

1988 No. 642

MERCHANT SHIPPING

SAFETY

The Merchant Shipping (Closing of Openings in Enclosed Superstructures and in Bulkheads above the Bulkhead Deck) (Application to Non-United Kingdom ships) Regulations 1988

Made - - - - 29th March 1988

Coming into force- 5th April 1988

Whereas a draft of these Regulations has been laid before Parliament and has been approved by a resolution of each House of Parliament in accordance with section 49(4A) of the Merchant Shipping Act 1979(a).

Now therefore the Secretary of State, after consultation with the persons referred to in section 22(2) of the Merchant Shipping Act 1979, in exercise of the powers conferred on him by section 21(1)(c), (3), (4) and (6) and by section 22(1) of that Act and of all other powers enabling him in that behalf, hereby makes the following Regulations:-

Citation, interpretation and application

1. These Regulations may be cited as the Merchant Shipping (Closing of Openings in Enclosed Superstructures and in Bulkheads above the Bulkhead Deck) (Application to Non-United Kingdom ships) Regulations 1988 and shall come into force on the 7th day after the day on which they are made.

2. For the purpose of these Regulations "ro/ro passenger ship" has the same meaning as in the Merchant Shipping (Closing of Openings in Enclosed Superstructures and in Bulkheads above the Bulkhead Deck) Regulations 1988(b).

3. The Merchant Shipping (Closing of Openings in Enclosed Superstructures and in Bulkheads above the Bulkhead Deck) Regulations 1988 ("the principal Regulations") (which apply only to United Kingdom ro/ro passenger ships) shall, subject to regulations 4 and 5 of these Regulations, apply also to ro/ro passenger ships other than United Kingdom ships, while they are within a port in the United Kingdom.

4. The following regulations of the principal Regulations shall not apply to ro/ro passenger ships which are not United Kingdom ships:-

- (a) regulation 4(2) and (3);
- (b) regulation 6(b) to the extent that it relates to regulation 4(2);
- (c) regulation 7(1) and (2) to the extent that it relates to any berth which is not situated within a port in the United Kingdom; and
- (d) regulation 8(2).

(a) 1979 c.39; sections 21(1) and (3) and 49 were amended by section 11 of the Safety at Sea Act 1986 (c.23); section 21(6) was amended by section 49(3) of the Criminal Justice Act 1982 (c.48).
(b) S.I. 1988/317.

5. Notwithstanding the requirements of regulation 3, regulations 6, 7, 8 and 9 of the principal Regulations shall not apply to any ro/ro passenger ship which is not a United Kingdom ship, by reason of her being within a port in the United Kingdom 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).

29th March 1988

Paul Channon
Secretary of State for Transport

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations apply to non-United Kingdom ro/ro passenger ships the requirements of the Merchant Shipping (Closing of Openings in Enclosed Superstructures and in Bulkheads above the Bulkhead Deck) Regulations 1988 while they are within a port in the United Kingdom. These Regulations include such requirements as appear necessary to implement and impose additional, more precise requirements, for the control of watertight and weathertight doors fitted in the hull and enclosed superstructure above the bulkhead deck and for their closing and for relevant entries in the official log book, but only so long as the ship is within such a port.

The Regulations also require the provision of operational instructions for such doors.

There is an exception from certain regulations, for non-United Kingdom ships which come to a port in the United Kingdom only because of stress of weather or similar reasons.

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