
STATUTORY INSTRUMENTS

1993 No. 1213

The Merchant Shipping (Local Passenger Vessels)(Masters' Licences and Hours, Manning and Training) Regulations 1993

PART IV

MANNING AND TRAINING

Additional crew

14.—(1) It shall be the duty of an owner of a vessel to which this regulation applies to notify in writing to the Secretary of State—

- (a) the geographical limits within which he proposes that the vessel be navigated;
- (b) the number of crewmen in addition to the master whom the owner considers it appropriate that the vessel should carry when being navigated within the geographical limits so notified; and
- (c) whether the owner considers it appropriate that, when the vessel is being so navigated, a crewman should be the holder of a licence of any grade under Part II of these Regulations.

(2) The Secretary of State may approve—

- (a) the number of crewmen notified in accordance with paragraph (1)(b) above; and
- (b) that a crewman is to be or that no crewman need be the holder of a licence, in accordance with a notification under paragraph (1)(c) above.

(3) A vessel to which this regulation applies shall not proceed on a voyage or excursion unless—

- (a) the Secretary of State has been notified in accordance with paragraph (1) above;
- (b) the Secretary of State has given an approval in accordance with paragraph (2) above; and
- (c) the manning of the vessel is in accordance with the approval given under paragraph (2) above.

(4) Any approval given under this regulation shall be in writing and shall specify the date on which it takes effect and the conditions (if any) on which it is given.

(5) If any provision in paragraph (3) above is contravened the owner and master shall each be guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale.

(6) It shall be a defence to a charge under this regulation to prove that the person charged took all reasonable steps to avoid commission of the offence.

Training in emergency procedures

15.—(1) The owner of a vessel to which this regulation applies shall—

- (a) establish procedures which each of—
 - (i) the person having command of the vessel; and

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(ii) any other person or persons employed or engaged in any capacity on board the vessel; is to observe in the event of an emergency affecting the vessel and, in particular, the action to be taken by persons other than the person having command of the vessel for the purpose of assisting passengers; and

(b) ensure that each of those persons has received on-board training in the procedures to be observed by that person in such an event.

(2) A person who contravenes a requirement of paragraph (1) above shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 4 on the standard scale.

Power to detain

16. In any case where there is a contravention of the requirements of this Part, the vessel in relation to which the contravention takes place shall be liable to be detained, and section 692 (1) to (3) of the Merchant Shipping Act 1894⁽¹⁾ (which provides for enforcing the detention of a ship) shall have effect in relation to the vessel, subject to the modification that, for the words “this Act” wherever they appear, there shall be substituted “Part IV of the Merchant Shipping (Local Passenger Vessels) (Masters' Licences and Hours, Manning and Training) Regulation 1993”.

(1) Section 692 was amended by the Merchant Shipping Act 1979, Schedule VI.