

## 1980 No. 539

## MERCHANT SHIPPING

**The Merchant Shipping (Modification of Merchant Shipping  
(Safety Convention) Act 1949 and Merchant Shipping Act  
1964) Regulations 1980**

<i>Made - - - -</i>	<i>17th April 1980</i>
<i>Laid before Parliament</i>	<i>2nd May 1980</i>
<i>Coming into Operation</i>	<i>25th May 1980</i>

The Secretary of State in exercise of powers conferred on him by section 22(3)(a) of the Merchant Shipping Act 1979(a) and of all other powers enabling him in that behalf, hereby makes the following Regulations:

1. These Regulations may be cited as the Merchant Shipping (Modification of Merchant Shipping (Safety Convention) Act 1949 and Merchant Shipping Act 1964) Regulations 1980 and shall come into operation on 25th May 1980.

2. The Merchant Shipping (Safety Convention) Act 1949(b) shall be modified by making the modifications set out in column 2 of Schedule 1 hereto in the sections of that Act specified in column 1 of the said Schedule in relation thereto.

3. The Merchant Shipping Act 1964(c) shall be modified by making the modifications set out in column 2 of Schedule 2 hereto in the sections of that Act specified in column 1 of the said Schedule in relation thereto.

*Norman Tebbit,*  
Parliamentary Under-Secretary of State,  
Department of Trade.

17th April 1980.

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(a) 1979 c. 39.

(b) 1949 c. 43, as amended by section 85 of and Schedule 1 to the Merchant Shipping Act 1970 (c. 36) and section 1 (2) of the Merchant Shipping (Safety Convention) Act 1977 (c. 24).

(c) 1964 c. 47, as amended by section 1(3) of the Merchant Shipping (Safety Convention) Act 1977.

*(See Regulation 2)*

**SCHEDULE 1**  
**MODIFICATION OF MERCHANT SHIPPING (SAFETY CONVENTION) ACT 1949**

(1) Section	(2) Modification
3(1)	Delete "(in this Act called "radio rules")".
3(3)	For "Radio rules" substitute "Rules made under this section".
3(4), (5) & (6)	For "radio rules" in each case substitute "rules made under this section".
5(1)	Delete "(in this Act called "rules for direction-finders")".
36(1)	<p>(a) For the definition of "Radio rules" substitute—  "Radio rules" means—</p> <p>(i) in relation to United Kingdom ships to which the Merchant Shipping (Radio Installations) Regulations 1980(a) apply, and other Safety Convention ships to which those Regulations apply while they are in the United Kingdom or the territorial waters thereof, those Regulations; and</p> <p>(ii) in relation to other ships, rules made under section 3 of this Act;";</p> <p>(b) For the definition of "Rules for direction-finders" substitute—  "Rules for direction-finders" means—</p> <p>(i) in relation to United Kingdom ships to which the Merchant Shipping (Navigational Equipment) Regulations 1980(b) apply, and other Safety Convention ships to which those Regulations apply while they are in the United Kingdom or the territorial waters thereof, those Regulations; and</p> <p>(ii) in relation to other ships, rules made under section 5 of this Act;";</p> <p>(c) For the definition of "Rules for life-saving appliances" substitute—  "Rules for life-saving appliances" means—</p> <p>(i) in relation to United Kingdom ships to which the Merchant Shipping (Life-Saving Appliances) Regulations 1980(c) apply, and other Safety Convention ships to which those Regulations apply while they are in the United Kingdom or the territorial waters thereof, those Regulations, the Merchant Shipping (Musters) Regulations 1980(d), the Merchant Shipping (Pilots Ladders and Hoists) Regulations 1980(e) and either the Merchant Shipping (Fire Appliances) Regulations 1980(f) or the Merchant Shipping (Fire Appliances) Rules 1965(g), whichever apply to the ship; and</p> <p>(ii) in relation to other ships, rules made under section 427 of the principal Act as substituted by section 2 of this Act and amended by section 9 of the Merchant Shipping Act 1964(h)"; and</p> <p>(d) Insert the following definition at the end—  "United Kingdom ship" has the same meaning as in section 21(2) of the Merchant Shipping Act 1979(i);".</p>

(a) S.I. 1980/529.

(b) S.I. 1980/530.

(c) S.I. 1980/538.

(d) S.I. 1980/542.

(e) S.I. 1980/543.

(f) S.I. 1980/544.

(g) S.I. 1965/1106, as amended by S.I. 1974/2185, 1980/541.

(h) 1964 c. 47.

(i) 1979 c. 39.

*(See Regulation 3)*

## SCHEDULE 2

## MODIFICATIONS OF THE MERCHANT SHIPPING ACT 1964

(1) Section	(2) Modification
2(1)	Delete "(in this Act referred to as "cargo ship construction and survey rules)".
2(3), (4) & (5)	For "cargo ship construction and survey rules" in each case substitute "rules made under this section".
3(1), 5(1) & (3)	For "section 2 of this Act applies" substitute in each case "section 2 of this Act or the 1980 Regulations apply".
7(1)	For "cargo ship construction and survey rules" substitute "rules made under section 2 of this Act".
19	After section 19 there shall be added a new section as follows— <i>"Interpretation</i> 20. In this Act— "cargo ship construction and survey rules" means— (i) in relation to United Kingdom ships to which the 1980 Regulations apply, and other Safety Convention ships to which those Regulations apply while they are in the United Kingdom or the territorial waters thereof, those Regulations; and (ii) in relation to other ships, rules made under section 2 of this Act; "the 1980 Regulations" means the Merchant Shipping (Cargo Ship Construction and Survey) Regulations 1980(a)".

## EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These Regulations modify the references in the Merchant Shipping (Safety Convention) Act 1949 to the "life-saving appliances rules", the "radio rules" and the "rules for direction-finders".

Those expressions will now mean, in relation to United Kingdom ships, or ships of countries party to the Safety of Life at Sea Convention 1974 whilst in the United Kingdom, the equivalent regulations made under section 21 of the Merchant Shipping Act 1979 in cases when those regulations apply. For other ships the expressions will continue to mean the rules for life-saving appliances made under section 427 of the Merchant Shipping Act 1894 (c. 60), or the radio rules or rules for direction-finders made under sections 3 and 5 respectively of the Act of 1949.

The Regulations also modify the references in the Merchant Shipping Act 1964 to "cargo ship construction and survey rules" to a similar extent.

