
STATUTORY INSTRUMENTS

1996 No. 2418

**MERCHANT SHIPPING
SAFETY**

**The Merchant Shipping (Survey and
Certification) (Amendment) Regulations 1996**

<i>Made</i>	- - - -	<i>16th September 1996</i>
<i>Laid before Parliament</i>		<i>25th September 1996</i>
<i>Coming into force</i>	- -	<i>31st October 1996</i>

Whereas so far as these Regulations are made under paragraph (c) of subsection (1) of section 85 of the Merchant Shipping Act 1995⁽¹⁾, they are made only for the purpose of applying to certain other ships provisions of the International Convention for the Safety of Life at Sea Convention, 1974, as amended, and modified by its Protocol of 1978⁽²⁾, implemented under paragraph (b) of that subsection;

Now, therefore the Secretary of State for Transport, after consulting the persons referred to in section 86(4) of the Merchant Shipping Act, in exercise of the powers conferred by sections 85(1) (a), (b) and (c), (3), (5) to (7) and 86(1) of that Act 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 (Survey and Certification) (Amendment) Regulations 1996 and shall come into force on 31st October 1996.

Amendment of Regulations

2.—(1) The Merchant Shipping (Survey and Certification) Regulations 1995⁽³⁾ shall be amended as follows.

(2) In regulation 1(2)—

(a) in the definition of “appropriate Certifying Authority” for sub-paragraph (c) there shall be substituted:

(1) 1995 c. 21.

(2) The Convention, Protocol and amendments are set out in the 1992 consolidated edition of the Convention published by the International Maritime Organisation.

(3) S.I.1995/1210.

- (c) in relation to radio installations of cargo ships, any person authorised by the Secretary of State;”;
 - (b) the words ““British Telecom” means British Telecommunications plc;” shall be omitted;
 - (c) the following definition shall be added:
 - ““initial survey” means a survey required by these Regulations before the ship is put in service;”;
 - (d) in the definition of “radio installations” the word “or” shall be inserted after the words “on board a ship”;
 - (e) in the definition of “relevant regulations” for “M Notice” there shall be substituted the words “Merchant Shipping Notice”.
- (3) In regulation 1(10)(a)—
- (a) the words “regulations 71 to 74” and “both regulations numbered” shall be omitted;
 - (b) for “76” there shall be substituted “77”.
- (4) In regulations 3 and 6 for the words “British Telecom” on each occasion on which they occur there shall be substituted the words “an appropriate Certifying Authority in relation to radio installations for cargo ships”.
- (5) In regulation 11(b), the word “appropriate” shall be deleted.
- (6) In regulation 13—
- (a) at the beginning of paragraph (1)(b) there shall be added the words “Subject to paragraph (1A)”;
 - (b) after paragraph (1) there shall be inserted the following paragraph:
 - “(1A) If a survey to meet the requirements set out in these Regulations is satisfactorily completed within two months before the end of the period for which the Cargo Ship Safety Radio Certificate, issued in respect of a cargo ship of less than 500 tons, was originally issued, that certificate may be withdrawn, and a new certificate may be issued which shall expire 12 months after the end of the said period.”.
- (7) In regulation 15, in paragraphs (1) and (2) after the words “regulation 10(1)(a) or (b)” there shall be inserted the words “, other than one issued under regulation 10(b)(iii),”.
- (8) In regulation 15(4)(d), for the word “Administration” there shall be substituted the word “Government”.
- (9) In regulation 21—
- (a) in sub-paragraph (1)(c) after the word “Certificate” there shall be inserted the words “and a Cargo Ship Safety Construction Certificate”;
 - (b) sub-paragraph (1)(d) shall be omitted;
 - (c) in paragraph (4) the word “either” and the words “has been surveyed for compliance with the relevant regulations applicable to the ships as though it was a United Kingdom ship or it” shall be deleted.

Signed by authority of the Secretary of State for Transport

Department of Transport
16th September 1996

Goschen
Parliamentary Under Secretary of State,

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Merchant Shipping (Survey and Certification) Regulations 1995. The principal amendment provides that the Secretary of State may authorise any person as an appropriate Certifying Authority in relation to radio installations for cargo ships. The reference to British Telecom in relation to such surveys is removed.

The Regulations make other minor amendments.

Merchant Shipping Notices may be obtained from Eros Marketing Support Services, Unit B, Imber Court Trading Estate, Orchard Lane, East Molesley, Surrey KT8 0BN, or any Department of Transport Marine Office.