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The Gazette of the Democratic Socialist Republic of Sri Lanka
EXTRAORDINARY

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PART I : SECTION (I) — GENERAL
Government Notifications

LDB.3/2013 (ii)

MERCHANT SHIPPING ACT, No. 52 OF 1971

REGULATIONS made by the Minister of Ports and Shipping under section 321 read with section 44 of the Merchant Shipping Act, No. 52 of 1971.

Colombo,
02nd May 2017.

ARJUNA RANATUNGA,
Minister of Ports and Shipping.

Regulations

1. These regulations may be cited as the Merchant Shipping (Small Commercial Vessels) Regulations, 2017.
2. These Regulations shall apply to-
 - (a) commercial vessels, which are cargo or passenger vessels of not less than five meters and not more than twenty-four meters in length and which carry not more than 100 passengers or provide overnight accommodation for not more than twenty-four passengers engaged on coastal waters of Sri Lanka; and
 - (b) pleasure vessels used for profit or reward.
3. Every vessel to which these regulations apply shall not be operated without having on board a valid Certificate of Registration issued by the Registrar of Ships and a valid Certificate of Survey issued by the Director-General Merchant Shipping.



4. (1) The Director-General of Merchant Shipping shall, upon the inspection of a vessel of a foreign country, which has similar standards as specified in the Code of Safety for Small Commercial Vessels formulated by the Director General of Merchant Shipping accept the certificate of survey or similar certificate to that effect of a vessel of such foreign country, if such certificate of survey or similar certificate corresponds with the conditions of the vessel and its equipment.

(2) Upon such inspection, where the Director-General of Merchant Shipping finds that such Certificate of Survey or similar certificate of a vessel of such foreign country does not correspond with the condition of the vessel, such vessel shall not be registered in Sri Lanka.

5. Every person who wishes to register a vessel under these regulations shall apply in the form set out in Schedule I of these regulations in triplicate accompanied with a fee as specified in Schedule II of these regulations.

6. The applicant shall submit the following together with an application-

- (a) Certificate of Survey issued by the Director-General of Merchant Shipping;
- (b) a comprehensive insurance cover for both P & I and hull and machinery for the vessel obtained from an Insurance Company approved by the Insurance Board of Sri Lanka, covering its crew members, passengers and cargo such vessel is entitled to carry;
- (c) the names and the competency of the Boat Master, officers and crew of the vessel and their nationality; and
- (d) a written undertaking to inform the Registrar of Ships in relation to any change of any of the information contained in the application, within a period of one month of taking place of such change.

7. Upon the receipt of the application, the Registrar of Ships shall proceed with the registration of the vessel in terms of the provisions of the Merchant Shipping Act, No 52 of 1971 and grant the applicant a Certificate of Registration:

Provided that, if the applicant is unable to produce all the documents referred to above, at the time of his application, the Registrar of Ships may on being satisfied that the failure of submitting of such documents is not due to a fault of the applicant-

- (a) require the applicant to produce in its place any other relevant document as the Registrar of Ships may require; or
- (b) exempt the applicant from the requirement of producing the same,

and proceed to grant the applicant a Provisional Certificate of Registration in respect of such a vessel for a period of three months.

8. It shall be the duty of the holder of a Provisional Certificate of Registration to submit the necessary documents required for the registration of such vessel without delay. Upon the submission of such documents, the applicant shall, in writing request the Registrar of Ships to issue a Certificate of Registration.

9. The Certificate of Registration issued to any vessel under these regulations shall be valid for a period one year. The Certificate of Survey shall be valid for a period one year in the case of a vessel which carries more than twelve passengers, and five years for all other vessels from the date of inspection unless revoked, provided that the vessel successfully completes an annual inspection.

10. Every inspection shall be carried out in terms of the Code of Safety for Small Commercial Vessels formulated by the Director General of Merchant Shipping. The Code of Safety for Small Commercial Vessels deals with general provisions, construction, freeboard, stability and watertight integrity, machinery, fire protection, lifesaving equipment,

miscellaneous systems and equipment operational requirements, licensing of boat masters and engineers, manning and hours of work.

11. Where any vessel to which these regulations apply fails to hold on board a valid Certificate of Survey or valid insurance certificate, the owner of such vessel shall be guilty of an offence and on conviction thereof shall be liable to a fine of one hundred thousand rupees per day in respect of which the vessel is plied without having on board such certificates or to imprisonment of either description for a term not exceeding two years.

12. These regulations shall not apply to-

- (a) fishing vessels;
- (b) a vessel holding a valid International Passenger Ship Safety Certificate issued under the provisions of the International Convention on the Safety of Life at Sea, 1974, as amended (SOLAS); and
- (c) a boat forming part of a vessel lifesaving equipment that is used to carry passengers only in emergencies or during emergency exercises.

13. The provisions of Merchant Shipping (Standards of Training, Certification and Watch Keeping for Seafarers) Regulations, 2016 published in Extraordinary *Gazette* No. 1987/19 of October 4, 2016 shall not apply to the vessels to which these regulations apply.

14. Unless the context otherwise requires, in these regulations-

“Act” means the Merchant Shipping Act, No. 52 of 1971;

“Code of Safety for small commercial vessels” means a document which is formulated in Sri Lanka in line with IMO guidelines and specifies the standards of construction, freeboard, stability and watertight integrity, machinery, fire protection, lifesaving equipment, miscellaneous systems and equipment operational requirements, licensing of boat masters and engineers, manning and hours of work;

“Pleasure vessels” means vessels designated as pleasure vessels in the Code of Safety for small commercial vessels;

“Registrar of ships” means the Director-General of Merchant Shipping; and

“Small commercial vessel” means vessels which are cargo, or passenger vessels of less than 24 meters, but 5 meters or more in length and which carry not more than 100 passengers or provide overnight accommodation for up to 24 passengers engaged on coastal waters of Sri Lanka.

(Regulation 5)

SCHEDULE I

Application for the Registration of Small Commercial Vessels on Coastal Waters of Sri Lanka		
1.	Present Name of Vessel:	
2.	Port of Registry:	
3.	Proposed new Name:	
4.	Ex-names of Vessel:	
5.	Name and Address of Owner:	
6.	IMO Number:	
7.	Country of Nationality of the Incorporating Company:	
8.	Name/ address and Nationality of Chairman/ President:	

SCHEDULE I (Contd.)

9.	Names/ Address and Nationality of Directors:	1.
		2.
		3.
		4.
		5.
		6.
10.	Paid up Capital of Company	
11.	Name/ address and Nationality of Manager of Company: Telex No:/ Cable Address:	
12.	Names of Operators:	
13.	Name and Address of the Builder of Vessel:	
14.	Particulars of vessel : 1. Type of Vessel: 2. Number of Passengers permitted: 3. Type of Service: 4. Speed:	
15.	Details of Vessel: 1. Date of Building: 2. Place of Building: 3. Type of Hull: 4. Number of Masts: 5. Number of Decks: 6. Gross Tonnage: 7. Net Tonnage: 8. Under Deck Tonnage: 9. Light Weight: 10. Dead Weight: 11. Number of Crew:	
16.	Name and. Address of Builder of Engines:	
17.	Particulars of Engine: 1. Number of Engines: 2. Description of Engines: 3. Number of Cylinders: 4. Diameter: 5. Bore: 6. KW:	

SCHEDULE I (Contd.)

18.	Name and Address of Marker of Boilers:	
19.	Name of Administration from whom the Certificate of Survey is issued.	
20.	Name and address of P and I Club	
21.	Name and address of Licensing Authority who issued the Radio License if applicable:(copy of the application for the Official No: and Call sign for vessel to be attached)	
22.	Proof of Ownership:(Original Bill of Sale and Construction/ Builders Certificate to be attached)	
23.	Name of Boat Master: Nationality: Age: Particulars of Certificate of Competency: Issuing Authority: Date of Issue:	
24.	Name of Boat Engineer: Nationality: Age: Particulars of Certificate of Competency: Issuing Authority: Date of Issue:	

I of herewith submit the application for registration of the vessel mentioned herein. I certify that the abovementioned particulars are true and accurate to the best of my knowledge and belief.

Name:

Signature

Address:

Nationality:

Civil Status:

Date:

(Regulation 5)

SCHEDULE II

- (a) Registration: US\$ 1 per NT
 - Minimum fee US\$ 750
 - Maximum fee US\$ 10,000
- (b) Annual Survey Fees: US\$ 500
- (c) Issue of Certificate of Survey :US\$ 100
- (d) Voyage Fees
 - a) Per passenger per day - US\$ 8
 - b) Per crew member per day – Rupees 20

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