

1985 No. 660**MERCHANT SHIPPING****The Merchant Shipping (Passenger Ship Construction)
(Amendment) Regulations 1985***Laid before Parliament in draft**Made - - - - - 21st April 1985**Coming into operation in accordance with regulation 1*

The Secretary of State for Transport, after consulting 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 (Passenger Ship Construction) (Amendment) Regulations 1985 and shall come into operation one day after they are made.

2. Regulation 2(2) of the Merchant Shipping (Passenger Ship Construction) (Amendment) Regulations 1981(b) and the Merchant Shipping (Passenger Ship Construction) (Amendment) Regulations 1984(c) are hereby revoked.

3. The Merchant Shipping (Passenger Ship Construction) Regulations 1980(d) shall be amended as follows:

(1) In regulation 1(2), after the definition of “Settling tank” there shall be inserted the following definition:

““Similar stage of construction” means the stage at which:

- (i) construction identifiable with a specific ship begins; and
- (ii) assembly of that ship has commenced comprising at least 50 tonnes or one per cent of the estimated mass of all structural material, whichever is less;”.

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

(b) S.I. 1981/580.

(c) S.I. 1984/1220.

(d) S.I. 1980/535; relevant amendment is S.I. 1984/1220, revoked by these Regulations.

(2) Regulation 1(3) shall be replaced by the following:

“(3) These Regulations apply to United Kingdom passenger ships wherever they may be and to other passenger ships while they are within the United Kingdom or the territorial waters thereof except—

- (i) those of which the keels were laid, or which were at a similar stage of construction, on or after 1st September 1984; and
- (ii) those which, although constructed before that date, were subsequently converted to passenger ships, such conversions having commenced on or after that date.”.

(3) In regulation 3(1) the definition of Class VI(A) shall be replaced by the following definition:

“Class VI(A). Ships carrying not more than 50 passengers for a distance of not more than 6 miles on voyages to or from isolated communities on the islands or coast of the United Kingdom and which do not proceed for a distance of more than 3 miles from land; subject to any conditions which the Secretary of State may impose.”.

(4) The proviso in regulation 5 shall be amended by inserting after the words “Provided that” the number “(i)” and adding as sub-paragraph (ii) the following words:

“and (ii) a United Kingdom passenger ship to which these Regulations apply shall comply with regulations 16 and 17 of the Merchant Shipping (Passenger Ship Construction and Survey) Regulations 1984(a) in substitution for compliance with regulations 16 and 17 of these Regulations.”.

(5) Regulations 124 and 125 shall be deleted.

(6) Regulation 131(1) shall be amended by substituting, after the words “with regulations” “126, 127 and” for “124 to 127, inclusive, and regulations”.

4. The Merchant Shipping (Passenger Ship Construction and Survey) Regulations 1984 shall be amended by replacing regulation 16(6)(b) with the following:

“(b) The hand-operating gear shall be of such a design that the doors can be closed and opened from each side of the door and can be closed from the operating position above the bulkhead deck required by paragraph (5) of this regulation.”.

Nicholas Ridley,
Secretary of State for Transport.

21st April 1985.

(a) S.I. 1984/1216, amended by regulation 4 of these Regulations.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations further amend the Merchant Shipping (Passenger Ship Construction) Regulations 1980 ("the 1980 Regulations") (Regulation 3). They also revoke the Merchant Shipping (Passenger Ship Construction) (Amendment) Regulations 1984 and re-enact them with amendments (Regulations 2 and 3(2) and (3)).

The amendments include the disapplication of the 1980 Regulations as amended from non-United Kingdom ships built as or converted into being passenger ships on or after 1st September 1984 (Regulation 3(2)). This gives effect in part to 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. (The Merchant Shipping (Passenger Ship Construction and Survey) Regulations 1984, which are amended by these Regulations, already apply to United Kingdom ships built or converted on or after 1st September 1984 and are being applied to such other ships, whilst in the United Kingdom or its territorial waters, by the Merchant Shipping (Application of Construction and Survey Regulations to other ships) Regulations 1985 (S.I. 1985/661) coming into force at the same time as these Regulations.)

United Kingdom passenger ships to which the 1980 Regulations apply will now have to comply with the provisions of the Regulations covering ships built or converted on or after 1st September 1984 (i.e. S.I. 1984/1216) which govern means of operating sliding watertight doors and signals and communications for watertight doors (Regulation 3(4)). These provisions in S.I. 1984/1216 are amended to require closing only from the hand-operating position above the bulkhead deck (Regulation 4).

The Regulations delete requirements relating to compasses and depth-sounding devices for new and existing ships. Such requirements are now contained in the Merchant Shipping (Navigational Equipment) Regulations 1984 (S.I. 1984/1203) as amended by S.I. 1985/659. (Regulation 3(5) and (6)).

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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