



The Merchant Shipping Act, 2025: Key Reforms and Provisions



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The Merchant Shipping Act: 1958 Vs 2025

MSA 1958: Parts: 18
Sections: 461

Restructured and Streamlined

MSA 2025: Parts: 16
Sections: 325



The Merchant Shipping Act: 1958

- **PART I:** PRELIMINARY (Ss 1-3)
- **PART II:** NATIONAL SHIPPING BOARD(4-6)
- **PART III:** GENERAL ADMINISTRATION (Ss 7-13)
- **PART IV:** Omitted
- **PART V:** REGISTRATION OF INDIAN SHIPS: Transfer of shares, National Character and flag (Ss 20-74)
- **PART VI:** CERTIFICATES OF OFFICERS: To serve on Indian ships (Ss 75-87D)
- **PART VII:** SEAMEN AND APPRENTICES: Shipping Master, Wages, Health, OLB, Discipline, Accommodation, (Ss 88-218A)
- **PART VIII:** PASSENGER SHIPS (Ss 219-282)
- **PART IX:** SAFETY: Ship Construction, Collision Prevention, LSA, FFA, RT, Stability, Load lines, Timber, D.G. Goods, Unseaworthy ships, Detention (Ss283-344)
- **PART IXA:** NUCLEAR SHIPS (Ss 344A-344I)
- **PART IXB:** SECURITY OF SHIPS AND PORT FACILITIES (Ss 344J-344T)
- **PART X:** COLLISIONS, ACCIDENTS AT SEA AND LIABILITY (Ss 345-351)
- **PART XA:** LIMITATION OF LIABILITY (Ss 352-352FA)

The Merchant Shipping Act: 1958

- **PART XB:** CIVIL LIABILITY FOR OIL POLLUTION DAMAGE (Ss 352G-352R)
- **PART XC:** INTERNAT'L OIL POLLUTION COMPENSATION FUND (Ss 352S-352ZA)
- **PART XI:** NAVIGATION (Ss 353-356)
- **PART XIA:** PREVENTION AND CONTAINMENT OF POLLUTION OF THE SEA BY OIL (Ss 356A-356O)
- **PART XIB:** CONTROL OF HARMFUL ANTI-FOULING SYSTEMS OF SHIPS (356P-356Y)
- **PART XII:** INVESTIGATIONS AND INQUIRIES: Marine Board, Scientific Referees (Ss 357-389)
- **PART XIII:** WRECK AND SALVAGE (Ss 390-404)
- **PART XIV:** CONTROL OF INDIAN SHIPS AND SHIPS ENGAGED IN COASTING TRADE (Ss 405-414)
- **PART XV:** SAILING VESSELS (Ss 415-435)
- **PART XVA:** FISHING BOATS (Ss 435A-435X)
- **PART XVI:** PENALTIES AND PROCEDURE (Ss 436-448)
- **PART XVII:** MISCELLANEOUS (Ss 449-460A)
- **PART XVIII:** REPEALS AND SAVINGS (Ss 461)
- **THE SCHEDULE:** Enactment Repealed

The Merchant Shipping Act: 2025

- The **MSA 2025** (Act 24 of 2025) (replacing the older Merchant Shipping Act of 1958):
 - Passed in **Lok Sabha**: 06 Aug 2025.
 - Passed in **Rajya Sabha**: 11 Aug 2025.
 - **President** Sign/Gazette: 18 Aug 2025
- **Status**: The Merchant Shipping Act, 2025, has been enacted and received Presidential assent, **but it is not yet fully in force.**
- **Effective date**: The government will announce the exact start date(s) in the Official Gazette through notifications.
- **Implementation**: Different provisions of the Act may come into effect on different dates.

The Merchant Shipping Act: 2025

- **Part I:** Preliminary: Applicability, Definitions (Ss 1-3)
- **Part II:** Establishment of Boards & General Administration (Ss 4-13):
 - **Chapter I:** Establishment of National Shipping Board and Seafarer's Welfare Board
 - **Chapter II:** Maritime Administration
- **Part III:** Registration of Vessels: transfer of shares, National Colors (Ss 14-44)
- **Part IV:** Maritime Education and Training: Exam, COC (Ss 45-53)
- **Part V:** Seafarers: MLC, Shipping Master, RPSL, Wages, Rest hours, OLB, Discipline (Ss 54-113)
- **Part VI:** Safety and Security: Reporting incidents, Complying with Conventions, S&R, Stability Info, Submersion-Load Lines, not to sail without Proper Ship Certificates, Seaworthiness (Ss 114-130)

The Merchant Shipping Act: 2025

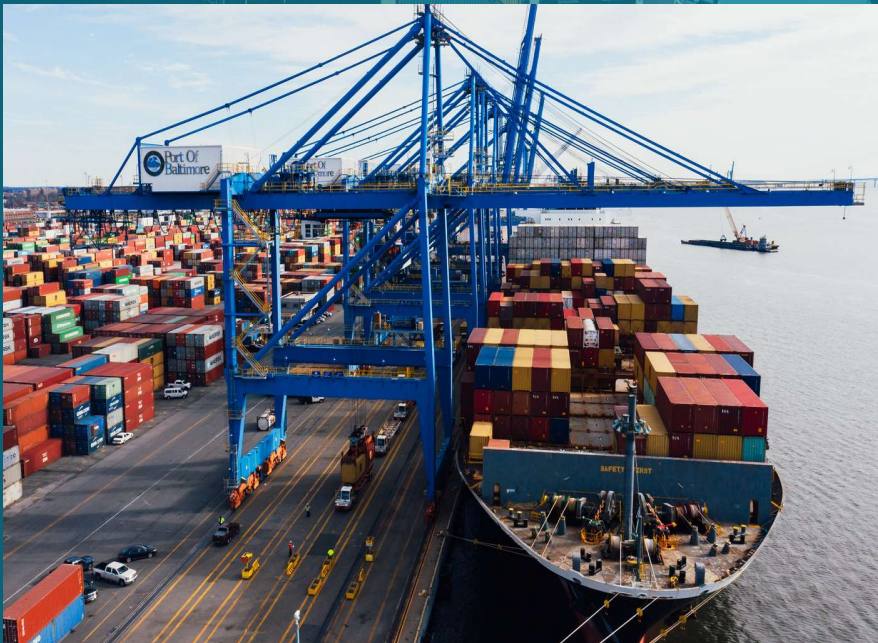
- **Part VII:** Prevention and Containment of Pollution from Vessel and Response (Ss 131-143)
- **Part VIII:** Survey, Audit and Certification (Ss 144-152)
- **Part IX:** Maritime Liability and Compensation (Ss 153-222)
- **Chapter I:** Collision, Accident at Sea and Liability.
- **Chapter II:** Limitation of Liability for Maritime Claims.
- **Chapter III:** Civil Liability for Oil Pollution Damage.
- **Chapter IV:** Civil Liability for Bunker Oil Pollution Damage.
- **Chapter V:** International Oil Pollution Compensation Fund.
- **Part X:** Marine Incident and Emergency Response (Ss 223-230)



The Merchant Shipping Act: 2025

- **Part XI:** Investigation and Inquiries on Marine Casualties (Ss 231-232)
- **Part XII:** Wreck And Salvage (Ss 233-260).
- **Part XIII:** Sailing, Fishing and other Vessels (Ss 261-280)
- **Part XIV:** Penalties And Procedures (Ss 281-292)
- **Part XV:** Miscellaneous (Ss 293-324)
- **Part XVI:** Amendment to the Marine Aids to Navigation Act, 2021 (S 325).

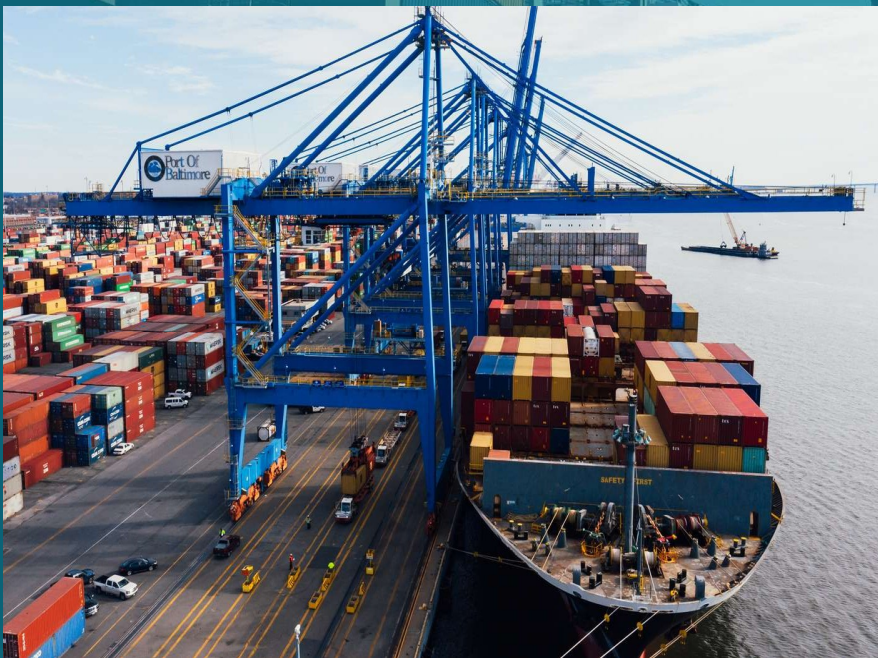
Authority for Regulation of Shipping



*The maritime administration will be strengthened through the appointment of a **Director-General of Maritime Administration**, who will oversee the implementation of the Act.

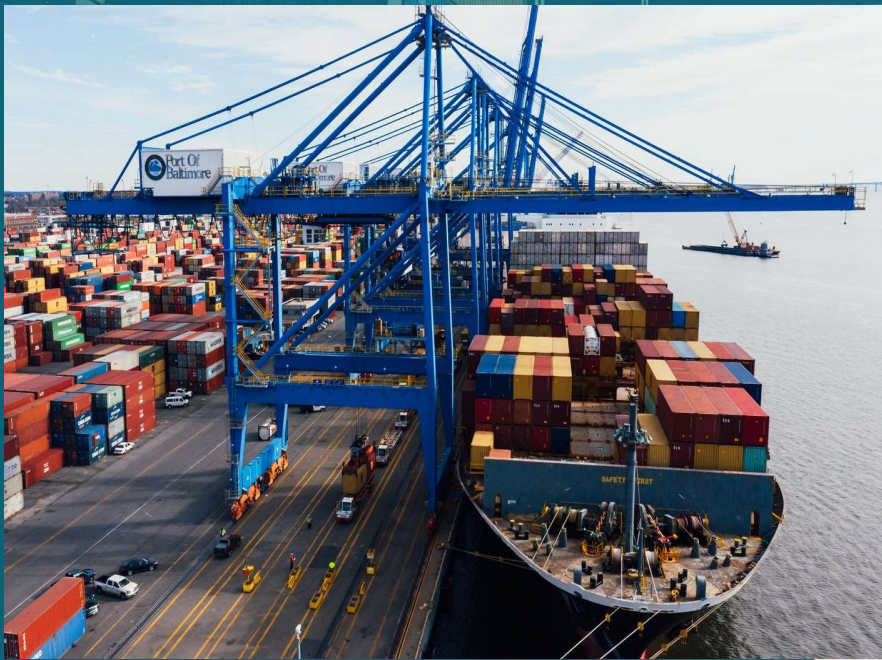
*The act renames the Director-General as the Director-General of Maritime Administration (**DGMA**).

Streamlined Legal Structure to align with International Conventions



- *The Act **aligns and incorporates several key international conventions**, including:
 - *SOLAS,
 - *MARPOL,
 - *STCW (Standards of Training, Certification and Watchkeeping),
 - *MLC (Maritime Labor Convention),
 - *Ballast Water Management Conv.
 - *Wreck Removal Convention.

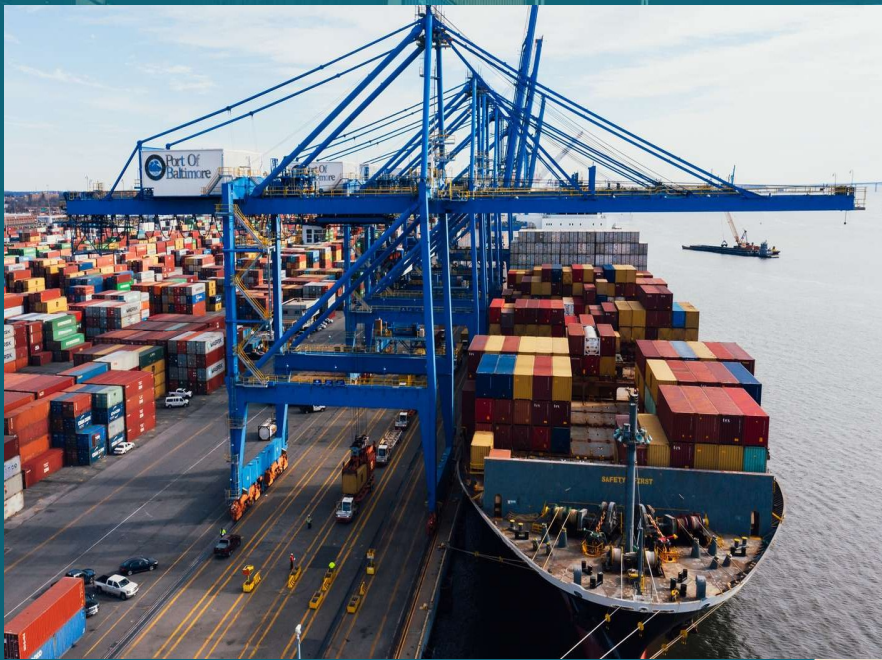
Expanding the ownership criteria of Indian vessels



*MSA 2025 significantly broadens the ownership scope to include **NRIs, OCIs, JVs, Body Corporates and other entities or individuals as may be notified by the Central Government**, to make investments in India and own vessels under the Indian flag.

*It broadens the investment base, encourages diaspora and foreign participation, and attracts capital to expand Indian-flag tonnage.

Expanding the ownership criteria of Indian vessels



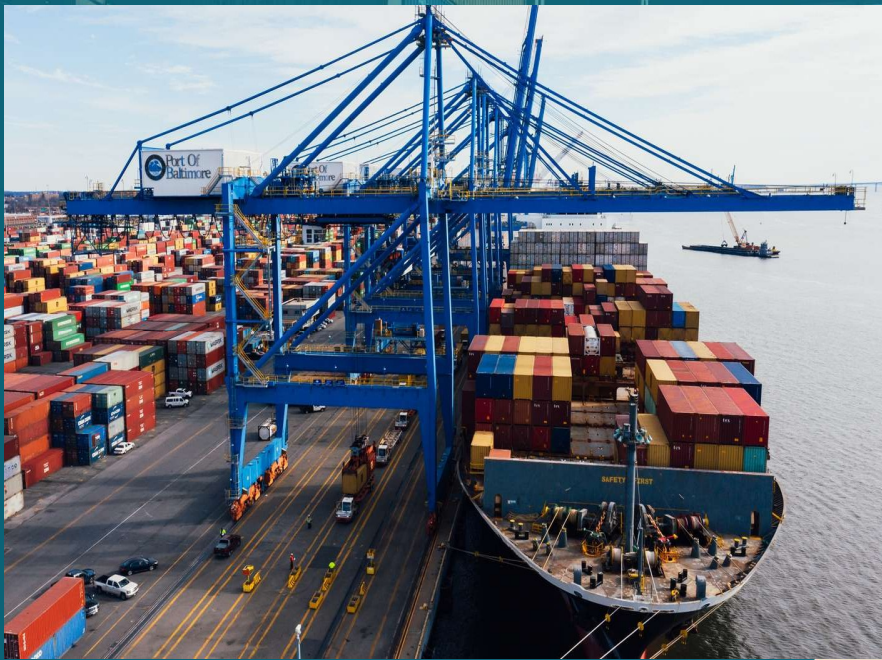
*MSA 2025 relaxes the criteria to also include vessels:

- (i) which are partly owned by persons as defined in previous slide and
- (ii) wholly or partly owned by OCIs.

*The thresholds for % ownership will be specified by Central Government.

*The Act also clarifies that it will not be mandatory for vessels wholly owned by OCIs to register in India.

Mandatory Registration of Vessels



*MSA 2025 requires all sea going Indian vessels to be registered regardless of type of propulsion or weight, except certain vessels which are:

*(i) not mechanically propelled, or

*(ii) weighing below 15 gross tons and used only for navigating Indian coasts.

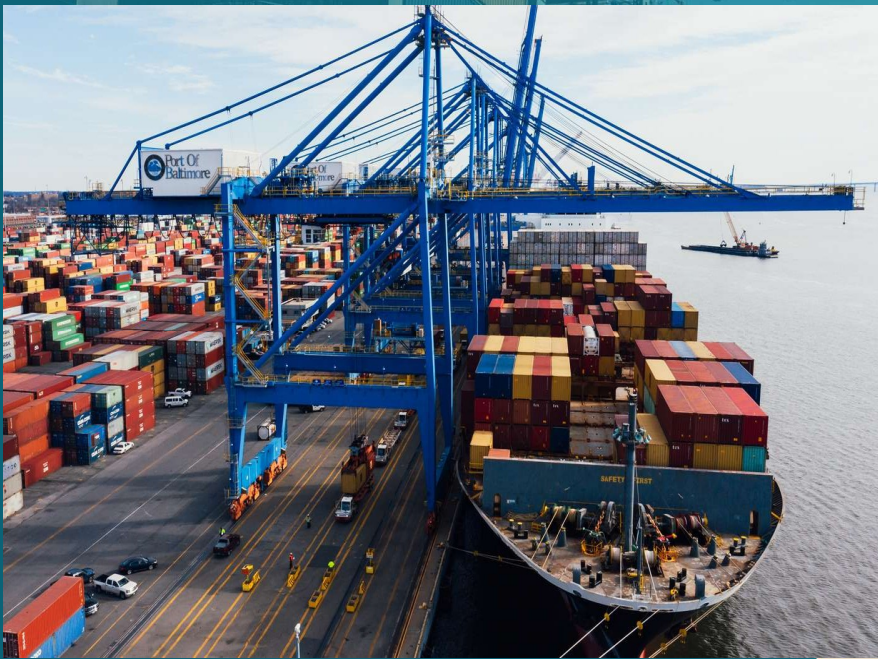
Provisional & Temporary Registration of vessels



*Act 2025 provides for provisional & temporary registration to unregistered vessels, pending full compliance, **under construction or which are intended to be recycled in India.**

*MSA 2025 allows for the temporary registration of any vessel, **under specific conditions outlined in the Act** and its associated rules, aligning with the Recycling of Ships Act, 2019.

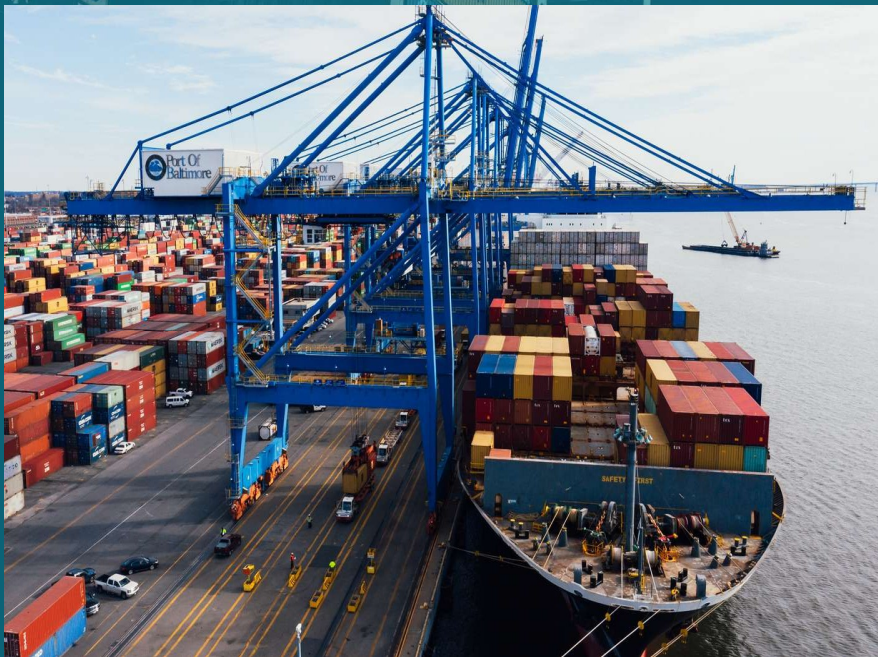
Registration of certain 'foreign vessels' chartered by 'Indian' person



*A foreign vessel chartered by an Indian person may be registered as an Indian vessel, where the ownership is intended to be transferred to the charterer after a specified period.

*It facilitates registration of a foreign vessel chartered on bareboat charter cum demise contract by an Indian charterer, without large upfront capital outlay.

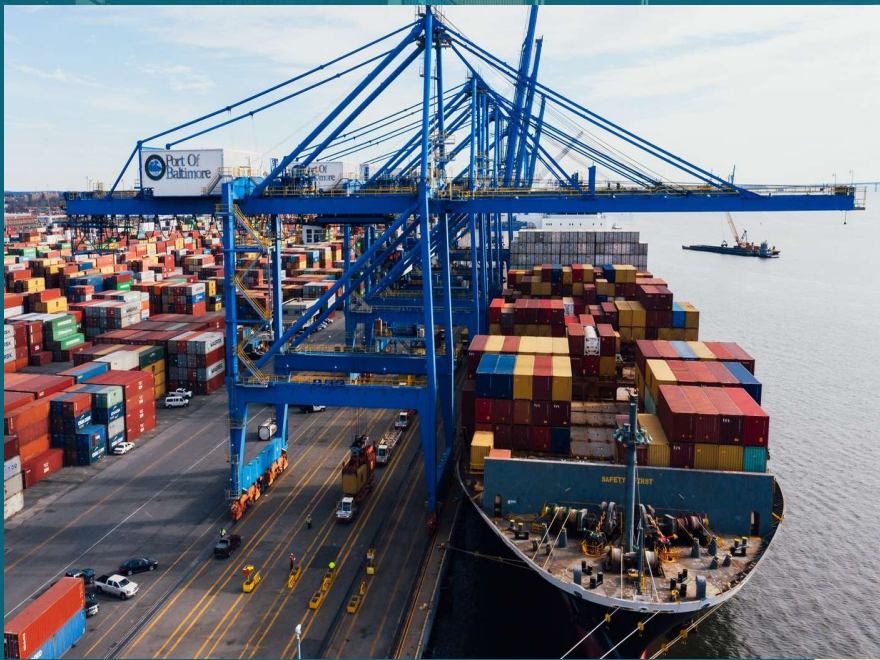
Expanding the Applicability of the Act



*MSA 2025 considerably broadens the scope of regulations to include a wider range of vessels.

*MSA 2025 defines vessel to include any ship, boat, sailing vessel, or other vessels used in navigation. It expands the definition of vessels to include non-motorized and wind powered vessels, viz, rowboats, canoes, mobile offshore drilling units, submersibles, non-displacement crafts and similar vessels.

Establishment of National Shipping Board



*The Government will establish National Shipping Board, consisting of:

*Members of Parliament,

*Members appointed representing Central Government, Ship Owners, Seafarers.

Safety and Security Enhancement



*MSA 2025 enforces compliance with international safety conventions and requires vessels to hold mandatory certificates related to stability, load lines, and seaworthiness.

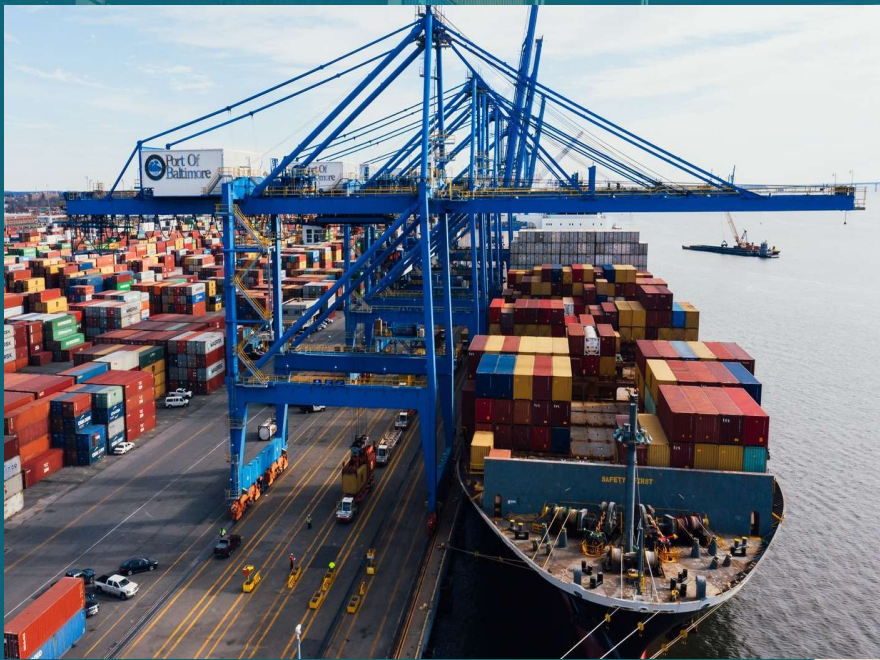
*The Act introduces key measures and provisions to improve how we report, respond and render assistance, in case of marine incidents and emergencies at sea.

Safety and Security Enhancement



MSA 2025 also sets out processes for investigating marine casualties, to learn from them and prevent future occurrences

Maritime Education and Training

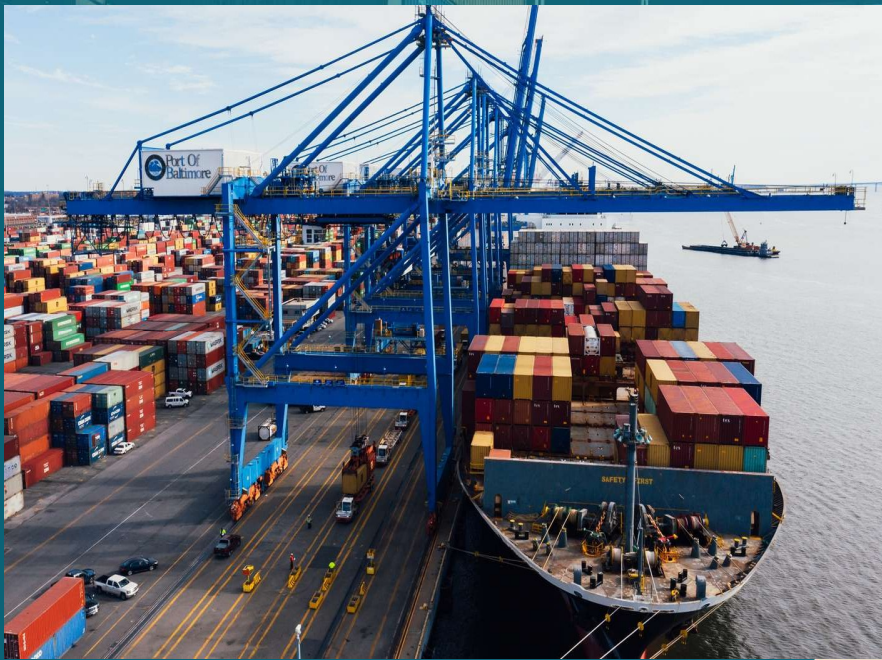


*MSA 2025 empowers the DGMA to regulate **maritime education and training**.

This includes powers to approve **training institutes and courses**

*MSA 2025 also introduces a dedicated Part IV focused on **Maritime Education and Training**

Maritime Education and Training



*MSA 2025 mandates **specific certifications** for seafarers, outlining rigorous **training and examination** standards.

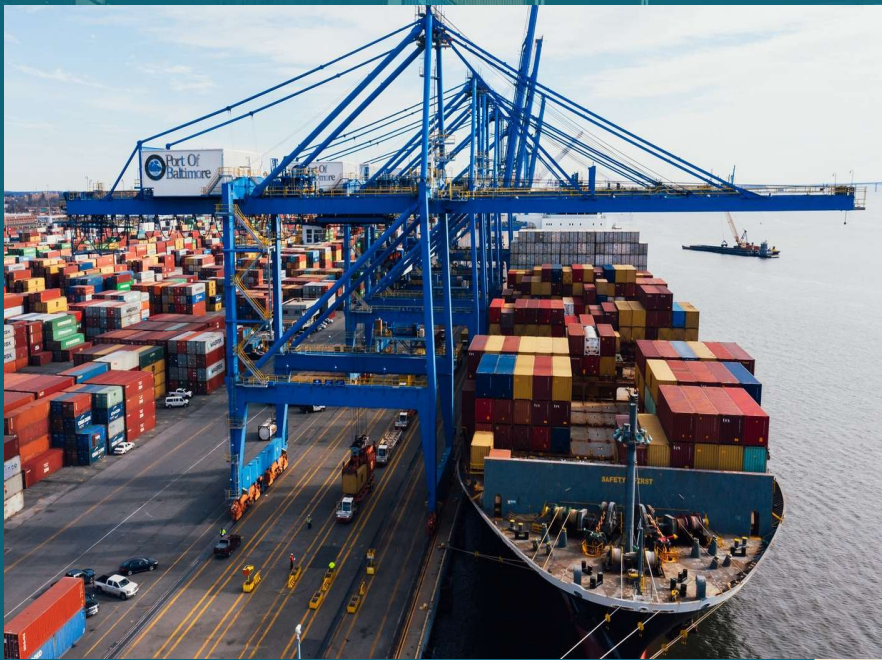
*MSA 2025 empowers the **government to recognize foreign certifications and impose service obligations** on certain certificate holders

Minimum age of Employment and Medically fit



In terms of seafarer welfare and rights, it sets the minimum age for employment onboard vessels at 16 years, requiring all seafarers to be medically fit and to undergo mandatory training and certification

Seafarer agreement, Maritime employment and competitiveness



*Employment agreements will be compulsory, and ship owners will ensure monthly wage payments, with interest applicable in case of delays.

*Seafarers will be entitled to paid leave, repatriation, and compensation in the event of vessel loss, also guaranteed with occupational health standards, access to medical care, and social security benefits for seafarers.

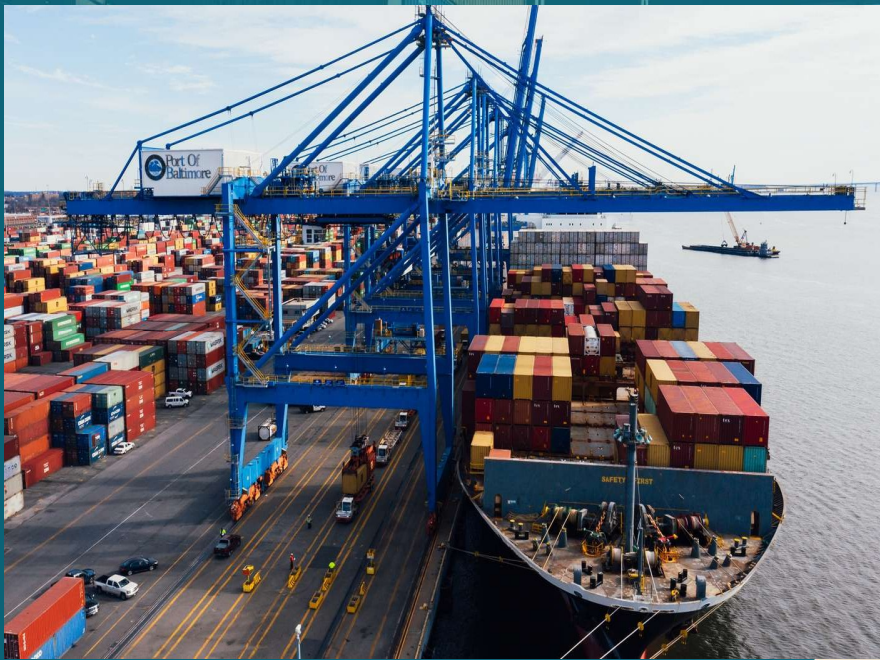
Seafarer agreement, Maritime employment and competitiveness



MSA 2025 permits following persons to enter into Seafarer Agreement, which was previously only limited to the Master of the vessel.

- (i) owner of Indian vessel, and
- (ii) recruitment and placement service agencies for Indian or foreign vessels

Environmental Protection



*Environmental protection is a key focus of the Act, **mandating compliance** with international conventions such as **MARPOL**, the **Ballast Water Management Convention**, and the **Anti-Fouling Systems Convention**.

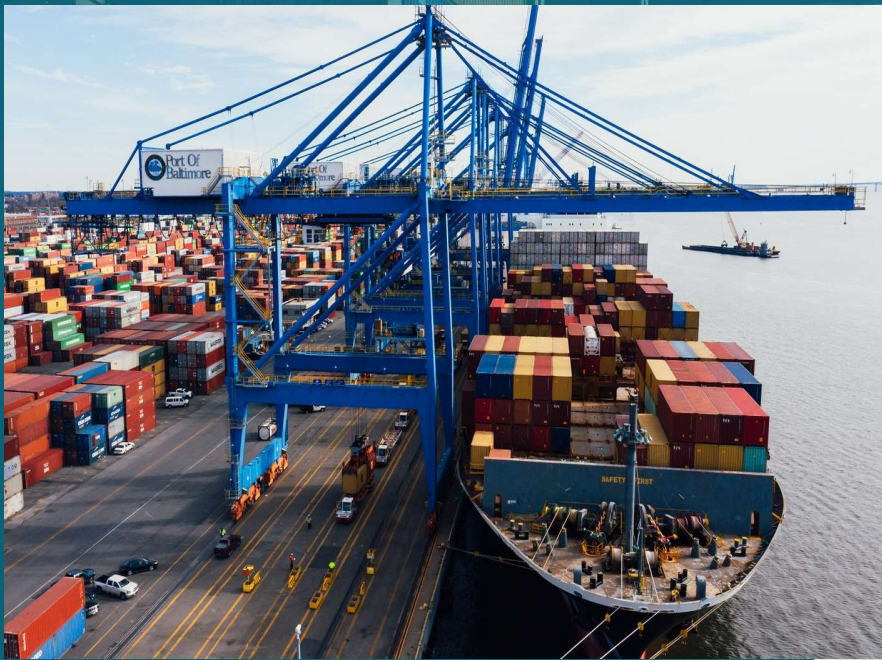
*Vessels will be required to obtain pollution prevention certificates, and ports are required to provide adequate reception facilities

Pollution Prevention Standards



*MSA 1958 is primarily focused on the certification and qualifications of marine officers, emphasizing areas such as competency exams and endorsements, with minimal attention to environmental concerns.

Pollution Prevention Standards



*MSA 2025 adopts fresh perspective by introducing clear measures to prevent pollution, which **includes managing pollution risks, reporting incidents & ensuring compliance with International environmental standards**

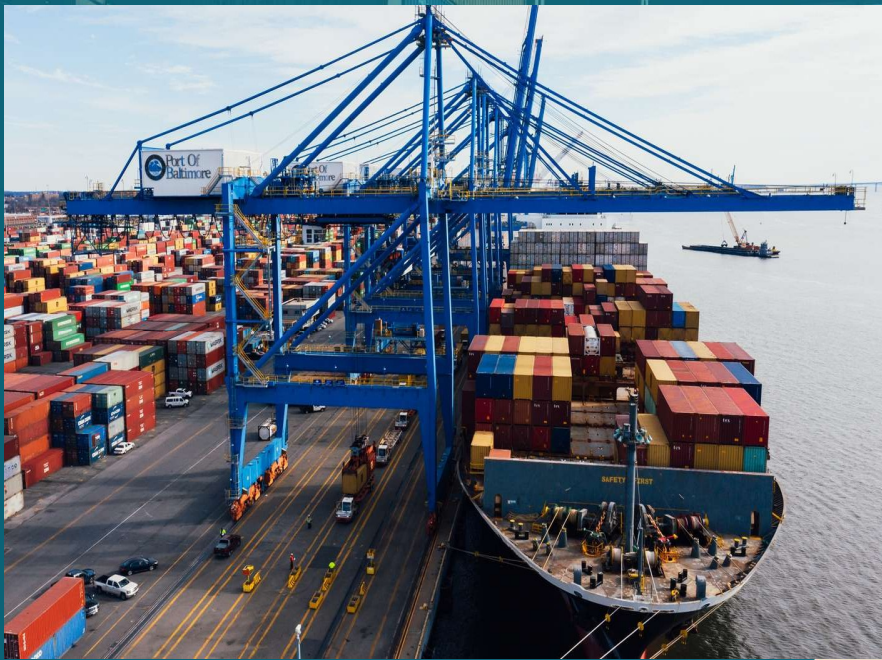
*The 2025 Act **fully integrates the IMO's conventions** for preventing and combating marine pollution, aligning India's maritime regulatory framework with international standards.

Pollution Prevention Standards



- *While the MSA 1958 mandated pollution prevention certificates only for specific vessels, such as:
 - (i) oil tankers of at least 150 gross tons and
 - (ii) other vessels of at least 400 gross tons,
- *MSA 2025 Act extends this requirement to all vessels, regardless of tonnage. While this may lead to slight increase in compliance costs for small operators

To detain vessels in Coastal Waters, which are without Nationality



*The new MSA 2025 empowers the central government to take charge and detain vessels within India or in coastal waters as a vessel without nationality, if such vessel is not legally entitled to fly the flag of a state or has lost such a right.

Simplified and Digital Registration



*The Act introduces digitalization, online e-registration, digital certificates, and electronic documentation for ship registration and ownership transfer.

*The Act also grants statutory recognition to electronic agreements, records, and logbooks, in addition to electronic licenses, digital certificates and payments.

Simplified and Digital Registration



*MSA 2025 includes an enabling provision to notify an electronic database for inspections and conducting inspections based on ship risk profiles attributed to ships, thereby creating an efficient PSC and coordinated inspection mechanism.

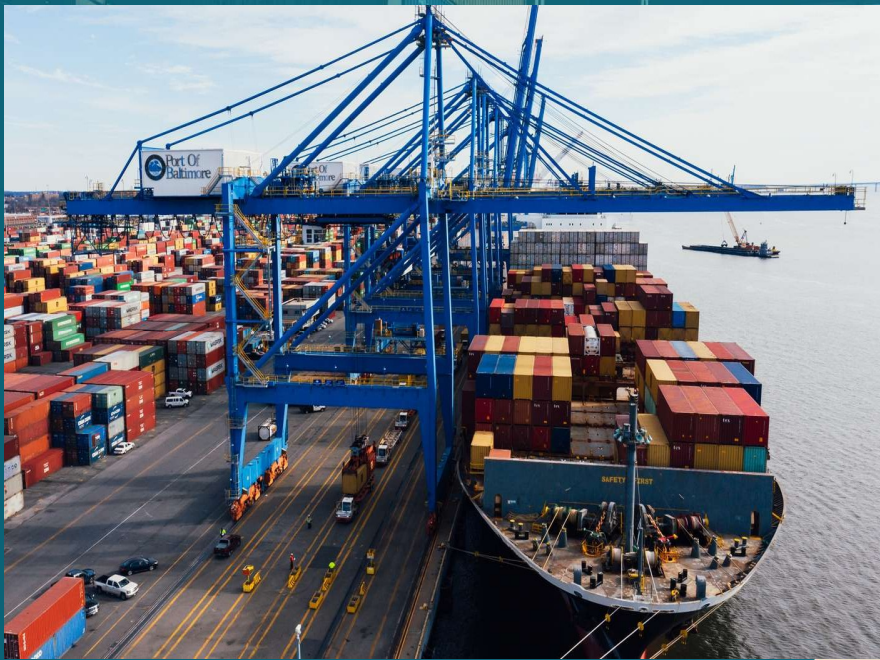
*The Act reduces bureaucracy, cuts time and cost of flagging, and makes Indian registration competitive with open-registry nations.

Survey, Audit and Certification



*Part VIII of 2025, ensures that **every Indian vessel, company, or port** must be regularly surveyed, audited, or certified **to make sure they meet international standards**, especially when it comes to **safety and environmental protection**.

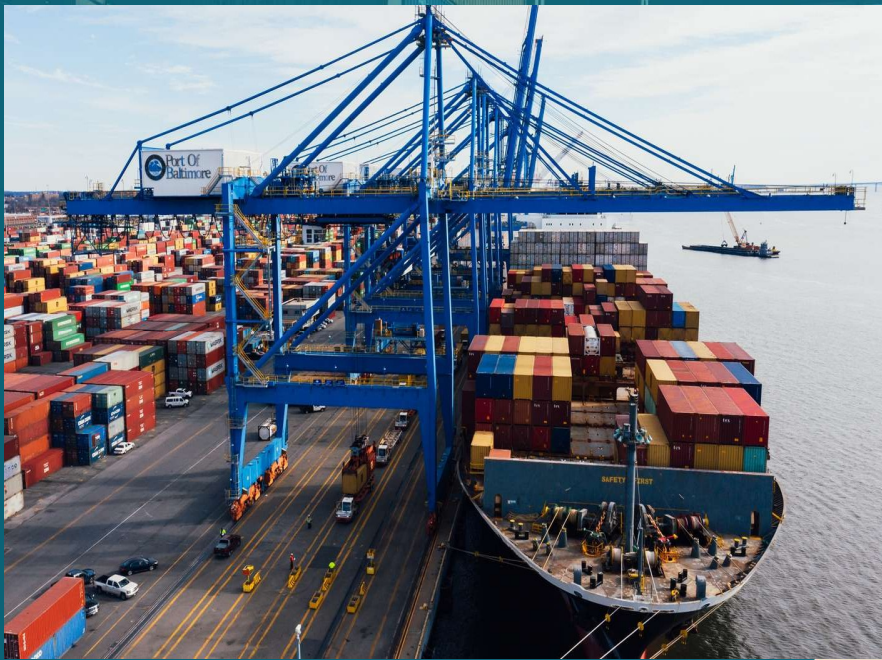
Survey, Audit and Certification



***Surveyors**, who are appointed by the Director-General, **will inspect vessels and ports** to confirm compliance and issue necessary certificates.

***If any changes or issues** arise after certification, the **government can** require a re-survey or even revoke certificates.

Offences and penalties

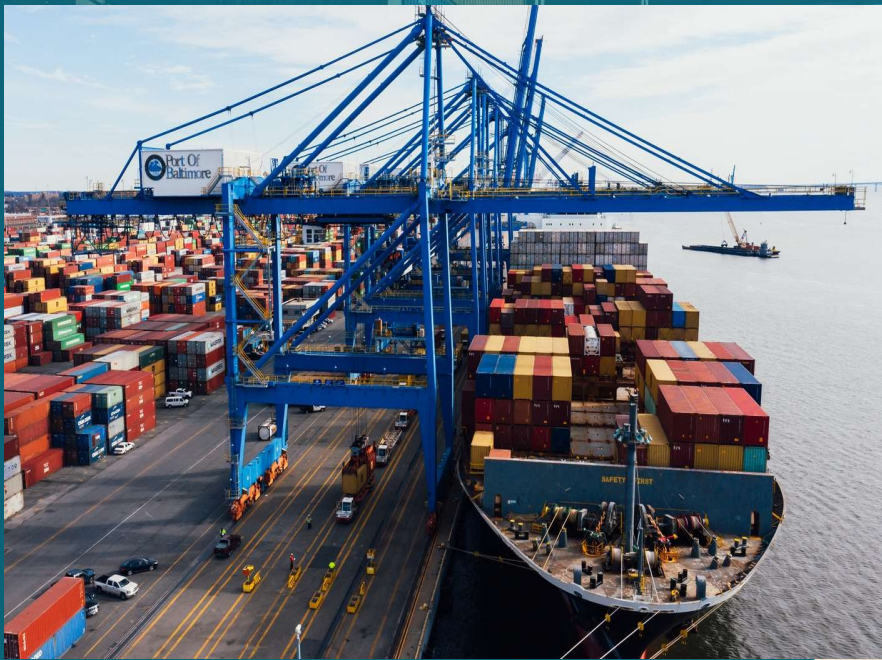


*MSA 2025 retains several offences punishable with imprisonment, fine, or both, like:

- (i) concealment of nationality of the vessel,
- (ii) misconduct of a seafarer endangering life or vessel, and
- (iii) taking a vessel to sea without required certified persons.

*The imprisonment term ranges between one month and two years. The Act has increased fines for these offences.

Offences and penalties



*The 2025 Act also introduces significant changes to the treatment of offences, **decriminalizing certain actions such as:**

- (i) sending an unseaworthy vessel to sea, and
- (ii) failing to comply with the directives of the Director-General

Offences and penalties



*MSA 2025 establishes new offences to address modern challenges. These include:

- (i) operating unlicensed recruitment agencies, punishable by imprisonment, fines, or both, and
- (ii) discharging harmful pollutants into the sea, which attracts a civil penalty.

These changes reflect a balanced approach to enforcement, combining decriminalization with accountability for emerging issues.

Offences and penalties



*The Act also retains most offences punishable with civil penalty. These include:

- (i) fraudulently altering certain certificates, and
- (ii) failure of a ship master to assist another ship in a collision.

Feature/ Provision	MSA 1958	MSA 2025
1. Authority for regulation	DG of shipping	DG of Maritime Administration
2. Number of Sections/Clauses	Ss 461 (18 <u>Parts</u>)	Ss 325 (16 Parts)
3. Vessel Ownership	Only Indian citizens & companies	Indians, NRIs, OCIs, Co-ops, JVs
4. Registration Scope	Ships >15 G.T. & Fitted with Mechanical means of Propulsion	All vessels incl. offshore units, submersibles, non-displacement crafts
5. Provisional & Temporary Registration for Recycling	No Provision	Provisions Exist
6. Bareboat Charter Registration	Limited Recognition	<u>Recognised & facilitated</u>
7. Expanding the applicability- Because of Definition of Vessel	Limited applicability- because of limited definition of Vessel	Expanded applicability- Enlarged definition of vessel-non motorized And wind powered too
8. National Shipping Board definition	Very <u>general</u>	Highly specific

Feature/ Provision	MSA 1958	MSA 2025
9. Safety and Security Enhancement	Fragmented norms	Most of new conventions incorporated.
10. Liability & compensation	Fragmented norms	Introduces a limitation of Liability and setting up Limitation fund.
11. Maritime Education and Training	Fragmented norms	Elaborate responsibility of DGMA.
12. Minimum age of Employment	14 years	16 years.
13. Seafarer Employment Agreements	Master & Crew	Master, Owner or RPSL with crew
14. International Conventions	Limited Provisions	Full alignment with MARPOL, MLC 2006, Nairobi, Salvage, Bunker Oil
15. Detain vessels in Coastal waters, which are without nationality	No Provisions	There is a provision.
16. Digitalization, Online e-registration, digital certificates electronic documentation	No Provisions	There is a provision.
17. Survey, Audit and Certification	Limited Provisions	Elaborate provisions
18. Offences and penalties	Standard	Reduced for certain Civil cases, Increased for some, Some offences added.



Discussion Time



Thank You
For the Attention!