STATUTORY INSTRUMENTS

1976 No. 455

MERCHANT SHIPPING

The Merchant Shipping (Fishing Boats) (Amendment) Order 1976

Made - - - - 17*th March* 1976

The Secretary of State, in exercise of powers conferred by section 369 of the Merchant Shipping Act 1894**(a)** (hereinafter referred to as "the Act") and now vested in him**(b)** and of all other powers enabling him in that behalf, and insofar as it affects Scotland with the consent of the Secretary of State for Scotland, hereby makes the following Order:—

1. This Order may be cited as the Merchant Shipping (Fishing Boats) (Amendment) Order 1976.

2. The Merchant Shipping (Fishing Boats) Order 1948**(c)** shall be amended as follows:

(1) in Article 1, before the word "tonnage" where it twice occurs, there shall be inserted the word "gross", and for the words "but not exceeding fifty tons" there shall be substituted the words "but not exceeding fifty tons gross tonnage";

(2) after Article 2 there shall be inserted the following Article:

"**2A.** On and after 18th March 1976 the provisions of sections 413 (other than sub-section (1) when the conditions specified in Article 1 are complied with), 414 and 416 of the Act shall extend and apply to all fishing boats being trawlers of 25 tons gross tonnage or upwards."

J. N. Archer,
An Under Secretary of the
Department of Trade.

17th March 1976.

(a) 1894 c. 60. (b) *See* S.I. 1970/1537 (1970 III, p. 5293).
(c) S.I. 1948/366 (Rev. xiv., p. 274: 1948 I, p. 1875).

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order amends the Merchant Shipping (Fishing Boats) Order 1948 as follows:

(1) in Article 1 thereof (which exempts trawlers of 25 tons tonnage or upwards from the provisions of section 413(1) of the Merchant Shipping Act 1894 (skippers and second hands to hold certificate of competency) by substituting for the references to "tonnage" and "tons", references to "gross tonnage" and "gross tons"; and

(2) by applying to trawlers of 25 tons gross tonnage or upwards the provisions of section 413 (except where an exemption applies under Article 1 of the 1948 Order), section 414 (granting of certificate of competency) and section 416 (registers of certificated skippers and second hands).

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