

(Translation: Only the Faroese text has legal validity)

Parliamentary Act no. 90 of 10 June 1982 on the tonnage measurement of ships

Section 1. In this Parliamentary Act, the following definitions shall apply:

1. The “Convention” shall mean the International Convention on Tonnage Measurement of Ships, 1969.
2. The “Authority” shall mean the skilled individual persons or companies who are authorised by the Faroese Government to carry out measurement of ships.

Section 2. Faroese ships with a length of or above 24 metres, except for warships, shall be measured and issued with a valid international tonnage certificate (1969), cf however section 12 subsection 1 and 2. The length of the ship shall be determined in accordance with article 2, no. 8 of the convention.

Subsection 2. The Faroese Government may, in special circumstances, exempt a ship from measurement.

Subsection 3. Foreign ships may be measured and issued with a tonnage certificate pursuant to the provisions of article 8 of the convention.

Subsection 4. The Faroese Government may determine that the provisions of the act, with the limitations following from international contracts and agreements with other states, shall be applied to foreign ships calling at Faroese ports.

Subsection 5. For ships below 24 metres in length, the Faroese Government shall lay down more detailed regulations on the measurement and issuing of tonnage certificates.

Section 3. The measurement shall be carried out according to the provisions of attachment 1 in the convention.

Subsection 2. A ship that has been measured and issued with a tonnage certificate shall be remeasured if, following the measurement of the ship, alterations – including alterations to the use of spaces or to the number of passengers that the ship is permitted to carry – are made affecting its gross or net tonnage. However, the net tonnage of a ship shall not be reduced prior to the expiry of 12 months from the issue of the tonnage certificate unless the ship has been subject to considerable modifications or alterations.

Subsection 3. Furthermore, re-measurements shall be made if the Authority so requires.

Section 4. On the basis of the measurement, the Authority shall issue an international tonnage certificate (1969).

Subsection 2. The tonnage certificate shall be issued in Faroese language with English subtitles.

Subsection 3. Changes or additions to the tonnage certificate shall be made only by the Authority.

Subsection 4. Upon request from the shipowner such tonnage certificates may be issued when required for operations on certain navigation routes.

Section 5. The tonnage certificate shall be available on board and shall be presented to the relevant Authorities upon request.

Section 6. The Authority shall have the right to embark any Faroese ship and ship under construction at Faroese expense as well as any foreign ship calling at a Faroese port to carry out control measurements and to check that the ship holds a prescribed tonnage certificate. The shipowner and master as well as anyone acting on their behalf shall be obliged to offer the necessary assistance to the Authority in its work and to provide any necessary information requested.

Section 7. The tonnage certificate shall cease to be valid if such alterations are made to a ship's arrangement, construction and capacity, use of spaces, the permitted number of passengers, the assigned load line or the ship's permitted draught that will involve an increase of the ship's gross or net tonnage.

Subsection 2. If a ship issued with an international tonnage certificate (1969) is transferred to Faroese ownership, the tonnage certificate shall remain valid until the ship's first arrival at a Faroese port, however not for longer than a period of three months from the date of the ship's notification for registry in the Ship Registry.

Subsection 3. A tonnage certificate that has ceased to be valid shall immediately be sent by the shipowner or master to the Authority unless it ceases to be valid because the ship has been transferred to foreign ownership.

Section 8. The payment for measurement carried out abroad by the Authority as well as payment for measurement of foreign ships in accordance with article 8 of the convention shall be covered by the shipowner in accordance with regulation, stipulated by the Faroese Government.

Section 9. Payment for the issuance of tonnage certificate shall be covered by the shipowner on basis of the ship's gross tonnage. More detailed regulations on the size of the payment and its settlement shall be determined by the Faroese Government.

Subsection 2. The payment that shall go to the National Treasury may be recovered by distraint.

Section 10. Contraventions of section 2 subsection 1, section 3 subsection 2, section 4 subsection 3, section 5, section 6 and section 7 subsection 3 shall be liable to punishment by fine.

Subsection 2. In regulations issued pursuant to the act, punishment by fine may be determined for contraventions of the provisions of the regulations.

Subsection 3. If the contravention has been committed by a public limited company, a cooperative society or the like, the company as such may be liable to punishment by fine.

Section 11. In Parliamentary Act no. 38 of 4 May 1957 on the Tonnage Measurement of Ships section 1 shall be as follows:

“All Faroese ships, cf. section 1 of the Merchant Shipping Act, not covered by the Parliamentary Act on Tonnage Measurement of Ships shall be measured, marked and issued with a tonnage certificate in accordance with the provisions laid down in this act.”

Section 12. The act shall apply to:

- a. ships the keel of which are laid or which are at a similar stage of construction on or after the date on which the act enters into force.
- b. ships which are subject to alterations or modifications after the entry into force of the act that lead to changes to their gross tonnage to a considerable degree,
- c. ships upon the request of the shipowner.

Subsection 2. The act shall also apply to all ships when 12 years have passed after the entry into force of the convention. However, the tonnages applicable to such ships previously shall continue to apply as regards requirements laid down pursuant to other international conventions acceded to by Denmark/Faroe Islands.

Section 13. This act shall enter into force on 18 July 1982.