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STATUTORY INSTRUMENTS

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**2006 No. 3223**

The Merchant Shipping (Inland Waterway and  
Limited Coastal Operations) (Boatmasters'  
Qualifications and Hours of Work) Regulations 2006

PART 1  
GENERAL

**Citation and commencement**

1. These Regulations may be cited as the Merchant Shipping (Inland Waterway and Limited Coastal Operations) (Boatmasters' Qualifications and Hours of Work) Regulations 2006 and come into force—

- (a) for the purposes of regulation 33, on 22nd December 2006;
- (b) for all other purposes, on 1st January 2007.

**Revocation**

2. The Regulations specified in columns (1) and (2) of Schedule 1 to these Regulations are revoked to the extent specified in column (3) of that Schedule.

**Interpretation: general**

3.—(1) In these Regulations, except where the context otherwise requires—

“the 1995 Act” means the Merchant Shipping Act 1995;

“the 1993 Regulations” means the Merchant Shipping (Local Passenger Vessels) (Masters' Licences and Hours, Manning and Training) Regulations 1993(1);

“master” includes every person (except a pilot) having command or charge of a vessel;

“mile” means a nautical mile of 1852 metres;

“passenger” means any person carried in a vessel other than—

- (a) the master, a member of the crew or other person employed or engaged in any capacity on board the vessel on the business of the vessel,
- (b) a person on board the vessel in pursuance of an obligation laid upon the master to carry shipwrecked, distressed or other persons or by reason of any circumstance that neither the master nor the owner could have prevented or forestalled, and
- (c) a child under one year old;

“passenger ship” means a vessel carrying more than 12 passengers;

“pilot” means a person not belonging to a vessel who has the conduct of the vessel;

“sea” does not include waters of category A, B, C or D (and “seagoing” is to be construed accordingly);

“non-United Kingdom ship” has the meaning given in section 307 of the 1995 Act;

“United Kingdom ship” has the meaning given in section 1(3) of the 1995 Act;

“vessel” has the same meaning as “ship” in the 1995 Act;

“voyage” includes an excursion;

“workboat” means a vessel which is not carrying passengers and is not constructed or adapted primarily to carry cargo (as defined in Part 3 of Schedule 3).

- (2) In these Regulations, a reference to waters of a specified category is a reference to—
- (a) waters of that category as specified under or by virtue of the Merchant Shipping (Categorisation of Waters) Regulations 1992(2), and
  - (b) waters in the United Kingdom having the characteristics of waters of that category but not specified as such under or by virtue of those Regulations.

(3) For the purposes of these Regulations, vessels are classified in accordance with the table below:

**Table: Classification of vessels**

<i>Vessels which are passenger ships</i>	
Class IV	Vessels engaged only on voyages in waters of category A, B, C or D
Class V	Vessels engaged only on voyages in waters of category A, B or C
Class VI	Vessels carrying not more than 250 passengers engaged on voyages to sea or in waters of category A, B, C or D, in favourable weather and during restricted periods, in the course of which the vessels are at no time more than 15 miles (exclusive of waters of category A, B, C or D) from their point of departure or more than 3 miles from land
Class VI(A)	Vessels carrying not more than 50 passengers engaged on voyages over a distance of not more than 6 miles to or from isolated communities on the islands or coast of the United Kingdom and in the course of which they are never more than 3 miles from land
<i>Vessels which are not passenger ships</i>	
Class IX(A)	Vessels other than passenger ships and tankers which do not proceed to sea
Class IX(A)(T)	Tankers which do not proceed to sea

(4) In the table in paragraph (3)—

“favourable weather” means fine, clear, settled weather with a sea state such as to cause only moderate rolling or pitching;

“restricted period” means a time during the period commencing on 1st April and ending on 31st October which—

- (a) in the case of a vessel fitted with navigation lights conforming to the Merchant Shipping (Distress Signals and Prevention of Collisions) Regulations 1996(3), is between one hour before sunrise and one hour after sunset, and

(2) [S.I. 1992/2356](#), to which there are amendments not relevant to these Regulations.

(3) [S.I. 1996/75](#), amended by [S.I. 2004/302](#).

- (b) in the case of any other vessel, is between sunrise and sunset.

**Extension of provisions to non-United Kingdom ships**

4.—(1) It is hereby directed that the provisions of—

- (a) sections 47 to 50 and 52 of the 1995 Act (manning of vessels, production of certificates of qualification, etc), in so far as they have not already been so extended, and
- (b) Parts 2 and 4 of these Regulations,

shall extend to the vessels and persons specified in paragraph (2) while they are engaged on voyages of a kind mentioned in regulation 7(3).

(2) The vessels and persons are—

- (a) non-United Kingdom ships of Classes IV, V, VI, VI(A), IX(A) and IX(A)(T), other than pleasure vessels, and
- (b) the masters employed in those vessels.