

1989 No. 662

MERCHANT SHIPPING

**The Merchant Shipping (Merchant Navy Reserve)
Regulations 1989**

<i>Made - - - -</i>	<i>11th April 1989</i>
<i>Laid before Parliament</i>	<i>21st April 1989</i>
<i>Coming into force</i>	<i>12th May 1989</i>

The Secretary of State for Transport in exercise of the powers conferred on him by section 28(4) of the Merchant Shipping Act 1988(a) and of all other powers enabling him in that behalf hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Merchant Shipping (Merchant Navy Reserve) Regulations 1989 and shall come into force on 12th May 1989.

Call-out

2. The Secretary of State may call-out members of the Merchant Navy Reserve if appropriate in the light of the state of international tension and the need to prepare for the defence of the realm. Such call-out may apply to all members of the Merchant Navy Reserve, or to individual members or classes of members.

Notification

3. Each member of the Merchant Navy Reserve shall be served notice of any call-out by such means as the Secretary of State thinks fit. Such notice shall specify a place to which the member must report, if different from his allocated reporting station, and a time by which he must report. In addition the Secretary of State may generally notify members of a call-out by television or radio broadcasts, or notices in newspapers with national circulations.

Reporting

4. Members of the Merchant Navy Reserve personally notified of a call-out shall report to their allocated reporting station or other place of which they are notified, as the case may be, within the time specified: provided that any member who is unable to do so within that specified time shall report as soon as possible to the nearest office of the Merchant Navy Establishment Administration or to the nearest Department of Transport Marine Office.

Service

5.—(1) Service by a member in the Merchant Navy Reserve shall commence when he reports for duty, wherever that takes place, in response to a call-out by the Secretary of State.

(a) 1988 c.12.

(2) Where a member has commenced service in accordance with paragraph (1), he shall serve on any vessel, or at any place of duty, to which he is assigned without absence.

(3) Service in the Merchant Navy Reserve shall continue until a member is notified by the Secretary of State that his call-out is ended, or until the Secretary of State makes a general notification (in the manner specified in regulation 3) that call-out for all or specified members or classes of members is finished, whichever is the sooner (so far as appropriate to him).

Offences

6.—(1) Contravention of the requirement to report for duty in regulation 4 or of the requirement to serve in regulation 5(2) shall be an offence punishable on summary conviction by a fine not exceeding the third level on the standard scale.

(2) It shall be a defence to a charge of contravention of the requirement in regulation 5(2) to serve without absence that the member can show that he had been granted leave of absence.

Signed by authority of the Secretary of State

11th April 1989

Michael Portillo
Minister of State, Department of Transport

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make arrangements for the operation of the Merchant Navy Reserve which the Secretary of State is empowered to establish under section 28 of the Merchant Shipping Act 1988. They set out terms by which the Merchant Navy Reserve can be called-out for service and how members of the Reserve will be notified of a call-out. The Regulations also provide for the reporting of members of the Reserve for service, and define the commencement and ending of that service. Requirements are made of Reservists to report for service when they are personally notified of a call-out and to serve without absence, unless leave has been granted, on any vessel, or at any place of duty, to which they are assigned. Contravention of these requirements constitutes an offence.

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