
STATUTORY INSTRUMENTS

1999 No. 2723

The Merchant Shipping (Life-Saving Appliances For Passenger Ships Of Classes III To VI(A)) Regulations 1999

PART I

PRELIMINARY

Citation, commencement and revocation

1.—(1) These Regulations may be cited as the Merchant Shipping (Life-Saving Appliances for Passenger Ships of Classes III to VI(A)) Regulations 1999 and shall come into force on 29th October 1999.

(2) The Merchant Shipping (Life-Saving Appliances for Passenger Ships of Classes III to VI(A)) Regulations 1992(1) are hereby revoked.

Commencement Information

II Reg. 1 in force at 29.10.1999, see **reg. 1(1)**

Interpretation

2.—(1) In these Regulations—

- (a) a reference to a numbered Schedule is, unless otherwise stated, a reference to the Schedule of that number in Merchant Shipping Notice MSN 1676 (M);
- (b) any reference in these Regulations to a British Standard shall also include a reference to the equivalent CEN Standard.

(2) In these Regulations, except where the context otherwise requires—

“buoyancy aid” means a device, intended to be worn, complying with the requirements of Part 6 of Schedule 9;

“buoyant apparatus” means flotation equipment (other than lifebuoys, lifejackets and buoyancy aids), complying with the requirements of Schedule 12;

“buoyant lifeline” means a line complying with the requirements of Part 6 of Schedule 8;

“buoyant smoke signal” means a pyrotechnic signal complying with the requirements of Part 4 of Schedule 7;

“Category A, B, C and D waters” means the waters specified as such in Merchant Shipping Notice No. M1719 and cognate expressions shall be construed accordingly;

“certificated person” means a member of the crew who holds either—

- (a) a Certificate of Proficiency in Survival Craft under the Merchant Shipping (Certificates of Proficiency in Survival Craft) Regulations 1984⁽²⁾ or such certificate issued by or under the authority of any government outside the United Kingdom, as is accepted by the Secretary of State as being the equivalent to a certificate issued under those Regulations; or
- (b) a Certificate of Proficiency as Lifeboatman issued before 28th April 1984 by or under the authority of the Secretary of State or such certificate issued before 28th April 1984 by or under the authority of any government outside the United Kingdom, as is accepted by the Secretary of State as being the equivalent of such a certificate issued by or under the authority of the Secretary of State;

“certified” means certified by a certificate issued under regulation 10 of the Merchant Shipping (Survey and Certification) Regulations 1995⁽³⁾;

^{F1}
...

[^{F2}“EEA State” has the meaning given by Schedule 1 to the Interpretation Act 1978 .]

“embarkation ladder” means a ladder provided at embarkation stations to permit safe access to survival craft after launching, complying with the requirements of Part 5 of Schedule 6;

“favourable weather” means fine, clear, settled weather with a sea state such as to cause only moderate rolling and/or pitching;

“general emergency alarm system” means a system complying with the requirements of Schedule 11;

“inflatable lifejacket” means a lifejacket complying with the requirements of Part 4 of Schedule 9;

“inflatable Civil Aviation Authority lifejacket” means a lifejacket which has been approved by the United Kingdom Civil Aviation Authority;

“inflated boat” means a boat suitable for rescuing persons in distress and marshalling liferafts, complying with the requirements of Schedule 3;

“instructions for on-board maintenance” means the instructions complying with the requirements of Part 2 of Schedule 14;

“international voyage” means a voyage from a country to which the International Convention for the Safety of Life at Sea 1974⁽⁴⁾ applies to a port outside that country, or conversely;

“launching appliance” means a provision for safely transferring a lifeboat or rescue boat, liferaft or inflated boat, from its stowed position to the water, and recovery where applicable, complying with the requirements of Part 1 and the relevant requirements of Parts 2, 3 or 4 of Schedule 6;

“length” means 96% of the total length on a waterline of a ship at 85% of the least moulded depth measured from the top of the keel, or the length from the fore-side of the stem to the axis of the rudder stock on that waterline, if that be greater. In ships designed with a rake of keel the waterline on which this is measured shall be parallel to the designed waterline;

“lifeboat” means a lifeboat complying with the requirements of Parts 2 and 3 of Schedule 2;

“lifebuoy” means a lifebuoy complying with the requirements of Schedule 8;

“lifejacket” means a lifejacket complying with the requirements of Schedule 9;

“liferaft” means a liferaft complying with the requirements of Schedule 4;

(2) S.I. 1984/97.

(3) S.I. 1995/1210, to which there are amendments not relevant to these Regulations.

(4) Cmnd. 7874.

“linethrowing appliance” means an appliance complying with the requirements of Part 5 of Schedule 7;

“marine escape system” means a system complying with the requirements of Schedule 5;

“Merchant Shipping Notice” means a Notice described as such and issued by the Maritime and Coastguard Agency of the Department of the Environment, Transport and the Regions;

“new ship” means a ship whose keel was laid, or which was at a similar stage of construction, after 31st October 1992;

“mile” means a nautical mile of 1852 metres;

“open reversible liferaft” means a liferaft complying with the requirements of Part 4 of Schedule 4;

“Organisation” means the International Maritime Organization;

“passenger ship” means a ship carrying more than 12 passengers;

“person” means a person over the age of one year;

“rescue boat” means a boat complying with the requirements of Parts 7 and 8 of Schedule 2 or Part 2 of Schedule 3, designed to rescue persons in distress and to marshal liferafts;

“restricted period” means a period falling wholly within the following limits—

- (a) from 1st April to 31st October, both dates inclusive; and
- (b) between one hour before sunrise and one hour after sunset in the case of ships fitted with navigation lights conforming to regulations for the prevention of collisions at sea made under section 85 of the Merchant Shipping Act 1995 and between sunrise and sunset in the case of any other ship;

“retro-reflective material” means a material which reflects in the opposite direction a beam of light directed on it, and complies with Marine Guidance Note No. M105;

“rocket parachute flare” means a pyrotechnic signal complying with the requirements of Part 2 of Schedule 7;

“satellite EPIRB” means an emergency position-indicating radio beacon, being an earth station in the mobile-satellite service, the emissions of which are intended to facilitate search and rescue operations and which is capable of—

- (a) floating free if the ship sinks;
- (b) being automatically activated when afloat;
- (c) being manually activated; and
- (d) being carried by one person;

“sea” does not include any waters of Category A, B, C or D;

“self-activating smoke signal” means a signal complying with the requirements of Part 5 of Schedule 8;

“self-igniting light” means a light complying with the requirements of Part 4 of Schedule 8;

“similar stage of construction” means the stage at which construction identifiable with the ship begins and assembly has commenced, comprising at least 50 tonnes or one per cent of the estimated mass of all structural materials, whichever is less;

“survival craft” means a craft capable of sustaining the lives of persons in distress from the time of abandoning the ship;

“training manual” means a manual complying with the requirements of Part 1 of Schedule 14;

“two-way radiotelephone apparatus” means a portable two-way VHF radiotelephone apparatus in survival craft for communication between survival craft, between survival craft and

ship and between ship and rescue boat complying with, in the case of equipment installed before 23rd November 1996, performance standards adopted by the Organisation contained in Organisation Resolution A.726(18) and, in the case of equipment installed on or after 23rd November 1996, performance standards adopted by the Organisation contained in Organisation Resolution A.809(19);

“voyage” includes an excursion;

“waterproofed” means protected as far as is practicable from the ingress of water.

(a) (3) (a) A reference to “the standard of survivability” is a reference to the standard of survivability given in column 4 of Table 1 or Table 2 of Schedule 2 of MSN 1699 and a figure in the brackets after the Table number is a reference to a row of that number in the Table;

(b) a reference to a one-compartment standard means a unity factor of subdivision and a reference to a two-compartment standard means a 0.5 factor of subdivision; and

(4) Any reference in these Regulations to—

(a) a British Standard;

(b) a Merchant Shipping Notice or a Marine Guidance Note;

(c) SOLAS; or

(d) any Resolution or DETR publication;

shall include—

(i) a reference to any document amending that publication which is considered by the Secretary of State to be relevant from time to time and is specified in a Merchant Shipping Notice, Marine Guidance Note or Marine Information Note; and

(ii) with respect to a British Standard, a reference to a relevant standard of an EEA State ^{F3}

Textual Amendments

F1 Words in reg. 2(2) omitted (20.12.2018) by virtue of The Merchant Shipping (Miscellaneous Provisions) (Amendments etc.) (EU Exit) Regulations 2018 (S.I. 2018/1221), regs. 2(a), **3(2)(i)**

F2 Words in reg. 2(2) substituted (20.12.2018) by The Merchant Shipping (Miscellaneous Provisions) (Amendments etc.) (EU Exit) Regulations 2018 (S.I. 2018/1221), regs. 2(a), **3(2)(i)**

F3 Words in reg. 2(4) omitted (31.12.2020) by virtue of The Merchant Shipping (Miscellaneous Provisions) (Amendments etc.) (EU Exit) Regulations 2018 (S.I. 2018/1221), reg. 2(b), **Sch. para. 14(2)**; 2020 c. 1, Sch. 5 para. 1(1)

Commencement Information

I2 Reg. 2 in force at 29.10.1999, see **reg. 1(1)**

Classification of ships

3. For the purposes of these Regulations passenger ships shall be arranged in Classes as follows—

Class III

ships engaged only on voyages in the course of which they are at no time more than 70 miles by sea from their port of departure nor more than 18 miles from the coast of the United Kingdom, and which are at sea only

	in favourable weather and during restricted periods;
Class IV	ships engaged only on voyages in Category A, B, C and D waters;
Class V	ships engaged only on voyages in Category A, B and C waters;
Class VI	ships engaged only on voyages with not more than 250 passengers on board, to sea, or in Category A, B, C and D waters, in all cases in favourable weather and during restricted periods, in the course of which the ships are at no time more than 15 miles, exclusive of any Category A, B, C and D waters, from their point of departure nor more than 3 miles from land; and
Class VI(A)	ships carrying not more than 50 passengers for a distance of not more than 6 miles on voyages to or from isolated communities on the islands or coasts of the United Kingdom and which do not proceed for a distance of more than 3 miles from land.

Commencement Information

I3 Reg. 3 in force at 29.10.1999, see [reg. 1\(1\)](#)

Application and exemptions

4.—(1) [^{F4}Subject to [^{F5}regulations 4A and 4B] below, and to regulation 5(1) of the Merchant Shipping (Passenger Ships on Domestic Voyages) Regulations 2000 (which relates to passenger ships of Classes III, VI and VI(A) which are 24 metres or over in length and are existing ships, engaged on domestic voyages, for the purposes of those Regulations),] these Regulations apply to ships when operating as passenger ships of Classes III, IV, V, VI and VI(A) on voyages, other than international voyages, wholly or partly within United Kingdom waters.

^{F6}(2)

[^{F7}(3) [^{F8}Subject to paragraph (5),] the Secretary of State may exempt any ship or description of ships from all or any of the provisions of these Regulations (as may be specified in the exemption) if he is satisfied that:

- (a) compliance with such provision is either impracticable or unreasonable in the case of that ship or description of ships, and
- (b) the exemption is subject to such conditions and limitations as will provide a level of safety equivalent to that provided by the provision or provisions from which exemption is being granted.

(4) The Secretary of State may, on giving reasonable notice, alter or cancel any exemption granted under paragraph (3) above.]

[^{F9}(5) Where an application is made for an exemption under paragraph (3)—

Changes to legislation: There are currently no known outstanding effects for the *The Merchant Shipping (Life-Saving Appliances For Passenger Ships Of Classes III To VI(A)) Regulations 1999, PART I.* (See end of Document for details)

- (a) for a period commencing from the date of the ship’s first survey after the second anniversary of the date on which the Merchant Shipping (Safety Standards for Passenger Ships on Domestic Voyages) (Miscellaneous Amendments) Regulations 2022 came into force, and
- (b) which relates to amendments made under those Regulations,
- the Secretary of State may grant an exemption under paragraph (3) without it being subject to the conditions and limitations specified in paragraph (3)(b).]

Textual Amendments

- F4** Words in reg. 4(1) inserted (23.10.2000) by *The Merchant Shipping (Passenger Ships on Domestic Voyages) Regulations 2000 (S.I. 2000/2687)*, reg. 1, **Sch. para. 4(2)**
- F5** Words in reg. 4(1) substituted (29.12.2022) by *The Merchant Shipping (Safety Standards for Passenger Ships on Domestic Voyages) (Miscellaneous Amendments) Regulations 2022 (S.I. 2022/1269)*, regs. 1(b), **4(2)(a)**
- F6** Reg. 4(2) revoked (14.8.2001) by *The Merchant Shipping (Life-Saving Appliances) (Amendment) Regulations 2001 (S.I. 2001/2642)*, regs. 1(1), **2**
- F7** Reg. 4(3)(4) substituted for reg. 4(3) (14.8.2001) by *The Merchant Shipping (Life-Saving Appliances) (Amendment) Regulations 2001 (S.I. 2001/2642)*, regs. 1(1), **3**
- F8** Words in reg. 4(3) inserted (29.12.2022) by *The Merchant Shipping (Safety Standards for Passenger Ships on Domestic Voyages) (Miscellaneous Amendments) Regulations 2022 (S.I. 2022/1269)*, regs. 1(b), **4(2)(b)**
- F9** Reg. 4(5) inserted (29.12.2022) by *The Merchant Shipping (Safety Standards for Passenger Ships on Domestic Voyages) (Miscellaneous Amendments) Regulations 2022 (S.I. 2022/1269)*, regs. 1(b), **4(2)(c)**

Commencement Information

- I4** Reg. 4 in force at 29.10.1999, see **reg. 1(1)**

[^{F10}**4A.** These Regulations do not apply to—

- (a) any passenger ship of Class III, VI or VI(A) which is a new ship, engaged on domestic voyages, for the purposes of the Merchant Shipping (Passenger Ships on Domestic Voyages) Regulations 2000,
- (b) any passenger ship to which the Merchant Shipping (Passenger Ships) (Safety Code for UK Categorised Waters) Regulations 2010 apply,
- (c) any vessel to which the Merchant Shipping (Technical Requirements for Inland Waterway Vessels) Regulations 2010 apply.]

Textual Amendments

- F10** Reg. 4A substituted (20.4.2010) by *The Merchant Shipping (Technical Requirements for Inland Waterway Vessels) Regulations 2010 (S.I. 2010/1075)*, reg. 1(2), **Sch. 2** (with reg. 3)

[^{F11}**4B.**—(1) The amendments made to these Regulations by regulation 4(4) to (12) of the Merchant Shipping (Safety Standards for Passenger Ships on Domestic Voyages) (Miscellaneous Amendments) Regulations 2022 do not apply to a ship until the date of that ship’s first survey after the anniversary specified in regulation 4(5)(a).

(2) For the purposes of paragraph (1), “survey” means the ship’s renewal survey as required by regulation 6(3)(b) of the Merchant Shipping (Survey and Certification) Regulations 2015.]

Changes to legislation: There are currently no known outstanding effects for the The Merchant Shipping (Life-Saving Appliances For Passenger Ships Of Classes III To VI(A)) Regulations 1999, PART I. (See end of Document for details)

.....

Textual Amendments

F11 Reg. 4B inserted (29.12.2022) by The Merchant Shipping (Safety Standards for Passenger Ships on Domestic Voyages) (Miscellaneous Amendments) Regulations 2022 (S.I. 2022/1269), regs. 1(b), **4(3)**

Changes to legislation:

There are currently no known outstanding effects for the The Merchant Shipping (Life-Saving Appliances For Passenger Ships Of Classes III To VI(A)) Regulations 1999, PART I.