
STATUTORY INSTRUMENTS

1989 No. 1798

The Merchant Shipping (Distress Signals and Prevention of Collisions) Regulations 1989

Citation, commencement, interpretation, revocation and modification

1.—(1) These Regulations may be cited as the Merchant Shipping (Distress Signals and Prevention of Collisions) Regulations 1989 and shall come into force on 19th November 1989.

Provided that they shall not come into operation in relation to any vessel until noon zone time on that date in the area in which the vessel is situated.

(2) For the purposes of these Regulations—

(a) “air cushion vehicle” means hovercraft as defined in section 4 of the Hovercraft Act 1968⁽¹⁾

“appropriate authority” means in relation to the United Kingdom, the Secretary of State, and in relation to any other country the authority responsible under the law of that country for promoting the safety of life at sea and the avoidance of collisions;

“date of entry into force of these Regulations” in rule 38 (exemptions) of the International Regulations means:—

- (i) in the case of United Kingdom vessels, 15th July 1977; and
- (ii) in the case of a vessel registered outside the United Kingdom, the date of entry into force of the International Regulations for the State whose flag the vessel is entitled to fly;

“the Hydrographer of the Navy” means the person for the time being appointed to that office by the Admiralty Board;

“the International Regulations” means the International Regulations for Preventing Collisions at Sea 1972⁽²⁾ as amended by Resolution A464 (XII)⁽³⁾ and Resolution A626(15) of the Organization and set out in the Schedule to these Regulations;

“Merchant Shipping Notice” means a Notice described as such and issued by the Department of Transport;

“Notice to Mariners” means an Admiralty Notice to Mariners published by the Hydrographer of the Navy;

“the Organization” means the International Maritime Organization;

“United Kingdom vessel” means a vessel which—

- (i) is registered in the United Kingdom; or
- (ii) is not registered under the law of any country but is wholly owned by persons, each of whom is either a British citizen or a British dependent territory citizen or a body corporate which is established under the law of a part of the United

(1) 1968 c. 59.
(2) Cmnd. 6962.
(3) Cmnd. 8500.

Kingdom and has its principal place of business in a part of the United Kingdom;

- (b) (i) the traffic separation schemes adopted by the Organization, which are referred to in Rule 10(a) of the International Regulations, are the schemes listed in Notice to Mariners No. 17 and therein specified as being so adopted by being marked “*” in the margin, each such scheme being shown in detail on the charts specified in that Notice in relation to that scheme.
- (ii) “Notice to Mariners No. 17” means Notice to Mariners No. 17 in the Annual Summary of Admiralty Notices to Mariners of 1989 and any subsequent Notice to Mariners containing the like material which the Hydrographer of the Navy considers relevant from time to time, being a Notice to Mariners which—
1. replaces Admiralty Notice to Mariners No. 17 of 1979 or
 2. replaces any subsequent Notice to Mariners containing the like material;
- and a reference to any such subsequent Notice to Mariners includes a reference to any Notice to Mariners amending the same which the Hydrographer of the Navy considers relevant from time to time.
- (c) the diagram mentioned in paragraph 7 of Annex I to the International Regulations shall be the diagram specified in the Chromaticity Chart (1975) published by the International Commission on Illumination (CIE);
- (d) the reference to the International Code of Signals in paragraph 3 of Annex IV to the International Regulations is a reference to the International Code of Signals (1969) published by Her Majesty’s Stationery Office as amended by amendments No. 1 of September 1971, No. 2 of July 1973, No. 3 of October 1979, No. 4 of February 1986 and No. 5 of June 1988 all of which amendments are published by Her Majesty’s Stationery Office, and the reference to the Merchant Ship Search and Rescue Manual in that paragraph is a reference to the manual of that name published in 1986 by the Organization; and such references include a reference to any document amending either of those publications which is considered by the Secretary of State to be relevant from time to time and is specified in a Merchant Shipping Notice.
- (3) The Merchant Shipping (Distress Signals and Prevention of Collisions) Regulations 1983⁽⁴⁾ are hereby revoked save for the following provisions:—
- (a) regulation 1(3) and (4)(b) (effect of references to Collision Regulations in the Merchant Shipping Acts 1894–1977) and
 - (b) the modifications to the Merchant Shipping (Safety Convention) Act 1949⁽⁵⁾ set out in Part II of Schedule 2 thereto and regulation 1(5)(b) thereof in so far as it relates to those modifications.
- (4) In the Merchant Shipping (Signals of Distress) Rules 1977⁽⁶⁾, for Rule 2 there shall be substituted the following:—
- “In these Rules the expression “signal of distress” means any of the signals of distress prescribed by regulation 3 of the Merchant Shipping (Distress Signals and Prevention of Collisions) Regulations 1989 for use by vessels (other than seaplanes) as signals of distress.”.

⁽⁴⁾ S.I.1983/708.

⁽⁵⁾ 1949 c. 43.

⁽⁶⁾ S.I. 1977/1010, as amended by S.I. 1983/708.