

2004 No. 2259

MERCHANT SHIPPING

SAFETY

**The Merchant Shipping (Life-Saving Appliances For Ships
Other Than Ships of Classes III to VI(A)) (Amendment)
Regulations 2004**

<i>Made</i> - - - -	<i>31st August 2004</i>
<i>Laid before Parliament</i>	<i>9th September 2004</i>
<i>Coming into force</i> - -	<i>1st October 2004</i>

The Secretary of State for Transport, 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), (3) and (5) to (7) and section 86(1) of that Act (b) 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 2004 and shall come into force on 1st October 2004.

(2) In these Regulations, “the Principal Regulations” means the Merchant Shipping (Life-Saving Appliances For Ships Other Than Ships of Classes III to VI(A)) Regulations 1999(c).

Amendments to the Principal Regulations

2.—(1) The Principal Regulations are amended in accordance with the following paragraphs of this regulation.

(2) In regulation 7(16)—

(a) at the end of sub-paragraph (a)(ii), there are added the words “and with the requirements of sub-paragraphs (ba), (bb), (bc) and (bd) not later than the first periodical survey after 1st October 2004”; and

(b) after sub-paragraph (b) there is inserted—

“(ba) The liferafts carried on a ro-ro passenger ship shall be fitted with sufficient radar transponders so that there is one radar transponder for every four liferafts.

(a) 1995 c. 21

(b) Section 85 of the Merchant Shipping Act 1995 was amended by sections 8 and 29 of, and Part I of Schedule 7 to, the Merchant Shipping and Maritime Security Act 1997 (c. 28) and by virtue of section 2(3) of the British Overseas Territories Act 2002 (c. 8).

(c) S.I.1999/2721; relevant amending regulations are S.I. 2000/2558 and S.I. 2000/2687.

- (bb) Subject to sub-paragraph (bc), a radar transponder fitted to a liferaft carried by a ro-ro passenger ship shall be capable of—
 - (i) being mounted inside the liferaft so that the antenna of the radar transponder is more than one metre above sea level, and
 - (ii) being erected manually,
 after the liferaft is deployed.
 - (bc) Where a radar transponder is fitted to a canopied reversible liferaft, the radar transponder shall be fitted so that those using the liferaft can readily gain access to and erect the radar transponder.
 - (bd) Every container of a liferaft which is fitted with a radar transponder shall be clearly marked to indicate that the liferaft is so fitted.”.
- (3) In regulation 8(19)—
- (a) at the end of sub-paragraph (a), there are added the words “and with the requirements of sub-paragraphs (ba), (bb), (bc) and (bd) not later than the first periodical survey after 1st October 2004”; and
 - (b) after sub-paragraph (b) there is inserted—
 - “(ba) The liferafts carried on a ro-ro passenger ship shall be fitted with sufficient radar transponders so that there is one radar transponder for every four liferafts.
 - (bb) Subject to sub-paragraph (bc), a radar transponder fitted to a liferaft carried by a ro-ro passenger ship shall be capable of—
 - (i) being mounted inside the liferaft so that the antenna of the radar transponder is more than one metre above sea level, and
 - (ii) being erected manually,
 after the liferaft is deployed.
 - (bc) Where a radar transponder is fitted to a canopied reversible liferaft, the radar transponder shall be fitted so that those using the liferaft can readily gain access to and erect the radar transponder.
 - (bd) Every container of a liferaft which is fitted with a radar transponder shall be clearly marked to indicate that the liferaft is so fitted.”.
- (4) In regulation 42(17)—
- (a) at the end of sub-paragraph (a)(ii), there are added the words “and with the requirements of sub-paragraphs (ba), (bb), (bc) and (bd) not later than the first periodical survey after 1st October 2004”; and
 - (b) after sub-paragraph (b), there is inserted—
 - “(ba) The liferafts carried on a ro-ro passenger ship shall be fitted with sufficient radar transponders so that there is one radar transponder for every four liferafts.
 - (bb) Subject to sub-paragraph (bc), a radar transponder fitted to a liferaft carried by a ro-ro passenger ship shall be capable of—
 - (i) being mounted inside the liferaft so that the antenna of the radar transponder is more than one metre above sea level, and
 - (ii) being erected manually,
 after the liferaft is deployed.
 - (bc) Where a radar transponder is fitted to a canopied reversible liferaft, the radar transponder shall be fitted so that those using the liferaft can readily gain access to and erect the radar transponder.
 - (bd) Every container of a liferaft which is fitted with a radar transponder shall be clearly marked to indicate that the liferaft is so fitted.”.
- (5) In regulation 43(18)—

- (a) at the end of sub-paragraph (a), there are added the words “and with the requirements of sub-paragraphs (ba), (bb), (bc) and (bd) not later than the first periodical survey after 1st October 2004”; and
 - (b) after sub-paragraph (b), there is inserted—
 - “(ba) The liferafts carried on a ro-ro passenger ship shall be fitted with sufficient radar transponders so that there is one radar transponder for every four liferafts.
 - (bb) Subject to sub-paragraph (bc), a radar transponder fitted to a liferaft carried by a ro-ro passenger ship shall be capable of—
 - (i) being mounted inside the liferaft so that the antenna of the radar transponder is more than one metre above sea level, and
 - (ii) being erected manually,
 after the liferaft is deployed.
 - (bc) Where a radar transponder is fitted to a canopied reversible liferaft, the radar transponder shall be fitted so that those using the liferaft can readily gain access to and erect the radar transponder.
 - (bd) Every container of a liferaft which is fitted with a radar transponder shall be clearly marked to indicate that the liferaft is so fitted.”.
- (6) In regulation 63(17)—
- (a) at the end of sub-paragraph (a), there is added—

“Such ships constructed before 1st July 2004 shall comply with the requirements of sub-paragraphs (ba), (bb), (bc) and (bd) not later than the first periodical survey after 1st October 2004.”; and
 - (b) after sub-paragraph (b), there is inserted—
 - “(ba) The liferafts carried on a ro-ro passenger ship shall be fitted with sufficient radar transponders so that there is one radar transponder for every four liferafts.
 - (bb) Subject to sub-paragraph (bc), a radar transponder fitted to a liferaft carried by a ro-ro passenger ship shall be capable of—
 - (i) being mounted inside the liferaft so that the antenna of the radar transponder is more than one metre above sea level, and
 - (ii) being erected manually,
 after the liferaft is deployed.
 - (bc) Where a radar transponder is fitted to a canopied reversible liferaft, the radar transponder shall be fitted so that those using the liferaft can readily gain access to and erect the radar transponder.
 - (bd) Every container of a liferaft which is fitted with a radar transponder shall be clearly marked to indicate that the liferaft is so fitted.”.
- (7) In regulation 64(20)—
- (a) at the end of sub-paragraph (a), there is added—

“Such ships constructed before 1st July 2004 shall comply with the requirements of sub-paragraphs (ba), (bb), (bc) and (bd) not later than the first periodical survey after 1st October 2004.”; and
 - (b) after sub-paragraph (b), there is inserted—
 - “(ba) The liferafts carried on a ro-ro passenger ship shall be fitted with sufficient radar transponders so that there is one radar transponder for every four liferafts.
 - (bb) Subject to sub-paragraph (bc), a radar transponder fitted to a liferaft carried by a ro-ro passenger ship shall be capable of—
 - (i) being mounted inside the liferaft so that the antenna of the radar transponder is more than one metre above sea level, and

- (ii) being erected manually,
after the liferaft is deployed.
- (bc) Where a radar transponder is fitted to a canopied reversible liferaft, the radar transponder shall be fitted so that those using the liferaft can readily gain access to and erect the radar transponder.
- (bd) Every container of a liferaft which is fitted with a radar transponder shall be clearly marked to indicate that the liferaft is so fitted.”.

Signed by authority of the Secretary of State
for Transport

31st August 2004

Tony McNulty
Parliamentary Under Secretary of State
Department for Transport

EXPLANATORY NOTE

(This note is not part of the Order)

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) so as to impose new requirements in respect of liferafts on ro-ro passenger ships.

These Regulations give effect to new regulations 26.1.4 and 26.2.5 of Chapter III of the International Convention for the Safety of Life at Sea (the SOLAS Convention). The new regulations were adopted by the International Maritime Organisation (IMO) on 12 December 2002; (IMO Resolution MSC.134(76)).

A copy of the SOLAS Convention and IMO Resolution MSC.134(76) may be obtained from the International Maritime Organization, 4 Albert Embankment, London SW1 7SR.

A regulatory impact assessment of the effect which this instrument will have on the costs of business has been prepared and copies can be obtained from the Maritime and Coastguard Agency, Spring Place, 105, Commercial Road, Southampton, SO15 1EG. A copy has been placed in each House of Parliament.

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