

MERCHANT SHIPPING ACT
(CHAPTER 179, SECTIONS 143 AND 236)

MERCHANT SHIPPING (SURVEY OF SINGAPORE SHIPS)
REGULATIONS

ARRANGEMENT OF REGULATIONS

Regulation

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[15th April 1977]

Citation

1. These Regulations may be cited as the Merchant Shipping (Survey of Singapore Ships) Regulations.

Application of these Regulations

1A. These Regulations do not apply to any survey of pleasure craft carried out for any purpose under the Merchant Shipping (Pleasure Craft) Regulations 2020 (G.N. No. S 161/2020).

[S 164/2020 wef 01/07/2020]

Definition

2. In these Regulations, unless the context otherwise requires, “organisation” means any organisation authorised by the Minister

under the Merchant Shipping (Authorised Organisations) Regulations 1996 [G.N. No. S 44/96].

[S 58/96 wef 02/02/1996]

Registered surveyor

3.—(1) No organisation shall employ or appoint any person to carry out any survey of any Singapore ship in Singapore for the purposes of Part III or V of the Act unless that person is registered as a surveyor under these Regulations.

(2) Any organisation which contravenes paragraph (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000.

Application for registration of surveyor

4.—(1) Any organisation that wishes to register a person as a surveyor under regulation 3 shall make an application in such form as the Director may require.

(2) Upon receiving an application under paragraph (1) the Director may register a person as a surveyor, with or without conditions, or refuse to register that person.

(3) The Director shall refuse to register a person as a surveyor under these Regulations if —

- (a) satisfactory evidence has not been produced to show that the person in respect of whom an application for registration has been made is a fit and proper person to be registered as a surveyor under these Regulations;
- (b) that person has been convicted of any offence involving fraud or moral turpitude; or
- (c) the Director considers it in the public interest to do so.

(4) Where the Director refuses to register a person as a surveyor under these Regulations, the Director shall notify the organisation concerned the reasons for his refusal and the organisation may, within 14 days of the date of receipt of such notice, appeal to the Minister whose decision shall be final.

Variation or revocation of conditions and new conditions

5.—(1) The Director may at any time vary or revoke any of the existing conditions imposed under regulation 4(2) or impose any new conditions in respect of the registration of any surveyor.

(2) The Director shall, prior to taking any action under paragraph (1), notify his intention to take such action to the organisation concerned and shall give the organisation an opportunity to submit reasons why the conditions should not be so varied, revoked or imposed.

(3) Where registration is granted subject to conditions the organisation shall comply with those conditions.

(4) Any organisation that is aggrieved by a decision of the Director under this regulation may, within 14 days of being notified of the decision of the Director, appeal against his decision to the Minister whose decision shall be final.

Fee for registration of surveyor

6. Every organisation shall pay a fee of \$100 in respect of every person registered under regulation 4.

Cancellation or suspension of registration

7.—(1) The Director may by order cancel the registration of a surveyor or suspend him from carrying out any survey of any ship for a period not exceeding one year —

- (a) if he is satisfied that the organisation —
 - (i) has ceased to be an organisation approved by the Minister pursuant to section 137 or 223 of the Act; or
 - (ii) has made any misrepresentation, whether innocent or otherwise, or has failed to disclose any fact at the time of applying for registration and such misrepresentation or non-disclosure would have influenced the decision of the Director to grant or refuse to grant registration;

- (b) if he is of the opinion that the surveyor in respect of whom registration has been granted is no longer a fit and proper person to be a surveyor of or to carry out any survey of any ship; or
- (c) if he considers it in the public interest to do so.

(2) The Director shall before cancelling any registration or suspending any surveyor under paragraph (1) give the organisation concerned notice in writing of his intention to do so, specifying a date, not less than 21 days after the date of the notice, upon which the cancellation or suspension shall take effect and calling upon the organisation concerned to show cause to the Director why the registration should not be cancelled or why the surveyor should not be suspended.

(3) When the Director has cancelled the registration of a surveyor or has suspended any surveyor under paragraph (1), he shall forthwith inform the organisation concerned by notice in writing of the cancellation or suspension.

(4) The organisation may, within 14 days of the receipt of the notice referred to in paragraph (3), or within such extended period of time as the Minister may allow, appeal in writing against the cancellation or suspension to the Minister whose decision shall be final.

(5) An order of cancellation or suspension shall not take effect until the expiration of a period of 14 days after the Director has informed the organisation concerned of the order.

(6) If within that period the organisation concerned appeals to the Minister, the order shall not take effect unless the order is confirmed by the Minister or the appeal is for any reason dismissed by the Minister, or the appeal is withdrawn.

Organisation to cease to use surveyor who has ceased to be registered or is suspended

8.—(1) When an order of cancellation or suspension becomes effective under regulation 7, the organisation shall cease to use the person who has been suspended or has ceased to be registered under these Regulations as a surveyor of ships in Singapore for the purposes

of carrying out any survey of any Singapore ship for the purposes of Part III or V of the Act.

(2) Any organisation which fails to comply with any of the provisions of paragraph (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000.

Organisation not to appoint unregistered surveyor or surveyor whose appointment has been cancelled or suspended

9.—(1) No organisation shall appoint or use any person to carry out surveys on Singapore ships in Singapore or elsewhere for the purposes of Part III or V of the Act if —

- (a) that person's application for registration as a surveyor has been refused under regulation 4(3); or
- (b) that person's registration as a surveyor has been cancelled or he has been suspended from carrying out any survey of any ship under regulation 7.

(2) Any organisation which contravenes paragraph (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000.

Service of notices, etc.

10. Every notice or document required by these Regulations to be given or served on any organisation may be given or served —

- (a) by delivering it at the usual or last known place of business of the organisation in a cover addressed to that organisation; or
- (b) by forwarding it by post in a prepaid envelope addressed to that organisation at its usual or last known place of business.

[G.N. Nos. S 83/77; S 31/81]

LEGISLATIVE HISTORY
MERCHANT SHIPPING (SURVEY OF SINGAPORE SHIPS)
REGULATIONS
(CHAPTER 179, RG 6)

This Legislative History is provided for the convenience of users of the Merchant Shipping (Survey of Singapore Ships) Regulations. It is not part of these Regulations.

1. G. N. No. S 83/1977 — Merchant Shipping (Survey of Singapore Ships) Regulations 1977

Date of commencement : 15 April 1977

2. G. N. No. S 31/1981 — Merchant Shipping (Survey of Singapore Ships) (Amendment) Regulations 1981

Date of commencement : 6 February 1981

3. 1990 Revised Edition — Merchant Shipping (Survey of Singapore Ship) Regulations

Date of operation : 25 March 1992

4. G. N. No. S 58/1996 — Merchant Shipping (Survey of Singapore Ship) (Amendment) Regulations 1996

Date of commencement : 2 February 1996

5. G.N. No. S 164/2020 — Merchant Shipping (Survey of Singapore Ships) (Amendment) Regulations 2020

Date of commencement : 1 July 2020