
 STATUTORY INSTRUMENTS

1980 No. 686

MERCHANT SHIPPING

**The Merchant Shipping (Code of Safe Working Practices)
Regulations 1980**

<i>Made - - - -</i>	<i>15th May 1980</i>
<i>Laid before Parliament</i>	<i>27th May 1980</i>
<i>Coming into Operation</i>	<i>7th July 1980</i>

The Secretary of State, after consulting with the persons referred to in section 22(2) of the Merchant Shipping Act 1979(a), in exercise of powers conferred on him by sections 21(1)(a), (4)(a) and (6)(b) of that Act and of all other powers enabling him in that behalf, hereby makes the following Regulations:

1.—(1) These Regulations may be cited as the Merchant Shipping (Code of Safe Working Practices) Regulations 1980 and shall come into operation on 7th July 1980.

(2) In these Regulations:

“the Code” means the Department of Trade publication entitled “Code of Safe Working Practices for Merchant Seamen” published in 1978 by Her Majesty’s Stationery Office;

“fishing vessel” means a vessel which is for the time being employed in sea fishing;

“Merchant Shipping Notice” means a Notice described as such issued by the Department of Trade and published by Her Majesty’s Stationery Office;

“pleasure craft” means a vessel primarily used for sport or recreation, and

“United Kingdom ship” has the same meaning as in section 21(2) of the Merchant Shipping Act 1979.

(3) Any reference in these Regulations to the Code shall include references to any document amending the same which is considered by the Secretary of State to be relevant from time to time and notified in a Merchant Shipping Notice.

2. These Regulations apply to all United Kingdom ships, except fishing vessels and pleasure craft.

3.—(1) In every ship to which these Regulations apply in which are employed a master and seamen not exceeding 15 persons in all, there shall be carried not less than two copies of the Code, of which one copy shall be kept in the custody of the master, and one copy in a place readily accessible to seamen in the ordinary course of their duties.

(2) In every ship to which these Regulations apply in which are employed a master and seamen exceeding 15 persons in all, there shall be carried not less than one copy of the Code in the custody of each of the following persons:

- (a) the master;
- (b) the chief officer;
- (c) the chief engineer;
- (d) the purser or the catering officer;
- (e) where a safety officer has been appointed pursuant to any regulations made under section 21(1)(a) of the Merchant Shipping Act 1979 for that purpose, that officer;
- (f) where a safety representative has been appointed pursuant to any such Regulations as are referred to in paragraph (e) above, that safety representative; and
- (g) where an accident prevention committee has been appointed pursuant to any such Regulations as are referred to in paragraph (e) above, each member of that committee who requests a copy;

and, in addition, there shall be carried in different places (which shall include the ship's library, if any), readily accessible to seamen in the ordinary course of their duties, not less than one copy of the Code (hereinafter referred to as a "reference copy") for every 25 seamen employed in the ship.

(3) On being so requested by any seaman employed in the ship, the master or any of the persons referred to in paragraph (2)(b) to (f) above, as the case may be, shall make temporarily available to that seaman a copy of the Code.

4. Where reference copies of the Code are required by these Regulations to be carried in a ship, the master of the ship shall cause to be displayed in different places in the ship, being places to which each seaman has access in the ordinary course of his duties, not fewer than three clearly legible notices specifying the places where the reference copies are kept.

5. The owner of any ship to which these Regulations apply shall ensure that the ship carries sufficient copies of the Code as are required to be carried by Regulation 3 above (including one for each member of the Committee referred to in paragraph (2)(g) of that Regulation).

6.—(1) Any person who contravenes Regulation 5 above shall be guilty of an offence and liable on summary conviction to a fine not exceeding £1,000 unless he proves that he has taken all reasonable steps to ensure that sufficient copies of the Code are on board.

(2) Any person who fails without reasonable cause to make available, in accordance with Regulation 3(3) above, a copy of the Code to any seaman who requests it shall be guilty of an offence and liable on summary conviction to a fine not exceeding £1,000.

(3) If a master fails without reasonable cause to comply with Regulation 4 above he shall be guilty of an offence and liable on summary conviction to a fine not exceeding £50.

(4) Any person who knowingly removes a copy of the Code, carried in compliance with these Regulations, from the ship without the consent of the

owner or master shall be guilty of an offence and liable on summary conviction to a fine not exceeding £50.

15th May 1980.

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

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations require masters and other specified persons in United Kingdom merchant ships to make available to any seaman in the ship who requests it, a copy of the Department of Trade publication entitled "Code of Safe Working Practices for Merchant Seamen" (published in 1978 and obtainable from Her Majesty's Stationery Office). The Regulations require the master of any ship employing more than 15 persons to display notices on the ship specifying the places where copies of the Code are kept. The Regulations also require the owner to ensure, if possible, that the ship is provided with sufficient copies of the Code. Contravention of these requirements is made an offence.

