

**MERCHANT SHIPPING ACT 1979**

**MERCHANT SHIPPING (LIABILITY OF SHIPOWNERS AND OTHERS)  
(CALCULATION OF TONNAGE) ORDER 1986**

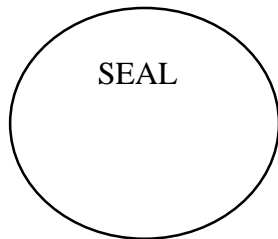
In exercise of the powers conferred on the Isle of Man Harbour Board <sup>(a)</sup> by paragraph 5 of Part II of Schedule 4 to the Merchant Shipping Act 1979 <sup>(b)</sup> (an Act of Parliament) as extended to the Isle of Man by the Merchant Shipping Act 1979 (Isle of Man) Order 1980 <sup>(c)</sup>, and of all other powers enabling it in that behalf, the following Order is hereby made:-

1. This Order may be cited as the Merchant Shipping (Liability of Shipowners and Others) (Calculation of Tonnage) Order 1986 and shall come into operation on 1st December 1986.

2. (1) For the purposes of article 6 of the Convention on Limitation of Liability for Maritime Claims 1976 <sup>(d)</sup> and of paragraph 5 of Part II of Schedule 4 to the Merchant Shipping Act 1979, the gross tonnage of a ship shall be calculated in accordance with regulations 4 to 6 of the Merchant Shipping (Tonnage) (Isle of Man) Regulations 1984 <sup>(e)</sup>.

(2) In the case of a ship of which, at the time when limitation is claimed, the tonnage not been and cannot be ascertained in accordance with paragraph (1), the best evidence available of the measurements of the ship shall be used in calculating the tonnage of the ship according to those regulations.

GIVEN under the official seal of the Isle of Man Harbour Board this 1st day of October 1986.



*E. C. Irving*  
Chairman

*H. G. Moore*  
Secretary

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(a) Functions now transferred to the Department of Trade and Industry by the Transfer of Functions (Marine Administration) Order 1997 (S.D. 51/97)

(b) 1979 c.39

(c) S.I. 1980/1526

(d) Set out in Part I of Schedule 4 to the Merchant Shipping Act 1979

(e) GC 234/84. Now superseded by SD 513/98

## **EXPLANATORY NOTE**

*(This Note is not part of the Order)*

The Order provides that, for the purposes of the Convention on Limitation of Liability for Maritime Claims 1976, set out in and implemented by the Merchant Shipping Act 1979, an Act of Parliament extended to the Island by Order in Council SI 1980/1526, a ship's gross tonnage (being the tonnage by relation to which the ship's liability may be limited) is to be calculated in accordance with regulations 4 to 6 of the Merchant Shipping (Tonnage) (Isle of Man) Regulations 1984. These implement the rules for measuring gross tonnage set out in Annex I of the International Convention on Tonnage Measurement of Ships, 1969 (Cmnd 4332). The best available evidence of the measurements of a ship will be used when the tonnage of a ship claiming limitation has not previously been ascertained and cannot be ascertained.