnage mark is assigned in accordance with sub-rule (4) of rule 8B.

(2) Such additional line shall be measured from a vertical line 25 millimetres wide marked at the after end of, and perpendicular to, the tonnage mark; the length of the vertical line being one forty-eighth of the moulded draught to the tonnage mark.

8D. Ships having no load line markings :-

For ships to which no load line has been assigned, the line of the uppermost complete deck shall be marked amidships by a horizontal line 300 millimetres long and 25 millimetres wide.

8E. Alternate gross tonnage :-

(1) Except when the tonnage mark is assigned in accordance with sub-rule (4) of rule 8B, there shall be determined for every ship which has been assigned a tonnage mark, two gross tonnages for the purpose of deciding whether exemption under sub-clause (ii) of clause (b) of sub-rule (1) of rule 8 is admissible according as the tonnage mark is submerged or not.

(2) In the case of any ship for which two tonnages have been determined in accordance with sub-rule (1) and which is in possession of a certificate of registry showing such two tonnages, the lower of the two tonnages shall be construed to be its tonnage for the time being while the ship is so loaded as not to submerge the tonnage mark assigned to it in accordance with rule 8A, for the purposes of levy of any fee or dues which are based on the gross tonnage of a ship measured in accordance with the provisions of these rules : Provided that, for the purposes of Parts VI, VII, VIII and IX of the Act, the qualifying gross tonnage shall be the higher figure.

8F. Higher tonnage in special cases :-

Notwithstanding anything contained in rule 8B, if the Central Government finds that in respect of an Indian ship possessing dual tonnage certificate any country outside India takes into account the higher tonnage for the purpose of levy of tonnage dues, whether or not the tonnage mark is submerged, the Central Government may, by notification in the Official Gazette, direct that in respect of a ship registered in that country the higher tonnage shall constitute the basis of levy of tonnage dues in India.]

9. Register Tonnage on net tonnage :-

(1) The register tonnage of a ship shall be arrived at by deducting from the [gross tonnage or gross tonnages (referred to in rule 8E)] of the ship the allowances of the nature and to the extent admissible under these rules.

[*****]

(3) Where the tonnage of a ship has been or is deemed to have been ascertained under these rules, the tonnage shall not be altered unless the alteration is made in the form or the capacity of the ship or it is discovered that the tonnage has been erroneously computed, and in either of these cases, the ship shall be remeasured and her tonnage ascertained in accordance with these rules.

9A. Register Tonnage on net tonnage :-

10. Tonnage ascertained in foreign countries :-

(1) Where the tonnage of a ship has been ascertained in accordance with the rules in force in a foreign country which has adopted these rules or in accordance with the rules which are substantially similar to these rules, the Central Government may accept the tonnage specified in the certificate of registry issued by that country in the same manner to the same extent and for the same purposes as the tonnage indicated in the certificate of registry issued under these rules.

(2) Notwithstanding anything contained in sub-rule (1), the Central Government may, if it is of opinion that the tonnage of any foreign ship as ascertained by the rules of the country to which she belongs differs materially from the tonnage of that ship as it would be if it is measured under these rules, direct that the ship shall be re-measured and her tonnage ascertained in accordance with these rules.

11. Suez Canal and Panama Special Tonnage Certificate :-

If a request is received from a shipowner for measurement of a ship for Suez Canal or Panama Special Tonnage Certificate, the ship may be re-measured and her tonnage ascertained in accordance with the rules issued by the Suez Canal or Panama Canal authorities.

12. . :-

Notwithstanding any procedure set out in Schedule I for the

measurement of tonnage of ships the volume computed in cubic metres may be multiplied by the factor 0.353 to arrive at volume in tons.] [13]. Fees. Fees shall be levied under these rules at the rates and for the purposes specified in Schedule III.