

SAILING VESSELS (INSPECTION) RULES, 1962

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SAILING VESSELS (INSPECTION) RULES, 1962

G.S.R. 1491 dated 10th November, 1962.1 In exercise of the powers conferred by Cls. (d), (e), (h), (k) and (o) of sub-section (2) of Sec. 435 read with Sec. 457 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 Sailing Vessels (Inspection) Rules, 1962.
- (2) They shall come into force at once.
- (3) They shall apply to every sailing vessel registered in accordance

with the provisions of the Act other than vessels exclusively engaged in fishing.

2. Definitions :-

In these rules, unless the context otherwise requires-

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

(b)"coasting sailing vessel" means a vessel which is employed in trading between any port or place in India and any other port or place on the continent of India or between ports or places in India and ports or places in Ceylon;

(c)"fair season" and "foul season" mean respectively the seasons specified as such in Schedule I;

(d)"certificate" means a Certificate of Inspection;

(e)"form" means a form appended to these rules;

(f)"free board" means the free board assigned to a vessel in accordance with the provisions of the Sailing Vessels (Assignment of Free Board) Rules, 1960;

(g)"Registrar" means a Registrar of Sailing Vessels appointed as such under the Act;

(h) "surveyor" means a Registrar holding a certificate of competency issued under the Act or recognised as equivalent thereto or a surveyor appointed under Sec. 9(1) of the Act or a Naval Architect appointed by the Central Government or any other person appointed in this behalf by the Central Government.

3. Application for certificate of inspection :-

(1) Every application for the grant of a certificate required by Section 421 of the Act shall be made to a Registrar in Form SVICI.

(2) Every such application shall be accompanied by such fees as are prescribed in Schedule II.

4. Inspection of vessels :-

On receipt of an application for a certificate the Registrar shall cause the vessel to be inspected by a surveyor.

5. Preparation for inspection :-

The following preliminaries shall be completed by the owner or tindal of a vessel before an inspection in commenced:-

- (1)the vessel shall be made clean and free from cargo;
- (2)rigging and equipment shall be kept handy for inspection;
- (3)the vessel shall be cleaned externally and placed on a hard or slipway sufficiently clear of the ground.

6. Inspection :-

- (1) The hull shall be inspected to determine whether the vessel is staunch and tight and whether she is strong enough for the service intended.
- (2) Joints in planking and caulking shall be carefully examined.
- (3) In the case of decked vessels, it shall be ensured that the deck planking is in good condition and properly caulked and that efficient means of battening down the hatches is provided.
- (4) It shall be ensured that,-
 - (i)sails are of strong and durable material and in good condition and on sufficient area to enable efficient navigation under sails alone;
 - (ii)all blocks, pulleys and ropes are in good condition and of sufficient strength; and
 - (iii)the anchors, chains, hawsers are sufficient and efficient.
- (5) Special attention shall be paid to the condition of the rudder and helm and their fastenings.
- (6) All pumps shall be tested for efficiency by actually working them for not less than ten minutes.

7. Equipment :-

- (1) Every sailing vessel shall be equipped with life saving and fire appliances prescribed for Classes VII and XII under the Indian Merchant Shipping (Life Saving Appliances) Rules, 1956, and the Indian Merchant Shipping (Fire Appliances) Rules, 1956, as continued in force by sub-section (3) of section 461 of the Act.
- (2) Every sailing vessel of over 100 tons shall be provided with at least one hand-operated pump for pumping bilges only.
- (3) Every sailing vessel other than a coasting sailing vessel shall be provided with a compass.

(4) Lights, shapes and sound signals shall be in accordance with the collision regulations. Note.-Requirements in accordance with these regulations as applicable to sailing vessels are indicated in the Appendix to these rules.

8. Auxiliary Engines :-

(1) Before a vessel is to be fitted with an auxiliary engine, she shall be inspected by a surveyor to ascertain whether the hull is of adequate strength for the engines to be installed.

(2) The engines shall be fitted and necessary tests and speed trials carried out to the satisfaction of a surveyor.

(3) Unless the surveyor has any reason to doubt the efficiency of an engine, complete dismantling and inspection need only be carried out once in ¹ [five years].

Subs. by S.O. 1041, dated 22nd March, 1975.

9. Fuel tanks :-

The fuel storage tanks for the running of the auxiliary machinery shall be properly constructed and permanently fixed in the vessel.

10. Defects :-

(1) If a surveyor finds that any defect exists in the hull, rigging, equipment or machinery of a vessel, he shall address a letter to the owner or tinal of the vessel in Form SVIC II pointing out the defects and the repairs necessary to make them good.

(2) The repairs shall be carried out to the satisfaction of the surveyor.

11. Issue of Certificate :-

(1) On the Registrar being satisfied that the vessel has complied with the provisions of the foregoing rules, he shall grant, in duplicate, a certificate in form SVIC III.

(2) Every certificate shall be in force from the date of issue for a period of one year or for such shorter period as may be specified.

12. Delivery of Expired certificates :-

Any certificate issued under these rules which has expired or has become invalid due to structural damage to the vessel or deficient equipment or any other cause shall be surrendered to the Registrar at the first port of call after such expiry.

13. Issue of Duplicate certificates :-

(1) In the event of an original certificate being destroyed, lost, mislaid, mutilated or defaced, the Registrar may on application being made to him stating the full facts and upon being satisfied of the genuineness of the case, grant a duplicate certificate.

(2) Every such application shall be accompanied by a fee as laid down in Schedule II.

(3) If an original certificate stated to be mislaid, lost or destroyed shall at any time after the issue of a duplicate thereof be found, it shall forthwith be delivered to the issuing authority.

14. Transfer of registry :-

When a vessel's registry is transferred or there has been a change of ownership, name or tonnage, the certificate shall be produced to the Registrar for endorsing the alterations.

15. Trading Limits :-

The trading limits, if any, and the conditions for such trading, shall be specified in the certificate depending upon the size, type construction and general suitability of the vessel for which the surveyor considers her to be fit.

16. Returns :-

Every Registrar shall submit to the Director General on or before the 15 of January and the 15th of July of each year a return showing the particulars of certificates issued during the previous half-year. The return shall be in Form SVIC IV.

17. Production of Certificate :-

The owner or tindal shall produce the certificate on demand by a surveyor, any officer of the Customs or of the Mercantile Marine Department or a Regional Officer (Sails).

18. Penalties :-

Whoever commits a breach of any of the provisions of these rules shall be punishable with fine which may extend to one thousand rupees, and if the breach is a continuing one, with further fine which may extend to fifty rupees for every day after the first during which the breach continues.

SCHEDULE 1

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SCHEDULE 2

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SCHEDULE 3

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