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STATUTORY INSTRUMENTS

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**2003 No. 3049**

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

PART 3

EXCEPTIONS

**Other special cases**

**14.** This regulation<sup>(1)</sup> applies to a worker—

- (a) where the worker is engaged in security and surveillance activities requiring a permanent presence in order to protect property and persons, as may be the case for security guards and caretakers;
- (b) where the worker's activities involve the need for continuity of service or production, as may be the case in relation to—
  - (i) work at docks;
  - (ii) industries in which work cannot be interrupted on technical grounds;
  - (iii) the carriage of passengers on regular urban transport services;
- (c) where there is a foreseeable surge of activity, as may be the case in relation to tourism;
- (d) where the worker's activities are affected by—
  - (i) an occurrence due to unusual and unforeseeable circumstances, beyond the control of the worker's employer;
  - (ii) exceptional events, the consequences of which could not have been avoided despite the exercise of all due care by the employer; or
  - (iii) an accident or the imminent risk of an accident.

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<sup>(1)</sup> Regulation 14 is relevant to regulations 6(5) and 10(4).