

Jersey

## **SHIPPING (TONNAGE) (JERSEY) REGULATIONS 2004**

### **Official Consolidated Version**

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# SHIPPING (TONNAGE) (JERSEY) REGULATIONS 2004

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# SHIPPING (TONNAGE) (JERSEY) REGULATIONS 2004<sup>1</sup>

THE STATES, in pursuance of Article 21 of the [Shipping \(Jersey\) Law 2002](#), have made the following Regulations –

Commencement [[see endnotes](#)]

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## PART 1

### PRELIMINARY

#### 1 Interpretation<sup>2</sup>

In these Regulations, unless the context otherwise requires –

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

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

“authorized measurer” means a measurer appointed by an organisation authorized by the Minister for the purpose;

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

“break”, in respect of a ship, means the space bounded longitudinally by a side to side upward step in the lowest line of the upper deck of the ship 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 of the ship continued parallel thereto;

“cargo spaces”, in respect of a ship, means enclosed spaces in it that are appropriated for the transport of cargo to be discharged from the ship;

“Certifying Authority” means the Minister or a person authorized by the Minister for the purposes of these Regulations;

“Contracting Government” means the Government of a country that has accepted the Convention;

“Convention” means the International Convention on Tonnage Measurement of Ships, 1969;

“enclosed spaces”, in respect of a ship, means all those spaces in the ship, other than excluded spaces, that 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 but –

- (a) a break in a deck; or
- (b) an 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; or
- (c) the absence of a partition or bulkhead,

does not preclude a space from being included as an enclosed space;

“excluded spaces”, for the purposes of the definition of enclosed spaces, means, subject to sub-paragraph (f), any of the spaces specified in sub-paragraphs (a) to (e) –

- (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 having a breadth equal to or greater than 90 % of the breadth of the deck at the line of the opening and extending from deck to deck or to a curtain plate of a depth not exceeding by more than 25 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 % 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, that 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 that 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 that fulfills 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 a means of closure,
  - (iii) the construction provides a possibility of the openings being closed;

“fixed permanent structure”, in respect of a ship, includes any portion of its hull that is capable of being detached if it is fixed in place during the normal operation of the ship but does not include a functional arrangement such as a safety rail, a bowsprit, a pulpit, a stemhead fitting, a rudder, steering gear, an outdrive, an outboard motor, propulsion machinery, a diving platform, a boarding platform, a rubbing strip or a fender, unless the functional arrangement is designed to replace a part of the hull that has been removed;

“immediate family”, in relation to an individual, means the husband or wife or civil partner of the individual and a relative of the individual or the individual’s husband or wife or civil partner;

“Law” means the [Shipping \(Jersey\) Law 2002](#);

“length”, in respect of a ship, means the greater of the following –

- (a) the distance between the fore side of its stem and the axis of its rudder stock; or
- (b) 96 % of the distance between the fore side of its stem and the aft side of its stern,

the points and measurements being taken respectively at and along a waterline at 85 % of the least moulded depth of the ship – in the case of a ship having a rake of keel the waterline being taken to be parallel to the designed waterline;

“length overall”, in respect of a ship, means the distance between the foreside of the foremost fixed permanent structure of the ship and the afterside of its aftermost permanent structure;

“load line provisions” means –

- (a) the provisions of the [Shipping \(Load Line\) \(Jersey\) Regulations 2004](#); or
- (b) in relation to a ship not registered in Jersey, any corresponding provisions of the country in which the ship is registered;

“moulded depth”, in respect of a ship, or 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 its keel rabbet, to the underside of its upper deck at side, or, in the case of a ship that is not fully decked, to the top of its upper stanche or gunwale, provided that –

- (a) if the form at the lower part of the midship section is of a hollow character, or if 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) if 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;

“moulded draught”, in respect of a ship, means –

- (a) for a ship assigned load lines in accordance with the load line provisions, the draught corresponding to the Summer Load Line (other than timber load lines);
- (b) for a passenger ship, the draught corresponding to the deepest subdivision load line that would be assigned to it if the Passenger Ship Construction Regulations applied to it;
- (c) for a ship to which no load line has been assigned but the draught of which is restricted by the Minister, its maximum permitted draught; and
- (d) for any other ship, 75 % of its moulded depth amidships;

“non-Jersey ship” means a ship which is not a Jersey ship within the meaning of Article 2 of the Law;

“oil tanker” means a ship constructed or adapted to carry oil in bulk in its cargo spaces and includes a combination carrier, being 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;

“Passenger Ship Construction Regulations” means the Merchant Shipping (Passenger Ship Construction: Ships of Classes I, II and II(A)) Regulations 1998 of the United Kingdom as for the time being amended or replaced and in force in the United Kingdom;

“pleasure vessel” means –

- (a) a vessel that, at the time it is being used –
  - (i) is used only for the sport or pleasure of any of the following –
    - (A) for a vessel wholly owned by 1 or more individuals, the owner and their friends and immediate family;
    - (B) for a vessel wholly owned by a body corporate, the body corporate’s employees and officers and their friends and immediate family;
    - (C) for a vessel owned by 1 or more individuals and 1 or more bodies corporate, any individual owner and their friends and immediate family, or the employees and officers of any body corporate owner and their friends and immediate family; and
  - (ii) is on a voyage or excursion –
    - (A) for which the owner receives no payment for operating the vessel or carrying a person, other than payment towards the direct expenses of that operation; and
    - (B) for which the people using it, except the owner, pay nothing else; or
- (b) a vessel –
  - (i) that is wholly owned by, or on behalf of, a members’ club formed for the purpose of sport or pleasure;
  - (ii) that, at the time it is being used, is used only for the sport or pleasure of members of the club or their immediate families;
  - (iii) for which any charges for its use are paid into club funds and applied for the general use of the club; and
  - (iv) for the use of which the people using it, except the owner, pay nothing else;

“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 1% of the estimated mass of all structural material whichever is the less;

“surveyor” means a surveyor appointed by a Certifying Authority;

“upper deck”, in respect of a ship, means the uppermost complete deck exposed to weather and sea, that has permanent means of weathertight closing of all openings in the part exposed to weather, 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 the exposed deck and the continuation of that line parallel to the upper part of the deck is to be taken as the upper deck;

“weathertight”, in respect of a ship, means that in any sea conditions water will not penetrate into the ship.

## PART 2

### SHIPS OF 24 METRES IN LENGTH AND OVER

#### 2 Application

This Part applies to a ship –

- (a) that is 24 metres in length or over;
- (b) that is registered or to be registered in Jersey under Part 3 of the Law; and
- (c) for which the ascertainment of tonnage is required under Regulations made under Article 13 of the Law.

#### 3 Method of measurement

- (1) The ship shall be measured by a surveyor.
- (2) The surveyor shall determine its gross and net tonnages in accordance with Regulations 5 and 6.
- (3) However if the ship is a novel type of craft with constructional features that render the application of the provisions of Regulations 5 and 6 unreasonable or impracticable, the surveyor shall determine its gross and net tonnages in the manner specified by the Minister.
- (4) Measurements used in the calculations of volumes shall be taken and expressed in metres to the nearest one hundredth of a metre.
- (5) Gross and net tonnages shall be expressed as whole numbers, decimals being rounded off downwards.

#### 4 Calculation of volumes

- (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 a ship constructed of metal, and to the outer surface of the shell or to the inner side of the structural boundary surfaces in a ship 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.

#### 5 Gross tonnage

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.

## 6 Net tonnage

(1) Subject to paragraph (2), 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;

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

GT = gross tonnage calculated in accordance with regulation 5;

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.

(2) The formula in paragraph (1) shall be calculated on the basis that –

(a) the factor –

$$\left( \frac{4d}{3D} \right)^2 \text{ shall not be taken as greater than unity;}$$

(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.

## 7 Segregated ballast oil tankers

(1) If segregated ballast tanks complying with Regulation 13 of Annex 1 of the International Convention for the Prevention of Pollution from Ships 1973, as modified by the Protocol of 1978 relating to that Convention, are provided in an oil tanker, an entry may be made on its International Tonnage Certificate (1969) indicating the total tonnage of the tanks.

(2) The tonnage of the tanks 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 the segregated ballast tanks in cubic metres measured in accordance with regulation 4.

## 8 Issue of certificates

- (1) If, in respect of a ship, the Certifying Authority is satisfied that it is in order to do so, it shall issue to the owner of the ship an International Tonnage Certificate (1969) in the form set out in the Convention that certifies the tonnages of the ship and contains the other particulars to be shown on the form.
- (2) In particular the official number of the ship shall be included as a distinctive number.

## 9 Alteration or change in ship

- (1) This Regulation applies where an alteration is made in –
  - (a) the arrangement of the ship;
  - (b) the construction of the ship;
  - (c) the capacity of the ship;
  - (d) the use of spaces in the ship;
  - (e) the total number of passengers the ship is permitted to carry under the terms of its passenger certificate;
  - (f) the ship's assigned load line or permitted draught,that would cause an increase in the gross or net tonnage of the ship.
- (2) Where this Regulation applies –
  - (a) any International Tonnage Certificate (1969) issued in respect of the ship ceases to be valid and must be delivered to the Certifying Authority for cancellation; and
  - (b) the owner of the ship must apply for it to be remeasured in accordance with Regulation 3.

## 10 Transfer from Jersey registry

- (1) This Regulation applies where a ship is transferred from the Jersey Register.<sup>3</sup>
- (2) Where this Regulation applies any International Tonnage Certificate (1969) issued in respect of the ship ceases to be valid.
- (3) However if the transfer is to the Administration of a state that is a Contracting Government the certificate does not cease to be valid until the end of 3 months after the transfer or until the new Administration issues another International Tonnage Certificate (1969), being whichever happens first.
- (4) Where paragraph (2) applies the Certifying Authority shall, as soon as practicable after the transfer, transmit to the Administration of the Contracting Government –

- (a) a copy of the certificate carried by the ship at the time of the transfer; and
- (b) a copy of the relevant tonnage calculations.

## **11 Change of net tonnage necessitating issue of certificate**

- (1) The Certifying Authority shall issue a new International Tonnage Certificate (1969) in respect of a ship if an alteration in the value of V, V<sub>c</sub>, d, N<sub>1</sub> or N<sub>2</sub> (as defined in regulations 5 and 6) results in an increase in the net tonnage of the ship.
- (2) The new Certificate shall incorporate the increased net tonnage.
- (3) If 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 (4), be that determined in accordance with Regulation 6 by applying the draught corresponding to the appropriate assigned load line for the trade in which the ship is engaged.
- (4) Subject to paragraph (5), if an alteration in the value of V, V<sub>c</sub>, d, N<sub>1</sub> or N<sub>2</sub> (as defined in regulations 5 and 6) or a change in the position of the load lines result in a decrease in the net tonnage, the certifying Authority shall not issue a new International Tonnage Certificate (1969) incorporating the decreased net tonnage until 12 months have elapsed from the date on which the current certificate was issued.
- (5) The certifying Authority may issue a new International Tonnage Certificate (1969) forthwith if –
  - (a) a ship that was registered outside Jersey is re-registered in Jersey;
  - (b) a ship undergoes an alteration or modification of a major character, such as the removal of a superstructure, that requires an alteration of the assigned load line; or
  - (c) the ship is a passenger ship employed in special trade for the carriage of a large number of special trade passengers, such as the pilgrim trade.

## **PART 3**

### **FISHING VESSELS – 15 TO 24 METRES**

## **12 Application and interpretation**

This Part applies to a fishing vessel –

- (a) that is 15 metres or more in length overall but less than 24 metres in length;
- (b) that is registered or to be registered under Part 3 of the Law; and
- (c) for which the ascertainment of tonnage is required under Regulations made under Article 13 of the Law.

## **13 Measurement to be made by authorized measurer**

The vessel shall be measured by a surveyor or by an authorized measurer.

**14 Application of certain provisions of Part 2**

Regulation 3(2), (3), (4) and (5) and regulations 4, 5 and 6 apply for the measurement of the tonnages of the vessel in the same way as they apply for the measurement of the tonnages of a vessel to which Part 2 applies.

**15 Certificate to be issued**

The surveyor or authorized measurer shall, if it is in order to do so, issue a certificate in a form approved for the purpose by the Minister.

**16 Alterations to vessel**

If alterations are made in the arrangement, construction, capacity, use of spaces, or permitted draught of the vessel such as would cause an increase in its tonnage –

- (a) the existing measurement of the vessel shall cease to be valid; and
- (b) its owner shall deliver the certificate issued in respect of the vessel to the issuer and make an application for the vessel to be remeasured in accordance with Regulation 12.

**PART 4****SHIPS LESS THAN 24 METRES IN LENGTH AND FISHING VESSELS LESS THAN 15 METRES IN LENGTH****17 Application**

This Part shall apply to a ship –

- (a) that –
  - (i) not being a fishing vessel, is less than 24 metres in length, or
  - (ii) being a fishing vessel, is less than 15 metres in length;
- (b) that is registered or to be registered under Part 3 of the Law; and
- (c) for which the ascertainment of tonnage is required under Regulations made under Article 21 of the Law.

**18 Who to make measurement**

The ship shall be measured by a surveyor or by an authorized measurer.

**19 Measurement**

The tonnage of the ship shall be the sum of –

- (a) the product of multiplying together its length, breadth 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.

## 20 Measurement – non fishing vessels

(1) When Regulation 19 is applied to a ship that is not a fishing vessel –

- (a) the length of the ship means its length overall;
- (b) the breadth of the ship means 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;
- (c) the depth of the ship means its depth measured vertically at the midpoint of its length overall.

(2) For the purpose of paragraph (1)(c) –

- (a) the upper terminal point for depth shall be –
  - (i) 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,
  - (ii) in the case of an open ship, the top of the upper strake or gunwale;
- (b) the lower terminal point of depth shall be –
  - (i) in the case of a wooden ship, the upper side of the plank at the side of the keel or hog,
  - (ii) in the case of a metal ship, the top of the plating at the side of the keel,
  - (iii) 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; and
- (c) where a break exists in the way of the point of measurement for depth, the height of the break shall not be included in the measurement of depth.

## 21 Measurement – fishing vessels

(1) When Regulation 19 is applied to a ship that is a fishing vessel –

- (a) the length of the ship means its length measured from the foreside of its foremost fixed permanent structure to –
  - (i) the aftermost part of its rudder post,
  - (ii) if the vessel has no rudder post, the foreside of its rudder stock at the point where the rudder post passes out of the hull, or
  - (iii) if the vessel has no rudder post or rudder stock, to the aftermost part of its stern or transom;

- (b) the breadth of the ship means 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;
- (c) the depth of the ship means its depth measured vertically amidship.

(2) For the purpose of paragraph (1)(c) the measurement shall be taken, subject to paragraph (3) –

- (a) from the underside of the upperdeck on the centre line to –
  - (i) the upperside of the double bottom plating or to the normal line of the open floors or timbers, as the case may be, or
  - (ii) if the ship has no frames or timbers fitted, the inside of the hull on the centre line; or
- (b) in the case of an open ship, from the upper edge of the shell or the upper strake of planking or plating to the upper side of the bottom frames or timbers on the centre line.

(3) If a break exists in the way of the measurement for depth, the height of the break shall not be included in the measurement of depth.

(4) If ceiling or insulation is fitted on the tank top its thickness up to a maximum of 8 cm shall be deducted from the measurement obtained by the application of paragraphs (2) and, if applicable, (3).

## 22 Measurement – general

- (1) The tonnage determined in accordance with Regulation 19 shall be the gross tonnage and net tonnage.
- (2) 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 (1).
- (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) Tonnage shall be expressed to 2 decimal places, the second decimal place being increased by one if the third decimal place is 5 or more.
- (5) 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.

## 23 Alteration or change in ship

- (1) This Regulation applies where an alteration is made in –
  - (a) the arrangement of the ship;
  - (b) the construction of the ship;
  - (c) the capacity of the ship;
  - (d) the use of spaces in the ship;

- (e) the total number of passengers the ship is permitted to carry under the terms of its passenger certificate;
- (f) the ship's assigned load line or permitted draught,

that would cause an increase in the gross or net tonnage of the ship.

(2) Where this Regulation applies –

- (a) any tonnage certificate issued in respect of the ship cease to be valid and must be delivered to the Certifying Authority for cancellation; and
- (b) the owner of the ship must apply for it to be remeasured in accordance with Regulation 3.

## PART 5

### NON-JERSEY SHIPS

#### 24 Ascertainment of tonnage and certification

- (1) The Minister may, at the request of the Administration of a Contracting Government, ascertain the gross and net tonnages of a non-Jersey ship in accordance with Part 2 and issue to the owner an International Tonnage Certificate (1969).
- (2) The Minister shall endorse any certificate it issues in accordance with paragraph (1) 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 shall transmit a copy of the certificate and the calculations of the tonnages to the requesting Government as soon as practicable.
- (3) The Certifying Authority may, at the request of an owner of a non-Jersey 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 2 and issue a Certificate of Jersey Tonnage measurement.
- (4) The Certifying Authority shall endorse any certificate it issues in accordance with paragraph (3) "for use only whilst within Jersey waters".

## PART 6

### PENALTIES

#### 25 Penalties

An owner or a master who fails without reasonable cause to deliver up a certificate for cancellation as required by regulations 9(2)(a), 16(b) or 23(2)(b) shall be guilty of an offence punishable on summary conviction by a fine not exceeding level 3 on the standard scale.

## **26 Citation**

These Regulations may be cited as the Shipping (Tonnage) (Jersey) Regulations 2004.

## **SCHEDULE 1**

### **EXCLUDED SPACES AS DEFINED IN REGULATION 1**

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).

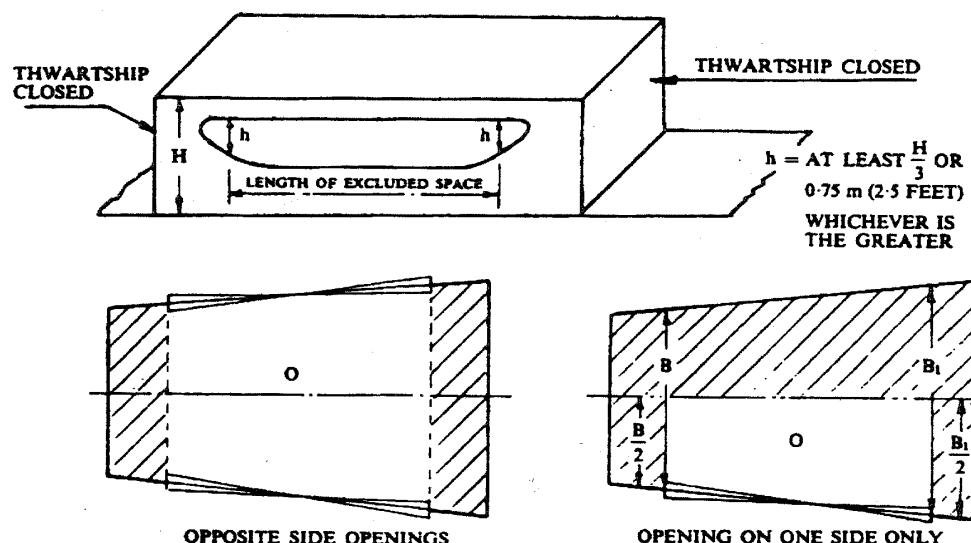
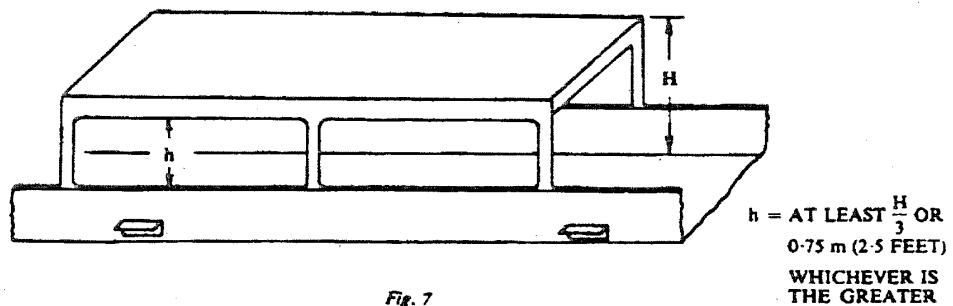


Fig. 8

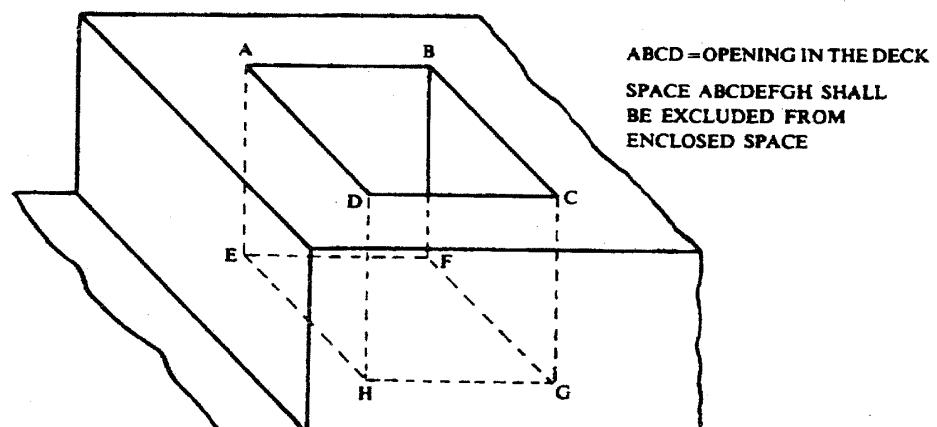


Fig. 9

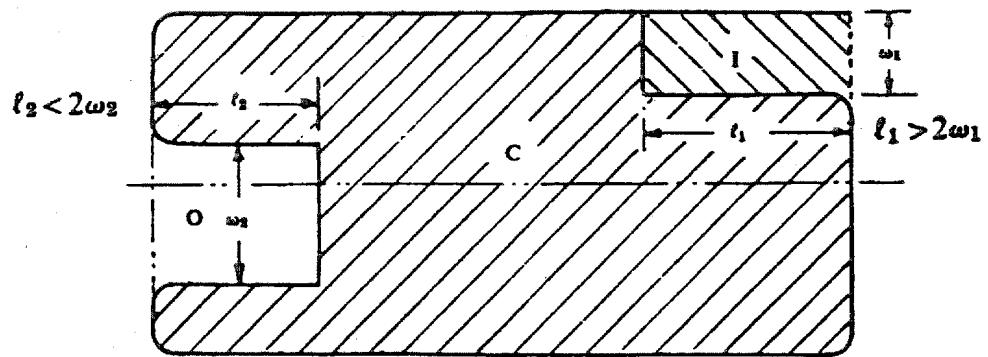


Fig. 10

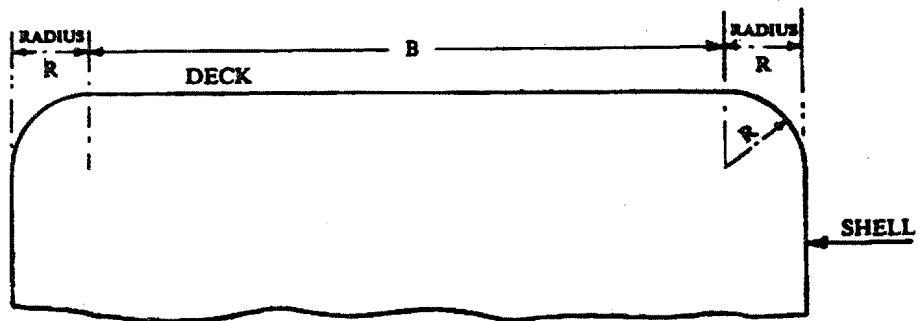
SHIPS WITH ROUNDED GUNWALES

Fig. 11

**SCHEDULE 2****COEFFICIENTS  $K_1$  AND  $K_2$  REFERRED TO IN REGULATIONS 5, 6 AND 7**

$V$  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 $K_2$ |
|--------------|----------------|--------------|----------------|--------------|----------------|--------------|----------------|
| 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 |
|--------|--------|---------|--------|---------|--------|-----------|--------|

## ENDNOTES

### Table of Legislation History

| Legislation  | Year and No                     | Commencement    |
|--|---------------------------------|-----------------|
| Shipping (Tonnage) (Jersey) Regulations 2004   | <a href="#">R&amp;O.28/2004</a> | 1 June 2004     |
| States of Jersey (Amendments and Construction Provisions No. 10) (Jersey) Regulations 2005 | <a href="#">R&amp;O.50/2005</a> | 9 December 2005 |
| Civil Partnership (Consequential Amendments) (Jersey) Regulations 2012                     | <a href="#">R&amp;O.47/2012</a> | 2 April 2012    |
| Shipping (Jersey) Amendment Law 2025   | <a href="#">L.12/2025</a>       | 27 June 2025    |

### Table of Renumbered Provisions

| Original | Current                                  |
|----------|--|
| 26(1)    | 26                                       |
| 26(2)    | spent, omitted from this revised edition |

### Table of Endnote References

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<sup>1</sup> *These Regulations have been amended by the States of Jersey (Amendments and Construction Provisions No. 10) (Jersey) Regulations 2005. The amendments replace all references to a Committee of the States of Jersey with a reference to a Minister of the States of Jersey, and remove and add defined terms appropriately, consequentially upon the move from a committee system of government to a ministerial system of government*

<sup>2</sup> *Regulation 1 amended by R&O.47/2012, definition “Passenger Ship Construction Regulations”, editorial change, “kingdom” deleted, “Kingdom” inserted instead, amended by L.12/2025*

<sup>3</sup> *Regulation 10(1) editorial change, “apples” deleted, “applies” inserted instead*