



Tonga

## **SHIPPING (REGISTRATION) (AMENDMENT) REGULATIONS 2003**

**GS 25 of 2003**

**SHIPPING ACT (CAP. 136)**

---

**IN EXERCISE** of the powers conferred by section 206 of the Shipping Act (Cap. 136) the Minister of Marine and Ports, with the consent of Cabinet, makes the following Regulations:

1.
  - (1) These Regulations may be cited as the Shipping (Registration) (Amendment) Regulations 2003.
  - (2) The Shipping (Registration) Regulations 2002 are in these Regulations referred to as the Principal Regulations.
  - (3) These Regulations shall come into force on the day that the Shipping (Amendment) Act 2003 becomes law.
2. The Principal Regulations are amended by deleting the words “paragraph” and “sub-paragraph” wherever they appear in the Principal Regulations, and substituting therefor the words “sub-regulation” and “paragraph” respectively.
3. Regulation 20 of the Principal Regulations is repealed.

4. Regulation 21 of the Principal Regulations is amended by—
  - (1) repealing sub-regulation (1);
  - (2) in the English version only by deleting the word “registered” in sub-regulation (2);
  - (3) deleting sub-regulation (3) and substituting therefor the following—

“(3) Where there is more than one of the same category of maritime lien in respect of the same vessel, such liens shall, irrespective of any express, implied or constructive notice, be entitled in priority one over the other of the same category according to the date of the occurrence giving rise to the lien”; and
  - (4) re-numbering sub-regulations (2), (3), (4) and (5) as sub-regulations (1), (2), (3) and (4) respectively;
5. The Principal Regulations are amended by deleting any reference to “regulation 21(2)” and “paragraph (2) of regulation 21” wherever it appears in the Principal Regulations, and replacing them with “regulation 21(1)”.
6. Regulation 23 of the Principal Regulations is amended by deleting the words “and may be recorded in the same manner as other maritime liens” and the Proviso thereto, and substituted with the following:

“and such statutory liens shall be ranked after the maritime liens set out in regulation 21(1), and also after registered mortgages.”
7. Regulation 24 of the Principal Regulations is repealed.
8. Regulation 25 of the Principal Regulations is repealed.
9. The Second Schedule of the Principal Regulations is amended by repealing item 18 of paragraph 3, and re-numbering item 19 as item 18.

Made at Nuku‘alofa on this 11th day of September, 2003.

Hon. James Cecil Cocker  
Minister of Marine and Ports