

# **Merchant Shipping (Amendment) Bill**

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**Bill No: 24/1966**

***Read the first time: 22nd June 1966***

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## **Merchant Shipping (Amendment) Bill**

**Bill No. 24/1966**

*Read the first time on 22nd June 1966.*

An Act to amend the Merchant Shipping Ordinance (Chapter 207 of the Revised Edition), to make provision for the establishment of a register of Singapore ships, and for purposes connected therewith.

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

### **Short title**

1. This Act may be cited as the Merchant Shipping (Amendment) Act, 1966.

### **Amendment of section 3**

2. Section 3 of the Merchant Shipping Ordinance (hereinafter in this Act referred to as “the Ordinance”) is hereby amended by inserting immediately after the definition of “ship” appearing therein, the following new definition: —

““Singapore ship” means a ship owned wholly by citizens of Singapore or by bodies corporate established under, and subject to, the law of Singapore and having their principal place of business in Singapore.”.

### **New section 3A**

3. The Ordinance is hereby amended by inserting immediately after section 3 thereof the following new section: —

#### **“Application of Ordinance to Singapore ships**

**3A.** As from the day appointed for the coming into operation of Part XIV, Parts I to XIII of this Ordinance shall apply in relation to Singapore ships as they apply to British ships, and, unless the context otherwise requires, references in the aforesaid Parts to “British-registered ships”, “British ships”, and “British ships registered in Singapore” shall be construed as if they included a reference to “Singapore ships” or “registered Singapore ships”, as the case may be. ”.

### **New sections 260A and 260B**

4. The Ordinance is hereby amended by inserting in Part V and immediately before section 261 thereof the following new sections: —

#### **“Collision regulations**

**260A.**—(1) The Minister may make regulations for preventing collisions at sea (to be known as the “collision regulations”), and may thereby regulate the lights to be carried and exhibited, the fog signals to be carried and used, and the steering

and sailing rules to be observed by all Singapore ships wherever they may be.

(2) The power of the Minister under subsection (1) of this section shall include power to make regulations for the prevention of collisions at sea —

(a) between seaplanes on the surface of the water; and

(b) between vessels and seaplanes on the surface of the water.

(3) Regulations made under subsection (1) of this section shall be observed by all vessels and seaplanes of foreign registry within the territorial waters of Singapore, and in any case before a court of Singapore concerning an infringement of the said regulations arising within the territorial waters of Singapore, foreign vessels and seaplanes shall be treated as if they were vessels and seaplanes registered in Singapore.

### **Observance of collision regulations**

**260B.**—(1) All owners and masters of Singapore ships shall obey the collision regulations, and shall not carry or exhibit any other lights or use any other fog signals, than such as are required by those regulations.

(2) If an infringement of the collision regulations is caused by the wilful default of the master or owner of the vessel, that master or owner shall be liable on conviction to a fine not exceeding one thousand dollars.

(3) If any damage to person or property arises from the non-observance by any vessel of any of the collision regulations, the damage shall be deemed to have been occasioned by the wilful default of the person in charge of the deck of the vessel at the time, unless it is shown to the satisfaction of the court that the circumstances of the case made a departure from the regulations necessary.

(4) Subsections (1) and (2) of this section shall apply to the owners and pilots of seaplanes on the surface of the water as they apply to the owners and masters of vessels, and subsection (3) of this section shall apply to the pilot or other person in charge of a seaplane as it applies to the person in charge of the deck of a vessel.”.

### **Amendment of section 261**

5. Section 261 of the Ordinance is hereby amended by deleting therefrom the expression “made under section 418 of the Merchant Shipping Act, 1894” and substituting therefor the expression “made under section 260A of this Ordinance.”.

### **New Part XIV**

6. The Ordinance is hereby amended by inserting immediately after section 503

thereof the following new Part: —

## “PART XIV

### SINGAPORE REGISTRY

#### **Commencement**

**504.** This Part shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint:

Provided that the Minister shall, in making such notification, prescribe a period during which no ship, being a ship required by section 505 of this Ordinance to be registered as a Singapore ship, and which, on the day appointed for the coming into operation of this Part is registered as a British or Malaysian ship, shall be deemed to be in breach of its obligation to register as a Singapore ship; and no fees shall be payable in respect of the transfer, within the period aforesaid, of any such ship from the British or Malaysian register to the register of Singapore ships established hereunder.

#### **Obligation to register Singapore ships**

**505.**—(1) Every ship owned wholly by citizens of Singapore or by bodies corporate established under, and subject to, the law of Singapore and having their principal place of business in Singapore, shall, unless exempted from registry, be registered under the provisions of this Part.

(2) If a ship required by this section to be registered is not so registered, she shall not be recognised as a Singapore ship.

(3) A ship required by this section to be registered may be detained until the master of the ship, if so required, produces the certificate of registry of the ship.

(4) The Minister may make rules with respect to the manner in which ships, or classes of ships, belonging to the Government or any statutory body, may be registered under this Part.

#### **Exemptions from registry**

**506.**—(1) The following ships are exempted from registry under this Part: —

- (a) any ship not exceeding fifteen tons employed solely in navigation on the rivers or coasts of Singapore;
- (b) any native sailing ship;

- (c) any boat licensed under sections 453 and 454 of this Ordinance;
- (d) any fishing vessel licensed under the Fisheries Act, 1966 (Act. 14 of 1966):

Provided that the Minister may, subject to such terms and conditions as he thinks fit to impose, exempt any ship or class of ships from registry.

(2) Notice of every exemption under this section shall be published in the *Gazette*.

### **Registrar of Singapore ships**

**507.**—(1) The Director shall be the Registrar of Singapore ships.

(2) The Registrar of Singapore ships (hereinafter in this Part referred to as “the Registrar”) shall not be liable to damages or otherwise for any loss accruing to any person by reason of any act done or default made by him in his character of Registrar unless the same has happened through his neglect or wilful act.

### **Register book**

**508.** The Registrar shall keep a book to be called the “register book”, and entries in that book shall be made in accordance with the following provisions: —

- (a) the property in a ship shall be divided into sixty-four shares;
- (b) subject to the provisions of this Part with respect to joint owners or owners by transmission, not more than sixty-four individuals shall be entitled to be registered at the same time as owners of any one ship; but this provision shall not affect the beneficial title of any number of persons or of any company represented by or through any registered owner or joint owner;
- (c) a person shall not be entitled to be registered as owner of a fractional part of a share in a ship; but any number of persons not exceeding five may be registered as joint owners of a ship or of any share or shares therein;
- (d) joint owners shall be considered as constituting one person only as regards the persons entitled to be registered, and shall not be entitled to dispose in severalty of any interest in a ship, or in any share therein in respect of which they are registered; and