
 S T A T U T O R Y I N S T R U M E N T S

1985 No. 1216

MERCHANT SHIPPING

SAFETY

**The Merchant Shipping (Radio Installations) (Amendment)
Regulations 1985**

Laid before Parliament in draft

<i>Made - - - -</i>	<i>29th July 1985</i>
<i>Coming into Operation</i>	<i>12th August 1985</i>

The Secretary of State for Transport, after consultation with the persons referred to in section 22(2) of the Merchant Shipping Act 1979(a), in exercise of the powers conferred on him by sections 21(1)(a) and (b) and (2) to (6) and 22 of that Act 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 (Radio Installations) (Amendment) Regulations 1985 and shall come into operation two weeks after they are made.

2. The Merchant Shipping (Radio Installations) Regulations 1980(b) shall be further amended as follows:

- (1) In regulation 13(1) the words "United Kingdom" shall be deleted.
- (2) The following shall be substituted for regulation 31:—

"31.—(1)(a) If a radiotelephone operator or radio officer contravenes any provision of these Regulations, he shall be guilty of an offence and liable on summary conviction to a fine not exceeding £100; and if any person, being the owner or master of the ship, permits such a contravention, he shall be guilty of an offence and liable on summary conviction to a fine not exceeding £1,000 or, on conviction on indictment, to imprisonment for a term not exceeding 2 years and a fine.

(a) 1979 c. 39; section 21(6) was amended by section 49(3) of the Criminal Justice Act 1982 (c. 48).

(b) S.I. 1980/529; relevant amending instrument is S.I. 1984/1223.

(b) If these Regulations are contravened in any other respect in relation to any ship, the owner and master of the ship shall each be guilty of an offence and liable on summary conviction to a fine not exceeding £1,000 or, on conviction on indictment, to imprisonment for a term not exceeding 2 years and a fine.

(2) It shall be a defence for a person charged under these Regulations to show that he took all reasonable precautions to avoid the commission of the offence.”.

Nicholas Ridley,
Secretary of State for Transport.

29th July 1985.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations apply to non-United Kingdom ships the requirements (which already apply to United Kingdom ships) governing radio installations in the Amendments to the International Convention for the Safety of Life at Sea 1974 (SOLAS) adopted on 20th November 1981 by the Maritime Safety Committee of the International Maritime Organization at its 45th Session.

These Regulations further amend the Merchant Shipping (Radio Installations) Regulations 1980. They extend to non-United Kingdom sea-going ships while they are within the United Kingdom or its territorial waters a previous amendment (S.I. 1984/1223), which aligned the United Kingdom watchkeeping requirements on 156.8 MHz with those contained in the 1981 Amendments to SOLAS, Chapter IV (Radiotelegraphy and Radiotelephony).

The Regulations also introduce penalties for shipowners or masters who permit contraventions by radiotelephone operators or radio officers.

The IMO Amendments are contained in the IMO Publication “Amendments to the International Convention for the Safety of Life at Sea, 1974” (Sales number 092 82.01.E) which can be obtained from IMO, 4 Albert Embankment, London SE1 7SR.

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