

THE MERCHANT SHIPPING ORDINANCE, 1960 (Ordinance No. 11 of 1960)

THE MERCHANT SHIPPING (CARRIAGE OF LIVESTOCK) REGULATIONS, 1961

In exercise of the powers conferred upon him by section 277 of the Merchant Shipping Ordinance, 1960 [*Ord. No. 11 of 1960*], and all other power thereunto him enabling, the Governor in Council has made the following regulations –

Citation and commencement.

1. These regulations may be cited as the Merchant Shipping (Carriage of Livestock) Regulations, 1961, and shall come into force on the first day of April, 1961.

Interpretation.

2. In these regulations –

“tongkang” includes any boat, barge, lighter or other vessel, propelled by oars only or by sail only or by oars and sail;

“cattle” includes horned cattle, deer, horses, ponies, mules and asses, and for the purposes of these rules three pigs (not being enclosed in baskets) or four sheep or four goats shall be deemed to be equivalent to one head of cattle.

PART 2 – GENERAL PROVISIONS RELATING TO ALL VESSELS

Food and water.

3. When cattle are carried on board a vessel for a voyage which on an average takes more than eight hours, the Master shall cause to be provided for such cattle a sufficient amount of food and water, and proper accommodation for the storage of foods so that the same shall not be unduly exposed to the weather at sea.

Protection against injury, etc.

4. Cattle and all other livestock shall be protected against injury and against unnecessary suffering from undue exposure to the weather by proper awnings, permanent or otherwise, to the satisfaction of the Port Officer and shall not be carried on iron decks unless such iron decks are overlaid with wood or some other suitable covering.

Fencing of fittings.

5. Ship's fittings likely to cause injury or unnecessary suffering shall be properly and securely fenced off.

Slinging of cattle.

6. (1) Horned cattle shall not be slung by the horns and all livestock shall be shipped and landed in such manner as to avoid injuring the animals or causing them unnecessary suffering, and if necessary, with proper slings or other appliances.

(2) Where necessary livestock shall be lifted by means of slings together with breast and breaching ropes therefor.

(3) Slings shall be constructed in the manner shown in the diagram set out in the Schedule and shall consist of a canvas belly band or belt three feet in length and two and a half feet in width the ends of which shall be fitted with round wooden stretchers over which the ends of the canvas sling or belt shall be securely sewn, and of two ropes, each of which shall be nine feet in length and not less than three and a half inches in circumference, which shall be sewn along the length of the canvas band on both its sides and the ends of the ropes spliced together and fitted with an iron eye or thimble at each end. If one rope is used it shall be eighteen feet in length and not less than three and a half inches in circumference and shall be arranged in the manner shown in the diagram.

(4) No livestock shall be shipped or landed if by reason of the inclemency of the weather, the state of the tide or the draught of the ship injury or unnecessary suffering is likely to be caused to such livestock.

Destruction of injured cattle.

7. The Master of a vessel shall destroy or cause to be destroyed forthwith any animal that is maimed or seriously injured, or has sustained a broken limb.

Baskets for pigs.

8. (1) All baskets for the carriage of pigs by sea shall be of a pattern approved by the Port Officer. Each basket shall be of a size enough to contain one pig completely but not so large as to allow the pig such freedom of movement as may enable it to cause injury to itself or to other pigs. Each basket shall be constructed in such a manner that the legs of the pig cannot protrude.

(2) Not more than one pig shall be carried in one basket. For the carriage of a pig from the Colony by sea the basket, if any, in which it is carried shall be made of round rattan. Baskets for the carriage of pigs by sea into the Colony may be used if constructed of split bamboo so that their edges are so smoothed that they cannot cause injury.

(3) When loading or unloading pigs in baskets each basket shall be lifted by a pair of iron hooks fitted with wire or rope legs of equal length. The hooks shall be hooked securely, one at each end of the basket, in such a manner as to keep the basket in a horizontal position. Not more than two baskets shall be lifted together.

Stacking of pig baskets.

9. Baskets in which pigs are carried shall not be stacked in such manner as to cause injury or suffering to the pigs.

Carriage of poultry.

10. Poultry shall not be carried in baskets or crates in such manner as to cause them injury or unnecessary suffering.

PART 3 – PROVISIONS RELATING TO VESSELS OTHER THAN TONGKANGS

Carriage of cattle.

11. (1) Cattle shall not be carried in any part of the vessel where in ordinary course of navigation they would interfere with the proper management or ventilation of the vessel or with the efficient working of the boats.

(2) Cattle shall not be carried on any hatch above a compartment where other cattle are carried.

(3) Cattle shall be carried in pens, and shall not in any case be overcrowded so as to cause injury or discomfort.

(4) Cattle on board shall be separately and securely tied by the head by ropes passed through eye bolts in the pen frames.

Pens.

12. (1) Pens shall not exceed ten feet in length and nine feet in breadth. The stanchions of each pen shall be securely fastened to the deck or floor by means of iron sockets or otherwise.

(2) The materials used in the construction of the pens shall be of substantial character, sufficient to withstand the action of the weather and to resist the weight of the cattle thrown against them.

(3) The floor of each pen shall be a flat surface, and in order to prevent slipping shall be fitted with suitable battens or other proper footholds securely fastened to the deck or floor, and the floors shall be strewn with a proper quantity of sand or other suitable material.

(4) In all enclosed portions of a vessel in which cattle are carried the arrangements shall permit of each pen being accessible to the cattle attendants.

Ventilation.

13. All parts of the vessel on which cattle are carried shall be sufficiently be suitably ventilated.

Cattle attendants.

14. When cattle are carried attendants to the number of one to every twenty head of cattle carried shall be provided in addition to the crew. Proper accommodation shall be provided for these attendants, and they shall be required to sign the ship articles.

Carriage of horses, ponies, etc.

15. Horses, ponies, mules, asses and other animals shall, if the Port Officer so requires, be carried in single pens or boxes of suitable dimensions, and such pens shall be padded to the satisfaction of the Port Officer.

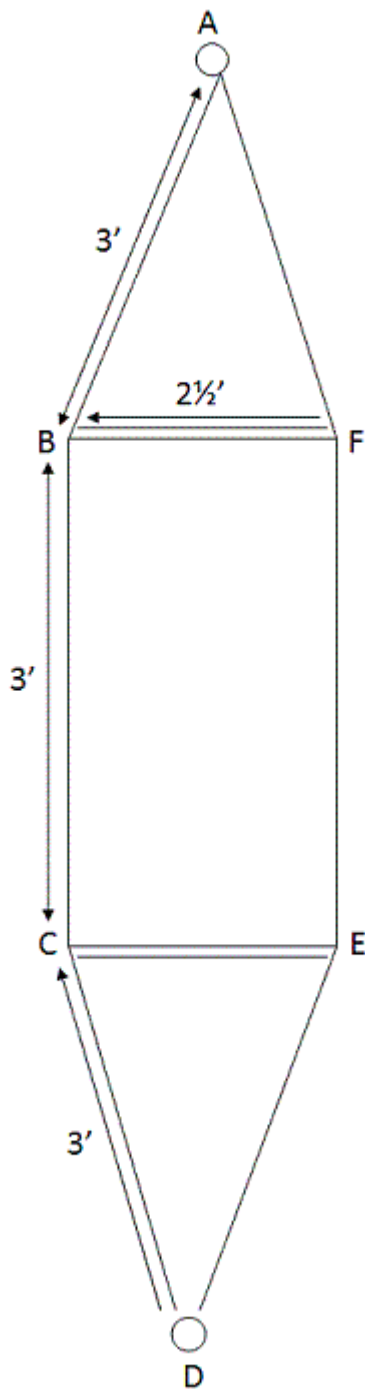
PART 4 – PROVISIONS RELATING TO TONGKANGS ONLY**Carriage of cattle in port limits.**

16. When cattle are carried within the limits of any port pens need not be fitted, but the vessel shall be of such a character as in the opinion of the Port Officer sufficiently precludes risk or injury or of unnecessary suffering to the cattle.

Carriage of cattle outside port limits.

17. When cattle are carried in a tongkang beyond the limits of a port they shall be carried in pens of a substantial character and suitable size fitted to the satisfaction of the Port Officer, and the cattle shall be separately and securely tied by the head by ropes passed through eye bolts in the pen frames, and shall not be crowded together in such a way as to cause injury or discomfort. The provisions of paragraph (3) of Regulation 12 shall apply to such pens.

SCHEDULE
(Rule 6 (3))



ABCD } = Ropes 9 feet in length (each)
AFED }

BF } = Round Wooden Stretchers
CE }

BCEF = Canvas Belly-Band 3 feet in length and 2½ feet in width

A } = Iron eye or thimble
D }

Dated at Jesselton, this 13th day of March, 1961.

M. PIKE,
Clerk of Executive Council.

8th October 2008