

STATUTORY INSTRUMENTS

2003 No. 3049

**The Merchant Shipping (Working Time:
Inland Waterways) Regulations 2003**

F1
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Textual Amendments

F1 Pt. 3 heading omitted (5.1.2018) by virtue of [The Merchant Shipping \(Working Time Inland Waterways\) \(Amendment\) Regulations 2017 \(S.I. 2017/1149\)](#), regs. 1(2), **7(2)**

Unmeasured working time

13.—(1) [^{F2}Regulations 6, 6A, 6B, 6C, 6D and 7C do] not apply in relation to a worker where, on account of the specific characteristics of the activity in which he is engaged, the duration of his working time is not measured or pre-determined or can be determined by the worker himself, as may be the case for—

- (a) managing executives or other persons with autonomous decision-taking powers, or
- (b) family workers.

(2) Where part of the working time of a worker is measured or pre-determined or cannot be determined by the worker himself but the specific characteristics of the activity are such that, without being required to do so by the employer, the worker may also do work the duration of which is not measured or pre-determined or can be determined by the worker himself, [^{F3}regulations 6, 6A, 6B, 6C, 6D and 7C] shall apply only to so much of his work as is measured or pre-determined or cannot be determined by the worker himself.

Textual Amendments

F2 Words in [reg. 13\(1\)](#) substituted (5.1.2018) by [The Merchant Shipping \(Working Time Inland Waterways\) \(Amendment\) Regulations 2017 \(S.I. 2017/1149\)](#), regs. 1(2), **17(2)**

F3 Words in [reg. 13\(2\)](#) substituted (5.1.2018) by [The Merchant Shipping \(Working Time Inland Waterways\) \(Amendment\) Regulations 2017 \(S.I. 2017/1149\)](#), regs. 1(2), **17(3)**

Other special cases

^{F4}**14.**

Textual Amendments

F4 Reg. 14 omitted (5.1.2018) by virtue of [The Merchant Shipping \(Working Time Inland Waterways\) \(Amendment\) Regulations 2017 \(S.I. 2017/1149\)](#), regs. 1(2), 18

[^{F5}Emergency situations

14A.—(1) No provision of these regulations shall prevent the master from requiring a worker to perform any hours of work necessary—

- (a) for the immediate safety of—
 - (i) the ship;
 - (ii) persons on board; or
 - (iii) cargo; or
- (b) for the purpose of giving assistance to—
 - (i) other ships; or
 - (ii) persons in distress.

(2) In the circumstances described in paragraph (1), the master may require a worker to perform any hours of work necessary until the normal situation has been restored.

(3) As soon as practicable after the normal situation has been restored, the master shall ensure that any worker who has performed work in a scheduled rest period is provided with an adequate period of rest.]

Textual Amendments

F5 Reg. 14A inserted (5.1.2018) by [The Merchant Shipping \(Working Time Inland Waterways\) \(Amendment\) Regulations 2017 \(S.I. 2017/1149\)](#), regs. 1(2), **18**

Collective and workforce agreements

^{F6}15.

Textual Amendments

F6 Reg. 15 omitted (5.1.2018) by virtue of [The Merchant Shipping \(Working Time Inland Waterways\) \(Amendment\) Regulations 2017 \(S.I. 2017/1149\)](#), regs. 1(2), 19

[^{F7}Seasonal work on passenger ships

15A.—(1) An employer may apply the provisions contained in this regulation to a worker employed on a passenger ship during the season.

- (2) Where an employer applies the provisions of this regulation, working time shall not exceed—
 - (a) 12 hours in any 24 hour period; and
 - (b) 72 hours in any seven day period.
- (3) The worker shall be credited with 0.2 rest days per working day.

(4) At least two rest days shall be granted during every period of 31 days and any remaining rest days shall be granted by agreement but must be taken within the reference period.

(5) In this regulation, “season” means a period of no more than nine consecutive months out of 12 months in which activities are tied to certain times of the year as a result of external circumstances such as weather conditions or tourist demand.]

Textual Amendments

F7 Reg. 15A inserted (5.1.2018) by [The Merchant Shipping \(Working Time Inland Waterways\) \(Amendment\) Regulations 2017 \(S.I. 2017/1149\)](#), regs. 1(2), **19**

Changes to legislation:

There are currently no known outstanding effects for the The Merchant Shipping (Working Time: Inland Waterways) Regulations 2003,