



1st Floor • Ritter House • Wickham's Cay II • P.O. Box 4751 • Road Town • Tortola
Virgin Islands VG1110
Tel: +1 284 393 0000
Website: www.bvimaritime.vg • Email: vishipping@bvimaritime.vg

Marine Circular No. 11/2025

To: Shipowners, Operators, Agents, Masters and Officers of Merchant Ships, Authorized Classification Societies and Surveyors and Interested Parties.

ADOPTION OF

THE MERCHANT SHIPPING (TONNAGE) REGULATIONS 1997.

INTERNATIONAL CONVENTION ON TONNAGE MEASUREMENT OF SHIPS, 1969.

SUMMARY

1. This Notice sets out the text of the United Kingdom Merchant Shipping (Tonnage) Regulations 1997 (U.K.S.I. 1997/1510) (“the 1997 Regulations”) as adopted into the law of the Virgin Islands.
2. The adoption of the 1997 Regulations gives effect in the Virgin Islands to the provisions of the International Convention on Tonnage Measurement of Ships, 1969 (“Tonnage Convention”), and generally makes provision for the measurement of the tonnage of Virgin Islands ships.

TONNAGE CONVENTION

1. The Tonnage Convention establishes a uniform system for determining the tonnage of ships. It provides for a standardised method of calculating the gross and net tonnage of ships, and replaced the various national tonnage measurement systems. It applies to all ships engaged on international voyages with some exceptions, and provides for the issue of internationally recognised certificates which certify ships' tonnages ("International Tonnage Certificates").
2. The Tonnage Convention was extended to the Virgin Islands on the 15th September 2009.
3. This Notice explains how the Tonnage Convention is given effect in the Virgin Islands through the adoption of relevant United Kingdom merchant shipping regulations and contains the text of those regulations as adopted in the Virgin Islands.

ADOPTION OF THE MERCHANT SHIPPING (TONNAGE) REGULATIONS 1997

4. Section 464 of the Merchant Shipping Act, 2001 enables the Governor by Order to apply to the Virgin Islands as part of the law of the Virgin Islands any enactment of the United Kingdom, subject to such exceptions, adaptations and modifications as may be specified in the Order.
5. By the Merchant Shipping (Adoption of United Kingdom Enactments) Order, 2005¹ as amended ("the Adoption Order"), the Virgin Islands adopted the Merchant Shipping (Tonnage) Regulations 1997, which previously gave effect to the Tonnage Convention in the United Kingdom.
6. Sections 3 and 4 of the Adoption Order provide that if an adopted UK enactment is amended or revoked and replaced, the amendments or replacement enactments take effect in the Virgin Islands automatically.
7. Accordingly, in accordance with sections 3 and 4 of the Adoption Order, the Merchant Shipping (Tonnage) Regulations 1997 (as amended by UKSIs 1998/1916,

¹ SI 2005 No 30; The Adoption Order has been amended by the Merchant Shipping (Adoption of United Kingdom Enactments) (Amendment) Order 2010 and the Merchant Shipping (Adoption of United Kingdom Enactments) (Amendment) Order 2025 SI 2025 No 69 and validated by the Validation (Merchant Shipping (Adoption of United Kingdom Enactments) Act 2017.

1999/3206, 2005/2114, 2020/362, 2023/246) now have the force of law in the Virgin Islands.

8. Section 464(3) of the Merchant Shipping Act 2001 provides that the Minister must cause a text of an adopted UK enactment to be prepared incorporating the exceptions, adaptations, and modifications specified in the Order.
9. This Notice sets out in **Annex-1** the text of the United Kingdom's Merchant Shipping (Tonnage) Regulations 1997, as adopted, incorporating the relevant exceptions, adaptations, and modifications.

M Notices

10. To accompany many UK Regulations, the Maritime and Coastguard Agency publishes M-Notices, comprising Merchant Shipping Notices('MSNs'), Marine Guidance Notes ('MGNs') and Marine Information Notices ('MINs').
11. In some cases, the M-Notices are referenced in the Regulations and, where they are incorporated as part of the regulations, their provisions are as mandatory as those contained in the Regulations. Consequently, where the Virgin Islands has adopted UK Regulations which incorporate M-Notices, the M-Notices also have the force of law.
12. In other cases, M-Notices are issued which provide guidance on the regulations without being incorporated in the regulations. Although not having the force of law in the same way as incorporated M-Notices, they may nonetheless be relevant to the interpretation of the UK Regulations, as adopted in the Virgin Islands.
13. **Annex-2** contains tables listing the M-Notices that are related to the adopted Regulations.

Contact Details

14. Any question concerning the application of this Notice or an adopted MSN or MGN in respect of a Virgin Islands ship may be referred to VISMA.

Virgin Islands Shipping and Maritime Authority

1st Floor, Ritter House
Wickham's Cay II
Road Town, Tortola
Virgin Islands, VG1110

Website: www.bvimaritime.vg

Telephone: + 1284 393 0000

Issued by the Virgin Islands Shipping and Maritime Authority with the approval of the Minister.

**Mr. John Samuel
Managing Director
Virgin Islands Shipping and Maritime Authority**

Issue Date: 2025-10-17

ANNEX-1

THE MINISTER PURSUANT TO S. 464(3) OF THE MERCHANT SHIPPING ACT, 2001 (ACT NO. 13 OF 2001) AS AMENDED, PUBLISHES THE FOLLOWING TEXT OF THE ENACTMENT OF THE UNITED KINGDOM AS ADOPTED IN THE VIRGIN ISLANDS IN ACCORDANCE WITH THE MERCHANT SHIPPING (ADOPTION OF UNITED KINGDOM ENACTMENTS) ORDER 2005 (S.I. 2005 NO. 30) AS AMENDED

TEXT OF THE MERCHANT SHIPPING (TONNAGE) REGULATIONS 1997 (UKSI 1997/1510)

Merchant Shipping Notices referred to in the UK Regulations are listed in Annex 1, together with electronic links to the Notices.

Other instruments and documents which are mentioned in the adopted UK Regulations are available in the Virgin Islands from the Virgin Islands Shipping and Maritime Authority, 1st Floor, Wickham's Cay II, Road Town, Tortola, Virgin Islands VG1110; vishipping@bvimaritime.vg; www.bvimaritime.vg

Footnotes are those which appear in the original text of the UK Regulations and are for information only.

S T A T U T O R Y I N S T R U M E N T S

SI 1997 No. 1510

MERCHANT SHIPPING

The Merchant Shipping (Tonnage) Regulations 1997

<i>Made</i>	<i>7th June 1997</i>
<i>Laid before Parliament</i>	<i>20th June 1997</i>
<i>Coming into force</i>	<i>11th July 1997</i>

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Explanatory Note

The Merchant Shipping (Tonnage) Regulations 1997

PART I

GENERAL

Citation, commencement and revocation

1. (1) These Regulations may be cited as the Merchant Shipping (Tonnage) Regulations 1997 and shall come into force on 11th July 1997.

(2) ---

Definitions

2. (1) In these Regulations, unless the context otherwise requires

"the Act" means the Merchant Shipping Act 2001

"Administration" means the Government of the state whose flag the ship is flying;

"amidships" means the mid-point of the length, except in the case of a ship of less than 24 metres in length when it means the mid-point of the length overall;

"breadth" means the maximum breadth of the ship, measured amidships to the moulded line of the frame in a ship with a metal shell and to the outer surface of the hull in a ship with a shell of any other material;

"break" means the space bounded longitudinally by a side to side upward step in the lowest line of the upper deck and another such step or the end of the ship, transversely by the sides of the ship and vertically by the higher part of the deck and the lowest line of the upper deck continued parallel thereto;

"cargo spaces" means enclosed spaces which are appropriated for the transport of cargo to be discharged from the ship;

"Certifying Authority" means the Minister or any person authorised by the Minister for the purposes of these Regulations;

"Contracting Government" means the Government of a country which has accepted the Convention;

"Convention" means the International Convention on Tonnage Measurement of Ships, 1969²;

"enclosed spaces" means all those spaces, other than excluded spaces, which are bounded by the ship's hull, by fixed or portable partitions or bulkheads or by decks or coverings other than permanent or moveable awnings. No break in a deck, nor any opening in the ship's hull, in a deck or in a covering of a space, or in the partitions or bulkheads of a space, nor the absence of a partition or bulkhead, shall preclude a space from being included in the enclosed spaces and, for the purposes of this definition, "excluded spaces" means, subject to sub-paragraph (f) below, any of the spaces specified in sub-paragraphs (a) to (e) below-

(a) that part of an enclosed space within an erection opposite an end opening and extending from the opening to an athwartship line at a fore and aft distance from the opening equal to half the breadth of the deck at the line of the opening. Such end opening shall have a breadth equal to or greater than 90 per cent of the breadth of the deck at the line of the opening and shall extend from deck to deck or to a curtain plate of a depth not exceeding by more than 25

² Cmnd. 4332.

millimetres the depth of the adjacent deck beams, as specified in Figure 1 of Schedule 1: provided that

(i) where at any point the width of the enclosed space, because of any arrangement except convergence of the outside plating, as specified in Figure 3 of Schedule 1, becomes less than 90 per cent of the breadth of the deck at the line of the opening, the excluded space shall extend only to an athwartship line intersecting that point, as specified in Figures 2 and 4 of Schedule 1;

(ii) where the opposite ends of two enclosed spaces are separated by a gap, which is completely open except for bulwarks or open rails and of fore and aft length less than half the least breadth of the deck at the gap, then no part of the enclosed spaces shall be excluded, as specified in Figures 5 and 6 of Schedule 1;

(b) a space under an overhead deck covering open to the sea and weather having no other connection on the exposed sides with the body of the ship than the stanchions necessary for its support. In such a space, open rails or a bulwark and curtain plate may be fitted or stanchions fitted at the ship's side, provided that the distance between the top of the rails or the bulwark and the curtain plate is not less than 0.75 metres or one-third of the height of the space, whichever is the greater, as specified in Figure 7 of Schedule 1;

(c) a space in a side-to-side erection between opposite side openings not less in height than 0.75 metres or one-third of the height of the erection whichever is the greater. If the opening in such an erection is provided on one side only, the space to be excluded from the volume of enclosed spaces shall be limited inboard from the opening to a maximum of one half of the breadth of the deck in way of the opening, as specified in Figure 8 of Schedule 1;

(d) a space in an erection immediately below an uncovered opening in the deck overhead, provided that such an opening is exposed to the weather and the space excluded from enclosed spaces is limited to the area of the opening, as specified in Figure 9 of Schedule 1;

(e) a recess in the boundary bulkhead of an erection which is exposed to the weather and the opening of which extends from deck to deck without means of closing, provided that the interior width is not greater than the width at the entrance and its extension into the erection is not greater than twice the width of its entrance, as specified in Figure 10 of Schedule 1;

(f) notwithstanding the provisions of subparagraphs (a) to (e) inclusive, any space listed in those subparagraphs which fulfils at least one of the following conditions shall be treated as an enclosed space-

(i) the space is fitted with shelves or other means for securing cargo or stores;

(ii) the openings are fitted with any means of closure;

(iii) the construction provides any possibility of such openings being closed;

"length" means the greater distance of the following distances—

(a) the distance between the fore side of the stem and the axis of the rudder stock; or

(b) 96 per cent of the distance between the fore side of the stem and the aft side of the stern;

the points and measurements being taken respectively at and along a waterline at 85 per cent of the least moulded depth of the ship. In the case of a ship having a rake of keel the waterline shall be parallel to the designed waterline;

"length overall" means the distance between the foreside of the foremost fixed permanent structure and the afterside of the aftermost fixed permanent structure; and "fixed permanent structure" includes any portion of the hull which is capable of being detached, but which is fixed in place during the normal operation of the vessel. It does not include functional arrangements such as safety rails, bowsprits, pulpits, stemhead fittings, rudders, steering gear, outdrives, outboard motors, propulsion machinery, diving platforms, boarding platforms, rubbing strips and fenders, other than where such functional arrangements are designed to replace any part of the hull that has been removed;

"Load Line Rules" means—

(a) the Merchant Shipping (Load Line) Regulations 1998³ or the Merchant Shipping (International Load Line Convention) (Amendment) Regulations 2018⁴, whichever is relevant;

(b) in relation to any ship not registered in the Virgin Islands any corresponding rules of the country in which the ship is registered;

“moulded depth”, and in the case of a ship of less than 24 metres “depth”, means the vertical distance measured from the top of the keel of a metal ship, or in wood and composite ships from the lower edge of the keel rabbet, to the underside of the upper deck at side, or, in the case of a ship which is not fully decked, to the top of the upper strake or gunwale, provided that

(a) where the form at the lower part of the midship section is of a hollow character, or where thick garboards are fitted, the distance is measured from the point where the line of the flat of the bottom continued inwards cuts the side of the keel;

(b) in the case of a glass reinforced plastic ship where no keel member is fitted and the keel is of open trough construction, the distance is measured from the top of the keel filling, if any, or the level at which the inside breadth of the trough is 100 millimetres, whichever gives the lesser depth;

(c) in ships having rounded gunwales, the distance is measured to the point of intersection of the moulded lines of the deck and side shell plating, the lines extending as though the gunwales were of angular design; and

(d) where the upper deck is stepped and the raised part of the deck extends over the point at which the moulded depth is measured, the distance is measured to a line of reference extending from the lower part of the deck along a line parallel with the raised part; and for the purposes of this definition

(i) “upper deck” means the uppermost complete deck exposed to weather and sea, which has permanent means of weathertight closing of all openings in the weather part thereof, and below which all openings in the sides of the ship are fitted with permanent means of watertight closing. In a ship having a stepped upper deck, the lowest line of

³ S.I. 1998/2241, amended by S.I. 2000/1335, 2011/603 and 2018/155.

⁴ S.I. 2018/155.

the exposed deck and the continuation of that line parallel to the upper part of the deck is taken as the upper deck; and

(ii) "weathertight" means that in any sea conditions water will not penetrate into the ship;

"moulded draught" means

(a) for ships assigned load lines in accordance with the Load Line Rules, the draught corresponding to the Summer Load Line (other than timber load lines); and

(b) for passenger ships, the draught corresponding to the deepest subdivision load line assigned in accordance with the Merchant Shipping (Passenger Ship Construction: Ships of Classes III to VI(A)) Regulations 1998 or the Merchant Shipping (Cargo and Passenger Ship Construction and Miscellaneous Amendments) Regulations 2023, whichever is applicable;

(c) for ships to which no load line has been assigned but the draught of which is restricted by the Minister, the maximum permitted draught; and

(d) for other ships, 75 per cent of the moulded depth amidships;

"non-Virgin Islands ship" means a ship which is not a Virgin Islands ship;

"oil tanker" means a ship constructed or adapted to carry oil in bulk in its cargo spaces and includes combination carriers. For the purposes of this definition "combination carrier" means a ship designed to carry either oil or solid cargoes in bulk;

"passenger" means any person carried in a ship except—

(a) a person employed or engaged in any capacity on board the ship on the business of the ship;

(b) a person on board the ship either in pursuance of the obligation laid upon the master to carry shipwrecked, distressed or other persons or by reason of any circumstances that neither the master nor the owner nor the charterer (if any) could have prevented; and

(c) a child under one year of age;

"pleasure vessel" means

(a) a vessel which at the time it is being used is

(i)

(a) in the case of a vessel wholly owned by an individual or individuals, used only for the sport or pleasure of the owner or immediate family or friends of the owner; or

(b) in the case of a vessel owned by a body corporate, used only for sport or pleasure and on which the persons are employees or officers of the body corporate, or their immediate family or friends; and

(ii) on a voyage or excursion which is one for which the owner does not receive money for or in connection with operating the vessel or carrying any person, other than as a contribution to the direct expenses of the operation of the vessel incurred during the voyage or excursion; or

(b) any vessel wholly owned by or on behalf of a members' club formed for the purpose of sport or pleasure which, at the time it is being used, is used only for the sport or pleasure of members of that club or their immediate family; and for the use of which any charges levied are paid into club funds and applied for the general use of the club; and

(c) in the case of any vessel referred to in paragraphs (a) or (b) above no other payments are made by or on behalf of users of the vessel, other than by the owner;

and, for the purposes of this definition, "immediate family" means in relation to an individual, the spouse or civil partner of the individual and a relative of the individual or the individual's spouse or civil partner, and "relative" means brother, sister, ancestor or lineal descendant;

"similar stage of construction" means the stage at which

(a) construction identifiable with a specific ship begins; and

(b) assembly of that ship has commenced comprising at least 50 tonnes or one per cent of the estimated mass of all structural material whichever is the less;

"surveyor" means a surveyor appointed by a Certifying Authority;

"Virgin Islands ship" means a ship which

(a) is registered in the Virgin Islands; or

(b) is not registered under the law of any country but is wholly owned by persons each of whom is qualified to be an owner of Virgin Islands ship in accordance with section 4(1) of the Merchant Shipping Act 2001.

(2) In these Regulations

(a) a reference to a numbered Part is, unless otherwise stated, a reference to the Part of that number in these Regulations;

(b) a reference to a numbered regulation is, unless otherwise stated, a reference to the regulation of that number in these Regulations;

(c) a reference in a regulation to a numbered paragraph is, unless otherwise stated, a reference to the paragraph of that number in that regulation; and

(d) a reference to a numbered Schedule is, unless otherwise stated, a reference to the Schedule of that number in these Regulations.

PART II

APPLICATION, ASCERTAINMENT OF TONNAGE AND CERTIFICATION FOR VIRGIN ISLANDS SHIPS OF 24 METRES IN LENGTH AND OVER

Application

3. (1) Subject to paragraphs (2) and (3), this Part applies to ships, being ships of 24 metres in length or over, registered or to be registered in the Virgin Islands under Part II of the Merchant Shipping Act 2001 and for which the ascertainment of tonnage is required under Regulations made under section 64 of the Merchant Shipping Act 2001.

(2) A ship which is not subject to the Convention at the time of its departure on any voyage will not become subject to the Convention on account of any deviation from its intended voyage due to stress of weather or any other circumstances beyond the control of the owner or the master of that ship.

(3) In applying the provisions of these Regulations, the Minister must give due consideration to any deviation or delay caused to any ship owing to stress of weather or any other circumstances beyond the control of the owner or the master of that ship.

Method of measurement

4. (1) A ship shall be measured by a surveyor.

(2) The gross and net tonnages shall be determined in accordance with regulations 6 and 7 provided that in the case of novel types of craft with constructional features which render the application of the provisions of these Regulations unreasonable or impracticable, the gross and net tonnages shall be determined as required by the Minister.

(3) All measurements used in the calculations of volumes shall be taken and expressed in metres to the nearest one hundredth of a metre.

(4) Gross and net tonnages shall be expressed as whole numbers, decimals being rounded off downwards.

Calculation of volumes

5.(1) All volumes included in the calculation of gross and net tonnages shall be measured, irrespective of the fitting of insulation or the like, to the inner side of the shell or structural boundary plating in ships constructed of metal, and to the outer surface of the shell or to the inner side of the structural boundary surfaces in ships constructed of any other material.

(2) Volumes of appendages shall be included in the total volume.

(3) Volumes of spaces open to the sea shall be excluded from the total volume.

(4) The method and accuracy of the calculations shall be sufficiently detailed to facilitate checking.

Gross tonnage

6. The gross tonnage (GT) of a ship shall be determined by the following formula

$$GT = K_1 V$$

where

V = total volume of all enclosed spaces of the ship in cubic metres; and

$K_1 = 0.2 + 0.02 \log_{10} V$, as specified in Schedule 2;

Net tonnage

7. The net tonnage (NT) of a ship shall be determined by the following formula

$$NT = K_2 V_c \left(\frac{4d}{3D} \right)^2 + K_3 \left(N_1 + \frac{N_2}{10} \right)$$

Where

V_c = total volume of cargo spaces in cubic metres;

$K_2 = 0.2 + 0.02 \log_{10} V_c$, as specified in Schedule 2.

$K_3 = 1.25 \text{ GT} + 10,000/10,000$

$$K_3 = 1.25 \frac{\text{GT} + 10,000}{10,000}$$

GT = gross tonnage calculated in accordance with regulation 6;

D = moulded depth amidships in metres;

d = moulded draught amidships in metres;

N_1 = number of berths for passengers in cabins with not more than 8 berths; and

N_2 = number of other passengers who may be accommodated on the ship;

provided that

(a) the factor

$$\left(\frac{4d}{3D}\right)^2$$

shall not be taken as greater than unity;

(b) the term—

$$K_2 V_c \left(\frac{4d}{3D}\right)^2$$

shall not be taken as less than 0.25 GT;

(c) N_1 and N_2 shall be taken as zero when $N_1 + N_2$ is less than 13; and

(d) NT shall not be taken as less than 0.30 GT.

Segregated ballast oil tankers

8. Where segregated ballast tanks complying with Regulation 18 of Annex I of the International Convention for the Prevention of Pollution from Ships 1973, are provided in oil tankers, an entry may be made on the International Tonnage Certificate (1969) indicating the total tonnage of these tanks. The tonnage of such segregated ballast shall be calculated according to the following formula -

$$K_1 \times V_b$$

Where—

$K_1 = 0.2 + 0.02 \log_{10} V$, as specified in Schedule 2;

V = the total volume of all enclosed spaces of the ship in cubic metres; and

V_b = the total volume of segregated ballast tanks in cubic metres measured in accordance with regulation 5.

Issue of certificates

9. If it is in order to do so, the Certifying Authority shall issue to the owner an International Tonnage Certificate (1969) in the form set out in the Convention certifying the tonnages of the ship and containing the particulars to be shown thereon. The official number of the ship shall be included as a distinctive number.

Cancellation of certificates

10. (1) Where alterations are made in the arrangement, construction, capacity, use of spaces, total number of passengers the ship is permitted to carry under the terms of the ship's passenger certificate, assigned load line, or permitted draught of the ship such as would cause an increase in the gross or net tonnage, the existing International Tonnage Certificate (1969) shall cease to be valid and shall be delivered up to and cancelled by the Certifying Authority.

(2) When a ship is transferred from the Virgin Islands Register the International Tonnage Certificate (1969) shall cease to be valid except when the transfer is to the Administration of a state which is a Contracting Government, in which case the certificate may remain in force for a period not exceeding 3 months or until the new Administration issues another International Tonnage Certificate (1969), whichever is the earlier. The Certifying Authority shall transmit to the Administration of that Government as soon as possible after the transfer has taken place a copy of the certificate carried by the ship at the time of transfer and a copy of the relevant tonnage calculations.

Change of net tonnage necessitating issue of certificate

11.(1) When alterations in the values of V, V_c, d, N₁ or N₂ as defined in regulations 6 and 7 result in an increase in the net tonnage a new International Tonnage Certificate (1969) incorporating the increased net tonnage shall be issued.

(2) In the case of a passenger ship assigned subdivision load lines in accordance with the Merchant Shipping (Passenger Ship Construction: Ships of Classes I, II and II(A)) Regulations 1998, the Merchant Shipping (Passenger Ship Construction: Ships of Classes III to VI(A)) Regulations 1998 or the Merchant Shipping (Cargo and Passenger Ship Construction and Miscellaneous Amendments) Regulations 2023 and load lines in accordance with the Load Line Rules only one net tonnage shall be applied. Where the draught corresponding to the Summer load line differs from that corresponding to the deepest subdivision load line the net tonnage shall, subject to paragraph (3)(a), be that determined in accordance with regulation 7 by applying the draught corresponding to the appropriate assigned load line for the trade in which the ship is engaged.

(3) (a) Subject to subparagraph (b) below, where alterations in the values of V, V_c, d, N₁ or N₂, as defined in regulations 6 and 7, or changes in the position of the load lines result in a decrease in the net tonnage, a new International Tonnage Certificate (1969) incorporating the decreased net tonnage shall not be issued until 12 months have elapsed from the date on which the current certificate was issued.

(b) A new International Tonnage Certificate (1969) may be issued forthwith when

- (i) a ship which was registered outside the Virgin Islands is re-registered in the Virgin Islands;
- (ii) a ship undergoes alterations or modifications of a major character such as the removal of a superstructure, which requires an alteration of the assigned load line; or
- (iii) the ship is a passenger ship employed in special trades for carriage of large numbers of special trade passengers, such as the pilgrim trade.

Use of gross tonnage ascertained under previous Regulations

12. (1) In the case of a ship

(a) which is a ship the keel of which was laid or which was at a similar stage of construction before 18th July 1982; or

(b) which is a ship the keel of which was laid or which was at a similar stage of construction not later than 31st December 1985, not being a ship referred to in subparagraph (a); or

(c) which is a cargo ship of less than 1600 tons gross tonnage when ascertained in accordance with the provisions of Schedule 5 and Appendices 1 to 4 thereto of the Merchant Shipping (Tonnage) Regulations 1982, the keel of which was laid or which was at a similar stage of construction before 18th July 1994, not being a ship referred to in subparagraph (a);

the Minister may permit the continuing use of a gross tonnage additionally ascertained in accordance with the provisions of Schedule 5 and Appendices 1 to 4 thereto of the Merchant Shipping (Tonnage) Regulations 1982 for the purpose of the application of the provisions of regulations implementing the International Convention for the Safety of Life at Sea 1974⁵, the Protocol of 1978 relating to that Convention⁶, the International Convention for the Prevention of Pollution from Ships, 1973, the Protocol of 1978 relating to that Convention and the International Convention on Standards of Training, Certification and Watchkeeping of Seafarers, 1978⁷, as amended on 7th July 1995.

(2) An International Tonnage Certificate (1969) may be annotated, under "Remarks", by the Certifying Authority

(a) in the case of ship to which paragraph (1)(a) refers, with the duly completed and signed entry

"The ship is remeasured according to article 3(2)(d) of the 1969 Tonnage Convention.

The GROSS TONNAGE according to the measurement system previously in force to the measurement system of the International Convention on Tonnage Measurement of Ships, 1969, is: RT, according to the regulations"; and

(b) in the case of a ship to which paragraph (1)(b) or (c) refers, with the duly completed and signed entry

"The ship is additionally measured according to resolution A. 494(XII).

The GROSS TONNAGE according to the measurement system previously in force to the measurement system of the International Convention on Tonnage Measurement of Ships, 1969, is: RT, according to the regulations"

(3) Where such an entry has been made on an International Tonnage Certificate (1969) and the ship undergoes alterations or modifications which affect its tonnage the old tonnage referred to in paragraph (1) shall be deleted.

(4) Where a gross tonnage has been ascertained and is to be used in accordance with paragraph (1), then any certificate issued for the purposes of the conventions and protocols referred to shall record only that gross tonnage together with an appropriate footnote

"The above gross tonnage has been determined by a Certifying Authority (a tonnage authority) of the Virgin Islands in accordance with the national tonnage rules which were in force prior to the coming into force of the International Convention on Tonnage Measurement of Ships, 1969."; or

⁵ Cmnd. 7814.

⁶ Cmnd 7346.

⁷ Cmnd 9266.

See REMARKS column of the valid International Tonnage Certificate (1969)".

PART IIA

MEASUREMENT OF SMALLER FISHING VESSELS

12A. (1) This Part applies to fishing vessels of 15 metres or more in length overall but less than 24 metres in length, registered or to be registered under Part II of the Merchant Shipping Act 2001 for which the ascertainment tonnage is required under Regulations made under section 64 of the Merchant Shipping Act 2001, with effect

(a) for vessels first registered on or after 4th September 1998, from the date when such vessels are first registered; and

(b) for vessels first registered before 4th September 1998, from the following dates:

<i>Description of vessels</i>	<i>Date of coming into effect</i>
26.25m length overall (LOA) and over	1 February 1999
25.94m LOA to under 26.25m	1 March 1999
24.70m LOA to under 25.94m	1 April 1999
24.20m LOA to under 24.70m	1 May 1999
23.25m LOA to under 24.20m	1 June 1999
22.86m LOA to under 23.25m	1 July 1999
22.41m LOA to under 22.86m	1 August 1999
21.48m LOA to under 22.41m	1 September 1999
20.95m LOA to under 21.48m	1 October 1999
20.32m LOA to under 20.95m	1 November 1999
19.80m LOA to under 20.32m	1 December 1999
19.10m LOA to under 19.80m	January 2000
18.49m LOA to under 19.10m	1 April 2000
18.25m LOA to under 18.49m	1 July 2000
18.04m LOA to under 18.25m	1 October 2000
17.80m LOA to under 18.04m	1 January 2001
17.36m LOA to under 17.80m	1 April 2001
17.11m LOA to under 17.36m	1 July 2001
16.98m LOA to under 17.11m	1 October 2001
16.82m LOA to under 16.98m	1 January 2002
16.65m LOA to under 16.82m	1 April 2002
16.50m LOA to under 16.65m	1 July 2002
16.34m LOA to under 16.50m	1 October 2002

16.15m LOA to under 16.34m	1 January 2003
15.94m LOA to under 16.15m	1 April 2003
15.47m LOA to under 15.94m	1 July 2003
15.19m LOA to under 15.47m	1 October 2003
15.00m LOA to under 15.19m	1 January 2004.

(2) In this Part:

"authorised measurer" means a measurer appointed by an organisation authorised for the purposes of this Part of these Regulations by the Minister.

12B. A fishing vessel shall be measured by an authorised measurer.

12C. Regulation 4(2), (3) and (4) and regulations 5 and 6 shall apply for the measurement of tonnage of vessels to which this Part applies as they apply for the purposes of Part II.

12D. The authorised measurer shall, if it is in order to do so, issue a certificate in an approved form.

12E. Where alterations are made in the arrangement, construction, capacity, use of spaces, or permitted draught of the vessel such as would cause an increase in the tonnage, the existing measurement shall cease to be valid, any certificate shall be delivered up to and cancelled by the issuer and the owner of the vessel shall make an application for it to be remeasured in accordance with regulation 12B above.

PART III

APPLICATION, ASCERTAINMENT OF TONNAGE AND CERTIFICATION FOR VIRGIN ISLANDS SHIPS OF LESS THAN 24 METRES IN LENGTH, OTHER THAN FISHING VESSELS

Application

13. (1) This Part shall apply to ships, being ships of less than 24 metres in length, and not being fishing vessels, registered or to be registered under Part II of the Merchant Shipping Act 2001 and for which the ascertainment of tonnage is required under Regulations made under section 64 and section 464 of the Merchant Shipping Act 2001.

Measurement and certification

14. (1) A ship shall be measured by a surveyor or by a measurer appointed by an organisation authorised by the Minister.

(2) The tonnage of a ship shall be the sum of

(a) the product of multiplying together its length overall, extreme breadth over the outside hull and depth in metres and multiplying the resultant figure by 0.16; and

(b) the tonnage of any break or breaks, calculated for each break by multiplying together its mean length, mean breadth and mean height in metres and multiplying the resultant figure by 0.35.

(3) For the purpose of this Part

(a) the breadth of a ship shall be its extreme breadth over the outside plating, planking or hull, no account being taken of rubbers or fenders even if they are moulded so as to be integral with the hull;

(b) the depth of a ship shall be measured vertically at the midpoint of the length overall.

(i) The upper terminal point for depth shall be

(aa) in the case of a decked ship, the underside of the deck on the middle line or, if there is no deck on the middle line at the point of measurement, the underside of the deck at the side of the ship plus the full deck camber;

(bb) in the case of an open ship, the top of the upper strake or gunwale.

(ii) The lower terminal point of depth shall be

(aa) in the case of a wooden ship, the upper side of the plank at the side of the keel or hog;

(bb) in the case of a metal ship, the top of the plating at the side of the keel;

(cc) in the case of a glass reinforced plastic ship, the inside of the hull. Where no keel member is fitted and the keel is of open trough construction, the lower terminal point for depth shall be the top of the keel filling, if fitted, or the level at which the inside breadth of the trough is 10 centimetres, whichever gives the greater depth.

(iii) Where a break exists in way of the point of measurement for depth, the height of the break shall not be included in the measurement of depth.

(4) The tonnage determined in accordance with paragraph (2) shall be the gross tonnage and net tonnage.

(5) In the case of a multi-hull ship the tonnage of each hull shall be measured separately and the sum of such tonnages shall be used in computing the tonnage referred to in paragraph (2).

(6) All measurements used in the calculations of volumes shall be taken and expressed in metres to the nearest one hundredth of a metre.

(7) Tonnage shall be expressed to two decimal places, the second decimal place being increased by one if the third decimal place is 5 or more.

(8) On completion of the measurement the surveyor or measurer, as the case may be, shall forward to the Minister a Certificate of Measurement in a form approved by the Minister.

(9) Where alterations are made in the arrangement, construction, capacity, use of spaces, total number of passengers the ship is permitted to carry under the terms of the ship's passenger certificate, assigned load line, or permitted draught of the ship such as would cause an increase in the tonnage, the existing measurement shall cease to be valid, any certificate shall be delivered up to and cancelled by the issuer and the owner of the ship shall make an application for it to be remeasured in accordance with paragraph (1).

(10) Notwithstanding paragraph (2) nothing in this Part shall be taken to require any ship the tonnage of which was validly determined under the law in force immediately before the coming into force of these Regulations to have its tonnage re-determined.

PART IV

NON-VIRGIN ISLANDS SHIPS

Ascertainment of tonnage and certification

15. (1) The Minister may, at the request of the Administration of a Contracting Government, ascertain the gross and net tonnages of a non-Virgin Islands ship in accordance with Part II and issue to the owner an International Tonnage Certificate (1969). In such cases the certificate shall be endorsed to the effect that it has been issued at the request of the Government of the state whose flag the ship is or will be flying, and a copy of the certificate and the calculations of the tonnages shall be transmitted to the requesting Government as soon as possible.

(2) The Certifying Authority may, at the request of an owner of a non-Virgin Islands ship flying the flag of a State whose Government is not a Contracting Government, ascertain the gross and net tonnages of the ship in accordance with Part II and issue a Certificate of Virgin Islands Tonnage measurement. In such a case the certificate shall bear the endorsement "for use only whilst within Virgin Islands waters".

Inspection

15A. (1) Subject to paragraph (2), a non-Virgin Islands ship is subject to inspection by the Minister when it is in a Virgin Islands port for the purpose of verifying that

- (a) a valid International Tonnage Certificate (1969) has been issued in relation to the ship, and
- (b) the main characteristics of the ship correspond with the information contained in the certificate.

(2) The inspection may not cause any delay to the ship.

(3) In the event that the inspection reveals that the main characteristics of the ship do not correspond with the information contained in its International Tonnage Certificate (1969) to the effect that the gross tonnage or net tonnage exceeds the value recorded in the certificate, the Minister must without delay notify in writing the Government of the State whose flag the ship is flying of this determination.

(4) The requirement that the notification referred to in paragraph (3) should be in writing is satisfied where the text of a notification is

- (a) transmitted by electronic means,
- (b) received in legible form, and
- (c) capable of being used for subsequent reference.

PART V
PENALTIES

Penalties

16. Any owner or master who fails without reasonable cause to deliver up a certificate for cancellation as required by regulations 10(1), 12E or 14(9) shall be guilty of an offence punishable by a fine not exceeding level 5 on the standard scale of fines in Schedule 5 of the Merchant Shipping Act 2001.

PART VI
REVIEW

Review

17...

Glenda Jackson

Parliamentary Under-Secretary of State, Department of Transport

7th June 1997

Regulation 2

SCHEDULE 1

EXCLUDED SPACES AS DEFINED IN REGULATION 2

In the following figures:

O = excluded space;

C = enclosed space;

I = space to be considered as an enclosed space. (Hatched-in parts to be included as enclosed spaces);

B = breadth of the deck in way of the opening. (In ships with rounded gunwales the breadth is measured as indicated in Figure 11).

Fig. 1
Fig. 1

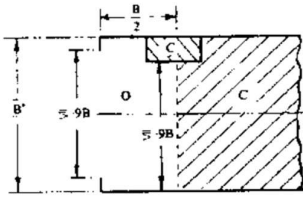


Fig. 2
Fig. 2

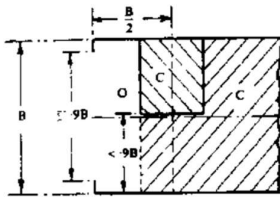


Fig. 3
Fig. 3

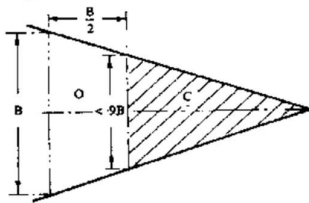


Fig. 4
Fig. 4

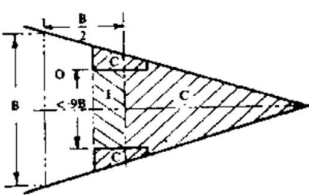


Fig. 5
Fig. 5

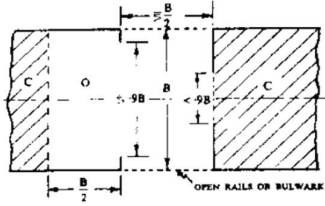


Fig. 6
Fig. 6

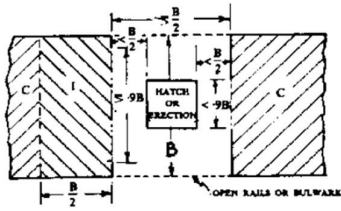


Fig. 7
Fig. 7

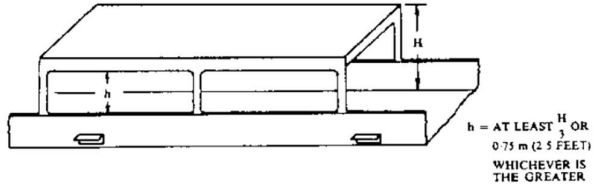


Fig. 8
Fig. 8

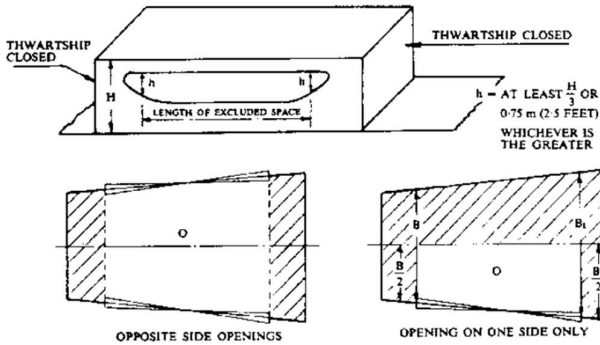


Fig. 9
Fig. 9

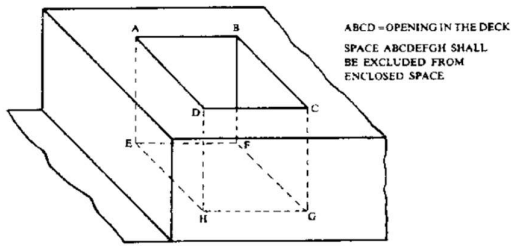


Fig. 10
Fig. 10

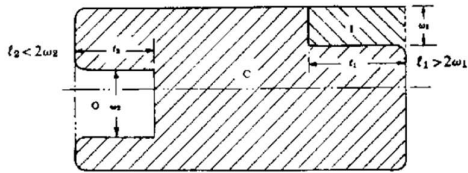
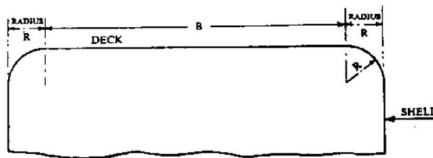


Fig. 11
Fig. 11

SHIPS WITH ROUNDED GUNWALES



Regulations 6, 7 and 8

SCHEDULE 2

COEFFICIENTS K1 AND K2 REFERRED TO IN REGULATIONS 6, 7 AND 8

V or V_c = Volume in cubic metres;

Coefficients K_1 or K_2 at intermediate values of V or V_c shall be obtained by linear interpolation.

V or V_c	K_1 or K_2	V or V_c	K_1 or K_2	V or V_c	K_1 or K_2	V or V_c	K_1 or K_2
10	0.2200	45 000	0.2931	330 000	0.3104	670 000	0.3165
20	0.2260	50 000	0.2940	340 000	0.3106	680 000	0.3166
30	0.2295	55 000	0.2948	350 000	0.3109	690 000	0.3168
40	0.2320	60 000	0.2956	360 000	0.3111	700 000	0.3169
50	0.2340	65 000	0.2963	370 000	0.3114	710 000	0.3170
60	0.2356	70 000	0.2969	380 000	0.3116	720 000	0.3171
70	0.2369	75 000	0.2975	390 000	0.3118	730 000	0.3173
80	0.2381	80 000	0.2981	400 000	0.3120	740 000	0.3174

90	0.2391	85 000	0.2986	410 000	0.3123	750 000	0.3175
100	0.2400	90 000	0.2991	420 000	0.3125	760 000	0.3176
200	0.2460	95 000	0.2996	430 000	0.3127	770 000	0.3177
300	0.2495	100 000	0.3000	440 000	0.3129	780 000	0.3178
400	0.2520	110 000	0.3008	450 000	0.3131	790 000	0.3180
500	0.2540	120 000	0.3016	460 000	0.3133	800 000	0.3181
600	0.2556	130 000	0.3023	470 000	0.3134	810 000	0.3182
700	0.2569	140 000	0.3029	480 000	0.3136	820 000	0.3183
800	0.2581	150 000	0.3035	490 000	0.3138	830 000	0.3184
900	0.2591	160 000	0.3041	500 000	0.3140	840 000	0.3185
1 000	0.2600	170 000	0.3046	510 000	0.3142	850 000	0.3186
2 000	0.2660	180 000	0.3051	520 000	0.3143	860 000	0.3187
3 000	0.2695	190 000	0.3056	530 000	0.3145	870 000	0.3188
4 000	0.2720	200 000	0.3060	540 000	0.3146	880 000	0.3189
5 000	0.2740	210 000	0.3064	550 000	0.3148	890 000	0.3190
6 000	0.2756	220 000	0.3068	560 000	0.3150	900 000	0.3191
7 000	0.2769	230 000	0.3072	570 000	0.3151	910 000	0.3192
8 000	0.2781	240 000	0.3076	580 000	0.3153	920 000	0.3193
9 000	0.2791	250 000	0.3080	590 000	0.3154	930 000	0.3194
10 000	0.2800	260 000	0.3083	600 000	0.3156	940 000	0.3195
15 000	0.2835	270 000	0.3086	610 000	0.3157	950 000	0.3196
20 000	0.2860	280 000	0.3089	620 000	0.3158	960 000	0.3196
25 000	0.2880	290 000	0.3092	630 000	0.3160	970 000	0.3197
30 000	0.2895	300 000	0.3095	640 000	0.3161	980 000	0.3198
35 000	0.2909	310 000	0.3098	650 000	0.3163	990 000	0.3199
40 000	0.2920	320 000	0.3101	660 000	0.3164	1 000 000	0.3200



1st Floor Ritter House, Wickhams Cay II, Road Town, Tortola VG 1110,
Virgin Islands (British)
Tel: +1 284 393-0000
Email: vishipping@bvimaritime.vg

ANNEX-2

UNITED KINGDOM M-NOTICES

[This text does not form part of the published adopted regulations]

To accompany UK Regulations, the Maritime and Coastguard Agency publishes M-Notices, comprising Merchant Shipping Notices('MSNs'), Marine Guidance Notes ('MGNs') and Marine Information Notices ('MINs').

In some cases, the M-Notices are referenced in the Regulations and, where they are they are incorporated as part of the regulations, their provisions are as mandatory as those contained in the Regulations. Consequently, where the Virgin Islands has adopted UK Regulations which incorporate M-Notices, the M-Notices also have the force of law.

Table 1 below lists the M-Notices incorporated in the adopted Regulations in this way and provides a link to the UK Government's website on which the latest version of the M-Notices can be found.

In other cases, M-Notices are issued which provide guidance on the regulations without being incorporated in the regulations. Although not having the force of law in the same way as incorporated M-Notices, they may nonetheless be relevant to the interpretation of the UK Regulations, as adopted in the Virgin Islands. Table 2 below lists these M-Notices.

In line with the Adoption Order, where the following terms appear in the M-Notices, they should be read as follows:

(a) a reference to a United Kingdom ship or ships should be read as a reference to a Virgin Islands ship or ships.

(b) any reference to Northern Ireland or Scotland should be omitted.

(c) a reference to England and Wales or the United Kingdom should be read as a reference to the Virgin Islands.

(d) a reference to the "Secretary of State", the "Department for Transport" or to a "Minster" should be read as a reference to the Minister.

(e) a reference to the "Maritime and Coastguard Agency" or "MCA", should be read as a reference to the Virgin Islands Shipping and Maritime Authority.

TABLE 1 M-NOTICES INCORPORATED IN THE ADOPTED REGULATIONS

M-Notice Number	Title of M-Notice	Link
NONE		

TABLE 2: M-NOTICES INCORPORATED THAT MAY BE OF RELEVANCE TO THE ADOPTED REGULATIONS





1st Floor Ritter House, Wickhams Cay II, Road Town, Tortola VG 1110,
Virgin Islands (British)
Tel: +1 284 393-0000
Email: vishipping@bvimaritime.vg

M-Notice Number	Title of M-Notice	Link
MGN 527 (M)	Tonnage Measurement: Multihulls under 24 M Load Line Length	https://www.gov.uk/government/publications/mgn-527m-tonnage-measurement-multihulls-under-24m-load-line-length

Mr. John Samuel
Managing Director
Virgin Islands Shipping and Maritime Authority

