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STATUTORY INSTRUMENTS

2000 No. 2558

MERCHANT SHIPPING

SAFETY

**The Merchant Shipping (Life-Saving Appliances for Ships
Other Than Ships of Classes III to VI(A)) (Amendment)
Regulations 2000**

<i>Made - - - -</i>	<i>20th September 2000</i>
<i>Laid before Parliament</i>	<i>22nd September 2000</i>
<i>Coming into force</i>	<i>16th October 2000</i>

The Secretary of State for the Environment, Transport and the Regions, after consulting the persons referred to in section 86(4) of the Merchant Shipping Act 1995(a), in exercise of the powers conferred upon him by section 85(1)(a) and (b), (3) and (5) to (7) and section 86(1) of that Act, 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 (Life-Saving Appliances for Ships Other Than Ships of Classes III to VI(A)) (Amendment) Regulations 2000 and shall come into force on 16 October 2000.

(2) In these Regulations, references to regulations are references to regulations of the Merchant Shipping (Life-Saving Appliances for Ships Other Than Ships of Classes III to VI(A)) Regulations 1999(b).

Passenger ships constructed before 1st July 1986

2.—(1) In regulation 7(3):

- (a) at the beginning of the paragraph there shall be inserted the words “Subject to paragraph (4),”;
- (b) for the word “may” where it first appears there shall be substituted the word “shall”, and
- (c) the words “and may be counted for the purpose of compliance with paragraph (4)” shall be deleted.

(a) 1995 c. 21; sections 85 and 86 were amended by the Merchant Shipping and Maritime Security Act 1997 (c. 8), section 8.

(b) S.I. 1999/2721.

(2) For regulation 7(4), there shall be substituted the following paragraph:

“(4) On ships which are certified to carry not more than 30 persons at least one of the lifeboats required by paragraph (2) shall be a motor lifeboat of not more than 8.5 metres in length which is kept ready for immediate use in an emergency while the ship is at sea.”.

(3) In regulation 7(16)(c)(i), for the words “rescue boats provided pursuant to paragraph (3)” there shall be substituted the words “motor lifeboats provided pursuant to paragraph (3) or (4)”.

(4) In regulation 7(16)(c)(iv), after the word “accepted” there shall be inserted the words “as respects a United Kingdom ship by the Secretary of State and as respects a non-United Kingdom ship by the Administration of the Government of the State whose flag the ship is entitled to fly,”.

(5) In regulation 8(4)—

(a) at the beginning of the paragraph there shall be inserted the words “Subject to paragraph (5),”.

(b) for the word “may” where it first appears there shall be substituted the word “shall”, and

(c) for the words after “motor lifeboat” there shall be substituted the words “and one of them shall be provided with the equipment specified in Part 4 of Schedule 12”.

(6) For regulation 8(5), there shall be substituted the following paragraph:

“(5) On ships which are certified to carry not more than 30 persons at least one of the lifeboats required by paragraph (3) shall be a motor lifeboat of not more than 8.5 metres in length which is kept ready for immediate use in an emergency while the ship is at sea and which is provided with the equipment specified in Part 4 of Schedule 12.”.

(7) In regulation 8(7), sub-paragraph (a) shall be deleted.

(8) In regulation 8(11)—

(a) before sub-paragraph (b) there shall be inserted the following sub-paragraph:

“(a) a satellite EPIRB;” and

(b) in sub-paragraph (b), for the word “sets” there shall be substituted the word “apparatus”.

(9) In regulation 8(19)(a), at the end there shall be inserted the words “Such ships shall comply with the requirements of sub-paragraphs (b), (c) and (d) not later than the first periodical survey after 1st July 2000.”.

(10) In regulation 8(19)(c)(i), for the words “rescue boats provided pursuant to paragraph (4)”, there shall be substituted the words “motor lifeboats provided pursuant to paragraph (4) or (5)”.

Non-passenger ships constructed before 1st July 1986

3.—(1) In regulation 10(12)(c), for the words “a ship of under 500 tons” there shall be substituted the words “a ship of 300 tons or over but under 500 tons”.

(2) In regulation 10(18), for the words “marine escape system” there shall be substituted the words “marine evacuation system”.

(3) In regulation 15(2), “(3),” shall be deleted, and at the end of the paragraph there shall be inserted the words “Each lifeboat required through the application of those provisions shall be not less than 7.3 metres in length.”.

(4) In regulation 16(2), “(3),” shall be deleted, and at the end of the paragraph there shall be inserted the words “Each lifeboat required through the application of those provisions shall be not less than 7.3 metres in length.”.

(5) In regulation 17(2):

(a) “(3),” shall be deleted,

(b) for the words “it applies to” there shall be substituted the words “they apply to ships of”, and

(c) at the end of the paragraph there shall be inserted the words “Each lifeboat required through the application of those provisions shall be not less than 7.3 metres in length.”.

(6) In regulation 20, for everything before paragraph (2) there shall be substituted the following:

“Ships of Class XI

20.—(1) This regulation applies to ships of Class XI.”.

(7) In regulation 20(8)(b) and (c), after the words “500 tons or over” there shall be inserted the words “but under 1,600 tons”.

(8) In regulation 20(8)(b), for the words “two-way radiotelephone apparatus” there shall be substituted the words “two-way VHF radiotelephone apparatus”.

(9) In regulation 21(7)(b), for the words “not later than the first periodical survey after 1st July 2002” there shall be substituted the words “before 1st July 2003”.

(10) In regulation 28(14), for the words “regulations 7(2), 8(4) and 11(2)” there shall be substituted the words “regulations 7(3), 8(4) and 11(3)”.

(11) In regulation 32(1) and (2), for the words “two-way radiotelephone apparatus” there shall be substituted the words “two-way VHF radiotelephone apparatus”.

(12) In regulation 37(1), for the words “on or before” there shall be substituted the word “before”.

Passenger ships constructed on or after 1st July 1986 and before 1st July 1998

4.—(1) In regulation 42(3)(a)(i) the word “shall” shall be deleted.

(2) In regulation 42(6), for the word “lifeboat” there shall be substituted the word “ship”.

(3) In regulation 43(8), for the word “lifeboat” there shall be substituted the word “ship”.

(4) In regulation 43(18)(a), at the end there shall be inserted the words “Such ships shall comply with the requirements of sub-paragraphs (b), (c) and (d) not later than the first periodical survey after 1st July 2000.”.

(5) In regulation 43(18)(c)(i), after the words “pursuant to” there shall be inserted the words “paragraph (6)”.

(6) In regulation 43(18)(c)(ii), for the word “retrieved” there shall be substituted the word “retrieved”.

Non-passenger ships constructed on or after 1st July 1986 and before 1st July 1998

5.—(1) In regulation 44(4), for sub-paragraph (c) there shall be substituted the following sub-paragraph:

“(c) If the rescue boat required by paragraph (6) is also a totally enclosed lifeboat complying with the requirements of Schedule 2 Parts 3 or 4, its capacity may be included in the aggregate capacity required by sub-paragraph (a), provided that the total capacity available on either side of the ship is at least 150% of the total number of persons on board.”.

(2) In regulation 45(13), for the words “Every such ship” there shall be substituted the words “Every ship”.

(3) In regulation 46(2), for the words “when in Category A, B or C waters” there shall be substituted the words “when engaged in a voyage in only Category A, B or C waters”.

(4) In regulation 46(3), for the words “when in Category A, B, C and D waters” there shall be substituted the words “when engaged in a voyage which is in part in Category A, B or C waters and which is also in part in Category D waters”.

(5) In regulation 48(2)(e), for the words “not later than the first periodical survey after 1st July 2002” there shall be substituted the words “before 1st July 2003”.

(6) In regulation 48(3)(f), for the words “not later than the first periodical survey after 1st July 2001” there shall be substituted the words “before 1st July 2003”.

(7) In regulation 48(4):

(a) for sub-paragraph (a) there shall be substituted the following sub-paragraph:

“(a) one lifebuoy for each two persons on board, provided that at least two lifebuoys are carried; such ships which operate in only Category A, B or C waters shall not be required to carry more than two lifebuoys. One lifebuoy shall be fitted with a self-igniting light and self-activating smoke signal;”, and

(b) in sub-paragraph (e), for the words “not later than the first periodical survey after 1st July 2001” there shall be substituted the words “before 1st July 2003”.

(8) In regulation 50(11), for the words “regulation 53(5)” there shall be substituted the words “regulation 51(5)”.

(9) In regulation 54(1), (2) and (3) for the word “escape”, each time it occurs, there shall be substituted the word “evacuation”.

Passenger ships constructed on or after 1st July 1998

6.—(1) In regulation 63(2):

(a) after paragraph (a), there shall be inserted the word “or”,

(b) after paragraph (b), for the word “or” there shall be substituted the word “and”, and

(c) in paragraph (c), for the words “so approved” there shall be inserted the words “approved as respects a United Kingdom ship by the Secretary of State and approved as respects a non-United Kingdom ship by the Administration of the Government of the State whose flag the ship is entitled to fly”.

(2) In regulation 63(15)(a), for the words “paragraph (7)” there shall be substituted the words “paragraph (7)(b)”.

(3) In regulation 63(17), for sub-paragraph (f) there shall be substituted the following sub-paragraph:

“(f) *Helicopter emergency pick-up or landing area*

(i) Subject to paragraph (ii) below, a helicopter emergency pick-up area shall be provided on a ship complying with the requirements of IAMSAR.

(ii) A ro-ro ship of 130 metres or over in length constructed on or after 1st July 1999 shall not be required to be provided with a helicopter emergency pick-up area but shall be fitted with a helicopter emergency landing area complying with the requirements of MSN 1737.”.

(4) In regulation 64(2), after the words “Schedule 2” there shall be inserted the words “Section 3”.

(5) In regulation 64(3), for the words before sub-paragraph (a) there shall be substituted the words “Every ship which is subdivided in accordance with the requirements of Schedule 2 Section 2 of MSN 1698(M) shall carry—”.

(6) In regulation 64(15), for the words “regulation 23” there shall be substituted the words “regulation 81”.

(7) In regulation 64(20), for sub-paragraph (f) there shall be substituted the following sub-paragraph:

“(f) *Helicopter emergency pick-up or landing area*

(i) Subject to paragraph (ii) below, a helicopter emergency pick-up area shall be provided on a ship complying with the requirements of IAMSAR.

(ii) A ro-ro ship of 130 metres or over in length constructed on or after 1st July 1999 shall not be required to be provided with a helicopter emergency pick-up area but shall be fitted with a helicopter emergency landing area complying with the requirements of MSN 1737.”.

Non-passenger ships constructed on or after 1st July 1998

7.—(1) In regulation 65(2)(a), for the word “liferrafts” there shall be substituted the word “lifeboats”.

(2) In regulation 65(4), for sub-paragraph (c) there shall be substituted the following sub-paragraph:

“(c) If the rescue boat required by paragraph (6) is also a totally enclosed lifeboat complying with the requirements of Schedule 2 Part 4, its capacity may be included in the aggregate capacity required by sub-paragraph (a), provided that the total capacity available on either side of the ship is at least 150% of the total number of persons on board.”.

(3) In regulation 67(2), for the words “when in Category A, B or C waters” there shall be substituted the words “when engaged in a voyage in only Category A, B or C waters”.

(4) In regulation 67(3), for the words “when in Category A, B, C and D waters” there shall be substituted the words “when engaged in a voyage which is in part in Category A, B or C waters and which is also in part in Category D waters”.

(5) In regulation 71(11), for the words “regulation 74(5)” there shall be substituted the words “regulation 72(5)”.

(6) In regulation 84(7), for the words “inflated and rigid inflated rescue boat, inflated boat, inflatable lifejacket and hydrostatic release unit” there shall be substituted the words “inflatable lifejacket, hydrostatic release unit (other than a disposable unit) and marine evacuation system”.

(7) In regulation 84(9), at the beginning, there shall be inserted the following words:

“All repairs, servicing and maintenance of inflated rescue boats shall be carried out in accordance with the manufacturer’s instructions.”.

(8) In regulation 85(4)(b)—

(a) for the word “dispersed” there shall be substituted the word “dispensed”, and

(b) for the words “regulation 7(2) and (8)” there shall be substituted the words “regulation 8(2) and (8)”.

Signed by authority of the Secretary of State
for the Environment, Transport and the Regions

Keith Hill
Parliamentary Under Secretary of State,
Department of the Environment,
Transport and the Regions

20th September 2000

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Merchant Shipping (Life-Saving Appliances for Ships Other Than Ships of Classes III to VI(A)) Regulations 1999 (S.I. 1999/2721) (“the 1999 Regulations”). They have been made in consequence of defects in those Regulations, and are being issued free of charge to all known recipients of those Regulations.

The amendments are mainly made to correct mistaken cross-references and for the purpose of clarification, but the following changes of substance are also made:

- (a) by regulation 2(9), Class II Ro-Ro Passenger Ships constructed before 1st July 1986 are given an additional period to comply with the requirements of regulation 8(19) of the 1999 Regulations,
- (b) by regulation 5(5), (6) and (7)(b), Class XII Ships constructed on or after 1st July 1986 and before 1st July 1998 are given an additional period to comply with certain requirements of regulation 48 of the 1999 Regulations, and
- (c) by regulation 6(6), Class II and II(A) Ro-Ro Passenger Ships constructed on or after 1st July 1998 which are 130 metres or over in length are required to be fitted with a helicopter emergency landing area.

The following three corrections to the Explanatory Note to the 1999 Regulations should also be noted:—

- (a) in paragraph 1, before “1999” insert “29th October”,
- (b) in paragraph 2, for “Julu” substitute “July” and
- (c) in paragraph 3, delete “not”.

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