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The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

අංක 2417/16 - 2024 දෙසැම්බර් මස 31 වැනි අඟහරුවාදා - 2024.12.31
No. 2417/16 - TUESDAY, DECEMBER 31, 2024

(Published by Authority)

PART I : SECTION (I) — GENERAL

Government Notifications

L.D.B 3/2013 (ii)

MERCHANT SHIPPING ACT, No. 52 OF 1971

REGULATIONS made by the Minister of Ports, Shipping and Aviation under section 321 of the Merchant Shipping Act, No. 52 of 1971 read with section 139 of the said Act.

BIMAL NIROSHAN RATHNAYAKE,
Minister of Transport, Highways, Ports and Civil Aviation.

Colombo,
30th December, 2024.

Regulations

- (1) These regulations may be cited as the Merchant Shipping (Vessel Classification and Certification) Regulations, No. 3 of 2024.
- (2) These regulations shall apply to all vessels registered in Sri Lanka.
2. All vessels registered in Sri Lanka shall be categorised as groups on the basis of cargo that vessels carry, the operations the vessels carry out, the intended use and the type of vessel. The categorisations of vessels are as follows:-
 - Group 1 – Passenger Vessels
 - Group 2 – Cargo Vessels



- (c) Group 3 – Vessels in commercial use for sport or pleasure
 - (d) Group 4 – Vessels in private use for sport or pleasure (not for hire)
 - (e) Group 5 – Work boats
 - (f) Group 6 – Pilot Boats
3. All non-convention vessels registered in Sri Lanka shall be assigned to an area of operation, in accordance with the Merchant Shipping (Categorisation of Waters) Regulations, No. 2 of 2024 published in the *Gazette* No. 2417/15 of December 31, 2024. The area of operation shall be assigned on review of the design and in conjunction with the design categories as specified in the applicable technical codes as listed below :-
- (a) Internal Waters Craft Code;
 - (b) Small Craft Code (up to length 24m);
 - (c) Large Non-Convention Craft Code (over length 24m); and
 - (d) Large Yacht Code (over length 24m).
4. (1) The inspection and survey of non-convention vessels to which these regulations apply shall be carried out by the Director-General of Merchant Shipping (in these regulations referred to as the “Director- General”).
- (2) The certificates referred to in these regulations shall be issued by the Director-General.
- (3) The Director-General may for the purpose of sub regulations (1) and (2) delegate his powers to recognised organisations or to certifying bodies.
- (4) Non-convention vessels registered in foreign countries that are calling at Sri Lankan ports shall have equivalent certificates that are acceptable to the Director-General.
5. (1) All non-convention vessels registered in Sri Lanka and operating solely in Sri Lanka waters shall have a certification specific to the vessel group and the intended area of operation as specified in the Schedule hereto.
- (2) All non-convention vessels registered in Sri Lanka and operating on international voyages shall have a certification as per sub-regulation (1) and the following in addition:-
- (a) as per the applicable international conventions or parts of the conventions in accordance with the gross tonnage of the vessel; or
 - (b) an appropriate exemption or single voyage certification.
6. The non-convention vessels intended for multi role use shall comply with the applicable regulations and are required to have the appropriate certification as specified in the schedule hereto.
7. All vessels other than the non-convention vessels shall meet the certification requirements of the applicable international conventions.
8. (1) The Director-General may exempt any non-convention vessel from the requirements in these regulations, if he is satisfied that compliance with such provisions is either impracticable or unreasonable. The particulars of same and the reasons therefor shall be specified in the exemption certificate.
- (2) The Director-General may subject to giving reasonable notice alter or cancel any such exemption.
9. In these regulations –

“boat ” means a vessel of less than 24 m in length, or a vessel of less than 150 GT. A boat can be a boat, air cushion vehicle, sailing craft, inflatable craft;

- “cargo” means all items which are transported by the boat except fuel for the boat, ballast (either solid or liquid) consumables to be used on board, permanent outfit and equipment of the boat, stores and spare gear for the boat, crew and their personal baggage and passengers and their personal baggage, and activity related equipment;
- “cargo vessel” means any vessel which is not a passenger ship;
- “certifying body” means a company or a professional organisation that has been recognised and licensed by the Director-General for the purpose of survey, inspection and certification of non-convention vessels;
- “craft” shall have the same meaning as for ship;
- “domestic voyage” means a voyage from a port or place in Sri Lanka to the same or another port or place in Sri Lanka;
- “ferry” means a vessel used to carry passengers, automobiles and cargo on a commercial basis between terminals, across a river or other comparatively small body of water;
- “gross tonnage (GT)” shall have the same meaning as given by the International Convention on Tonnage Measurement of Ships 1969 and as stated on the tonnage certificate;
- “length” means either 96 per cent of the total length on a waterline at 85 per cent of the least moulded depth measured from the top of the keel, or the length from the foreside of the stem to the axis of the rudder stock on that waterline, whichever is the greater. In a boat designed with a rake of keel, the waterline on which this length is measured should be parallel to the design waterline;
- “nautical mile” means 1852 m.
- “non-convention vessel” means a vessel for which international conventions do not apply and vessels operating solely on domestic voyages for which the Director-General has granted exemptions from the applicable International conventions that apply due to the vessels GT. Where due to the GT of the vessel or area of operation parts of international conventions are applicable, they would apply unless exemption has been granted by the Director-General;
- “passenger vessel” means a ship which carries more than twelve passengers;
- “pilot boat” means a boat employed or intended to be employed in pilotage services, and ‘dedicated pilot boat’ means a pilot boat of whatever size which is primarily employed in pilotage services and other occasional services undertaken such as the carriage of personnel, mail and small quantities of stores to or from boats in the pilotage district;
- “recognised organisation” means any organisation that has been recognized by the Director-General in accordance with the provisions of the Code for Recognised Organisations adopted by the International Maritime Organisation;
- “registration” means the process of registering a vessel with the Merchant Shipping Secretariat of the Sri Lanka Ministry of Ports and Shipping;
- “ship” means a waterborne vessel of more than 24m in length, or a vessel of more than 150 GT;
- “vessel” means a ship or boat as defined in these regulations;
- “vessel groups” means the categorisation of a boat or ship in accordance to its intended use as defined by these regulations;
- “work boat” means a non-convention vessel in commercial use for purposes other than sport or pleasure, excluding a dedicated pilot boat.

SCHEDULE

(regulation 5(1))

Non-convention vessels operating solely in Sri Lanka waters would require the appropriate certification from the following as specified in the relevant codes and as required due to size of the vessel:

1. Group 1 – Passenger vessel certification -

- (a) Internal Waters Craft Code Certificate – Passenger or
- (b) Small Craft Code Certificate (up to length 24m) – Passenger or
- (c) Large Non-Convention Craft Code Certificate (over length 24m) – Passenger
- (d) Tonnage Certificate (if vessel is over 24m)
- (e) Load line Certificate - required for new vessels over 24m and existing vessels (built before January 1972) of more than 150GT
- (f) Safety Radio Certificate – Vessels over 300 GT.

2. Group 2 – Cargo vessel certification -

- (a) Internal Waters Craft Code Certificate – Non-passenger
or
- (b) Small Craft Code Certificate (up to length 24m) – Non-passenger
or
- (c) Large Non-Convention Craft Code Certificate (over length 24m) – Non-passenger
- (d) Tonnage Certificate (if vessel is over 24m)
- (e) Load line Certificate - required for new vessels over 24m and existing vessels (built before Jan 1972) of more than 150gt
- (f) Safety Radio Certificate – Vessels over 300 GT
- (g) Certificate of fitness (chemical or gas) – for chemical tankers or gas carriers
- (h) Document of compliance with the special requirements for ships carrying dangerous goods (IMDG Code)

3. Group 3 – Vessels in commercial use for sport or pleasure certification –

- (a) Internal Waters Craft Code Certificate
or
- (b) Small Craft Code Certificate (up to length 24m)
or
- (c) Large Non-Convention Craft Code Certificate (over length 24m)
- (d) Tonnage Certificate (if vessel is over 24m)
- (e) Load line Certificate - required for new vessels over 24m and existing vessels (built before Jan 1972) of more than 150 GT
- (f) Safety Radio Certificate – Vessels over 300 GT.

4. Group 4 – Vessels in private use for sport or pleasure (not for hire) Certification –

- (a) Internal Waters Craft Code Certificate
or
- (b) Small Craft Code Certificate (up to length 24m)
or
- (c) Large Yacht Code Certificate (over length 24m)
- (d) Tonnage Certificate (if vessel is over 24m)

Non-convention vessels in private use for sport or pleasure, when not voluntarily registered in Sri Lanka would require a valid Record of Compliance against one of the following technical codes:

- (a) Internal Waters Craft Code Record of Compliance
- (b) Small Craft Code Record of Compliance
- (c) Large Yacht Code Record of Compliance.

5. Group 5 – Work Boats certification –

- (a) Internal Waters Craft Code Certificate
or
- (b) Small Craft Code Certificate (up to length 24m)
or
- (c) Large Non-Convention Craft Code Certificate (over length 24m)
- (d) Tonnage Certificate (if vessel is over 24m)
- (e) Load line certificate - required for new vessels over 24m and existing vessels (built before Jan 1972) of more than 150gt
- (f) Safety Radio Certificate – Vessels over 300 GT.

6. Group 6 – Pilot Boats certification -

- (a) Internal Waters Craft Code Certificate
or
- (b) Small Craft Code Certificate (up to length 24m)

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