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1985 No. 661

MERCHANT SHIPPING

**The Merchant Shipping (Application of Construction and Survey Regulations to other ships) 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, in exercise of the powers conferred on him by sections 21(1)(b) and (2) to (6) and 22 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 (Application of Construction and Survey Regulations to other ships) Regulations 1985 and shall come into operation one day after they are made.

2.—(1) The Merchant Shipping (Passenger Ship Construction and Survey) Regulations 1984(b) (“the Passenger Ship Regulations 1984”) (which apply only to new United Kingdom passenger ships and to major repairs, alterations and modifications to existing United Kingdom passenger ships as specified in regulation 1(3) thereof) shall, subject to paragraph (2) of this regulation, apply also to new passenger ships, other than United Kingdom ships, while they are in the United Kingdom or the territorial waters thereof.

(2) Regulations 16, 17 and 20 of the Passenger Ship Regulations 1984 shall not apply to such ships; but such ships shall comply instead with regulations 16, 17 and 19 of the Merchant Shipping (Passenger Ship Construction) Regulations 1980(c).

(3) For the purpose of this regulation “new passenger ship” has the same meaning as in the Passenger Ship Regulations 1984.

3.—(1) The Merchant Shipping (Cargo Ship Construction and Survey) Regulations 1984(d) (“the Cargo Ship Regulations 1984”) (which apply to new sea-going United Kingdom cargo ships of 500 tons or over wherever they may be) shall apply also to new sea-going cargo ships of 500 tons or over, other than United Kingdom ships, while they are within the United Kingdom or the territorial waters thereof.

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

(b) S.I. 1984/1216, amended by S.I. 1985/660.

(c) S.I. 1980/535, to which there are amendments not relevant to these Regulations.

(d) S.I. 1984/1217.

(2) For the purpose of this regulation “new sea-going cargo ships” has the same meaning as in the Cargo Ship Regulations 1984.

4. Notwithstanding regulations 2 and 3 of these Regulations, neither the Passenger Ship Regulations 1984 nor the Cargo Ship Regulations 1984 shall apply to any ship which is not a United Kingdom ship, by reason of her being within the United Kingdom or the territorial waters thereof if she would not have been therein but for stress of weather or any other circumstance which could not have been prevented by the master or the owner or the charterer (if any).

*Nicholas Ridley,*  
Secretary of State for Transport.

21st April 1985.

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#### EXPLANATORY NOTE

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

These Regulations apply to non-United Kingdom ships built or converted on or after 1st September 1984 the requirements (which already apply to such United Kingdom ships) governing passenger ship and cargo ship construction and survey 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.

They apply the Merchant Shipping (Passenger Ship Construction and Survey) Regulations 1984 and the Merchant Shipping (Cargo Ship Construction and Survey) Regulations 1984 to new non-United Kingdom ships while they are in the United Kingdom or its territorial waters, except certain requirements relating to watertight doors and openings in the shell plating in passenger ships. Such passenger ships are required instead to comply with the relevant requirements in the Merchant Shipping (Passenger Ship Construction) Regulations 1980 which are less strict than the requirements of the 1984 Regulations but are in conformity with the 1981 Amendments to SOLAS.

There is an exception for non-United Kingdom ships which come to the United Kingdom only because of stress of weather or similar reasons.

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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