

Merchant Shipping (Amendment) Bill

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Bill No: 33/1984

Read the first time: 19th October 1984

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Merchant Shipping (Amendment) Bill

Bill No. 33/1984

Read the first time on 19th October 1984.

An Act to amend the Merchant Shipping Act (Chapter 172 of the Revised Edition).

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

Short title and commencement

1. This Act may be cited as the Merchant Shipping (Amendment) Act 1984 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Amendment of section 2

2. Section 2 of the Merchant Shipping Act (referred to in this Act as the principal Act) is amended —

(a) by deleting the definition of “certificated officer” and substituting the following definition:

“ “certificated officer” means any officer holding a certificate issued or deemed to have been issued under section 10;”;

(b) by deleting the words “, not being a local-trade voyage,” in the first and second lines of the definition of “home-trade voyage”;

(c) by deleting the proviso to the definition of “home-trade voyage”;

- (d) by deleting the definitions of “local-trade passenger steamer”, “local-trade ship” and “local-trade voyage”; and
- (e) by deleting the definition of “seaman” and substituting the following definition:

““seaman” includes every person, except a master or pilot, employed or engaged in any capacity as part of the crew on board any ship;”.

Repeal and re-enactment of sections 9 to 30

3. Sections 9 to 30 of the principal Act are repealed and the following sections substituted therefor:

“Application of Part II

9. This Part shall not apply to —

- (a) any fishing vessel exclusively employed in the fishing industry;
- (b) any pleasure craft;
- (c) any harbour craft, that is to say, any vessel used for any purpose within the port; and
- (d) any native sailing ship.

Manning and certification

10.—(1) The Minister may make regulations —

- (a) requiring ships to which this section applies to carry such number of qualified officers of any description, qualified doctors and such number of other seamen or qualified seamen of any description as may be specified in the regulations;
- (b) prescribing standards of competence to be attained and other conditions to be satisfied (subject to any exemptions allowed by or under the regulations) by officers and other seamen of any description in order to be qualified for the purposes of this section; and
- (c) providing that existing certificates shall, except in such cases as are specified in the regulations, be deemed for the purposes of this section to be issued in pursuance of this section and to confer on the persons to whom they are issued such qualifications as may be specified in the regulations.

(2) In subsection (1) “existing certificate” means a certificate granted in pursuance of section 24 before the commencement of the Merchant Shipping (Amendment) Act 1984.

(3) Regulations made under this section may make different provision for different descriptions of ships or for ships of the same description in different circumstances.

(4) Without prejudice to the generality of subsection (1)(b), the conditions prescribed or specified under that subsection may include conditions as to nationality and regulations made for the purposes of that subsection may make provision for —

- (a) the manner in which the attainment of any standard or the satisfaction of any other condition is to be evidenced;
- (b) the conduct of any examinations, the conditions for admission to them and the appointment and remuneration of examiners; and
- (c) the issue, form and recording of certificates and other documents,

and different provision may be so made for different circumstances.

(5) If a person makes a statement which he knows to be false or recklessly makes a statement which is false in a material particular for the purpose of obtaining for himself or another person a certificate or other document which may be issued under this section, he shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000.

(6) A certificate issued or deemed to be issued under this section shall be admissible in evidence.

Exemption

11. The Minister may, subject to such conditions as he may impose, exempt any ship or description of ships from any requirements of regulations made under section 10.

Prohibition of going to sea undermanned

12.—(1) Subject to section 11, if a ship to which this section applies goes to sea or attempts to go to sea without carrying such officers, doctors and other seamen as it is required to carry under section 10, the owner or master shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 and the ship, if in Singapore, may be detained.