

STATUTORY INSTRUMENTS

1986 No. 1074

MERCHANT SHIPPING

SAFETY

**The Merchant Shipping (Passenger Ship Construction)
(New and Existing Ships) (Amendment) Regulations 1986***Laid before Parliament in draft**Made - - - 25th June 1986**Coming into Operation 1st July 1986*

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 section 21(1)(a) and (b) and (3) and 22(1) 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) (New and Existing Ships) (Amendment) Regulations 1986 and shall come into operation on 1st July 1986.

2. The Merchant Shipping (Passenger Ship Construction and Survey) Regulations 1984(b) shall be further amended as follows:—

- (1) in regulation 6 at the end of the first sentence there shall be added the following proviso:—

“; provided that for a ship of Class II or II(A) such maximum length shall be calculated in accordance with either Part II or Part III of that Schedule”;
- (2) in regulation 48(1)(a)(i) there shall be added after “Merchant Shipping (Life-Saving Appliances) Regulations 1980(a)” the words “or the Merchant Shipping (Life-Saving Appliances) Regulations 1986(b) as applicable” and a further footnote to that regulation shall be added as follows: “(b) S.I. 1986/1066.”;

(a) 1979 c.39.

(b) S.I. 1984/1216 (extended by S.I. 1985/661), to which there is an amendment not relevant to these Regulations.

- (3) in regulation 71(1) at the end there shall be added the following words:—
“and a record of the measurements taken shall be retained on the ship”;
- (4) after regulation 80 the following new regulation shall be inserted:—
“Materials
80A. Asbestos or any material containing asbestos shall not be installed in any part of a ship except that white asbestos may be used in machinery when a substitute material is not available.”;
- (5) in Schedule 1 —
(a) the heading of Part II shall be replaced by the following:—
“PART II
SHIPS OF CLASS I
SHIPS OF CLASSES II AND II(A) OTHER THAN THOSE WHICH
COMPLY WITH PART III OF THIS SCHEDULE”;
- (b) the heading of Part III shall be replaced by the following:—
“PART III
SHIPS OF CLASSES II AND II(A) OTHER THAN THOSE WHICH
COMPLY WITH PART II OF THIS SCHEDULE”;
- (c) in paragraph 8(1) for “93–35” there shall be substituted “95–35”.
- (6) in Schedule 3 —
(a) in paragraph 2(2)(a) for “(i)(a)” there shall be substituted “(1)(a)”;
- (b) in paragraph 2(2)(b) for “(ii)(a)” there shall be substituted “(1)(b)”.

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

- (1) in regulation 1(2) the following definition shall be inserted in the appropriate alphabetical order:
“Favourable weather” means fine, clear, settled weather with a sea state such as to cause only moderate rolling and/or pitching”;
- (2) in regulation 3(1), in the descriptions of Class III and Class VI, for “fine weather” there shall be substituted “favourable weather”.

John Moore,
Secretary of State for Transport.

25th June 1986.

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

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations further amend the Merchant Shipping (Passenger Ship Construction and Survey) Regulations 1984 and the Merchant Shipping (Passenger Ship Construction) Regulations 1980.

The amendments to the 1984 Regulations restrict the use of asbestos in ships; require a record of measurements of noise levels in machinery spaces to be retained on the ship; make clarifying amendments; up-date references to other regulations and provide that a ship of Class II or II(A) may comply either with Part II or with Part III of Schedule I.

The amendment to the 1980 Regulations replaces “fine weather” by “favourable weather” and defines the latter term.

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