
STATUTORY INSTRUMENTS

1996 No. 147

**MERCHANT SHIPPING
SAFETY**

**The Merchant Shipping (Delegation
of Type Approval) Regulations 1996**

<i>Made</i>	- - - -	<i>29th January 1996</i>
<i>Laid before Parliament</i>		<i>6th February 1996</i>
<i>Coming into force</i>	- -	<i>1st March 1996</i>

Whereas the Secretary of State has consulted the persons referred to in section 86(4) of the Merchant Shipping Act 1995(1) (“the Act”);

And whereas insofar as the following Regulations are made in exercise of the powers conferred by section 85(1)(b) of the Act they relate only to international agreements laid before Parliament before 4th April 1979, or to safety matters and give effect to the amendments already implemented under that paragraph;

Now, therefore, the Secretary of State, in exercise of the powers conferred by—

- (i) section 85(1)(a) and (b) and 86(1) of the Act; and
- (ii) the Merchant Shipping (Prevention of Oil Pollution) Order 1983(2),

and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Merchant Shipping (Delegation of Type Approval) Regulations 1996 and shall come into force on 1st March 1996.

(2) In these Regulations:

- (i) “the Act” means the Merchant Shipping Act 1995;
- (ii) “Merchant Shipping Notice” means a Notice described as such, issued by the Marine Safety Agency of the Department of Transport; and

(1) 1995 c. 21.
(2) S.I.1983/1106, amended by S.I. 1985/2002 and S.I. 1991/2885.

(iii) reference to Merchant Shipping Notice M 1645 includes reference to any Merchant Shipping Notice amending or replacing that Notice which is considered by the Secretary of State to be relevant from time to time.

Delegation of type approval

(a) 2. (1) (a) Notwithstanding any provision (howsoever worded) in any regulations:

(i) having effect as if made under section 85(1)(a) or (b) of the Act; or

(ii) made under the Merchant Shipping (Prevention of Oil Pollution) Order 1983,

requiring the type approval of equipment or arrangements required by any such regulations by the Secretary of State, any of the equipment or arrangements may be of a type approved by any of the persons specified in Merchant Shipping Notice M1645 in relation to that equipment or arrangement.

(b) Any such equipment or arrangement which is of a type approved by any of such persons shall be considered to be approved for the purposes of a provision mentioned in subparagraph (a)(i) or (ii) above.

(2) Any approval given pursuant to this regulation shall be given in writing and shall specify the date when it is to come into force and the conditions, if any, on which it is given.

Signed by authority of the Secretary of State for Transport

Department of Transport
29th January 1996

Goschen
Parliamentary Under Secretary of State,

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations enable certain bodies specified in a Merchant Shipping Notice to give type approval of safety equipment and arrangements for ships under regulations having effect as if made under section 85(1)(a) and (b) (being certain equipment or arrangements prescribed under the Safety of Life at Sea Convention 1974 as amended, or the International Regulations for Preventing Collisions at Sea 1972 as amended), and under regulations made under the Merchant Shipping (Prevention of Oil Pollution) Order 1983 (equipment prescribed under Annex 1 to the International Convention for the Prevention of Pollution from Ships 1973 (as amended)).

Approval of types of equipment and arrangements which was formerly given by the Secretary of State may in future be given by persons specified in a Merchant Shipping Notice in relation to the equipment or arrangements.

Merchant Shipping Notices may be obtained from the Marine Safety Agency, Spring Place, 105 Commercial Road, Southampton, SO15 1EG and from any Marine Office of the Marine Safety Agency.