

SCHEDULE 1

Regulation 11

Recognition of navigability licences

Definition of “navigability licence”

1. In this Schedule “navigability licence” means—

- ^{F1}(a)
- (b) a licence issued by an EEA State which is—
- (i) a navigability licence issued in accordance with Article 2 of [^{F2}Directive 2009/100/EC]^{F3} [^{F4}as it has effect in EU law],
 - (ii) a certificate issued pursuant to the [^{F5}Rhine Vessel Inspection Regulations^{F6} as referred to in Article 1 of Directive 2009/100/EC]^{F4} as it has effect in EU law], or
 - (iii) in the case of a vessel carrying dangerous goods as defined in the [^{F7}European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways^{F8} as referred to in Article 1 of Directive 2009/100/EC]^{F4} as it has effect in EU law], an authorisation in accordance with the requirements laid down in that Agreement.

Textual Amendments

- F1** Sch. 1 para. 1(a) omitted (31.12.2020) by virtue of The Merchant Shipping (Inland Waterways) (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/808), regs. 1(2), **2(6)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F2** Words in Sch. 1 para. 1(b)(i) substituted (23.2.2019) by The Merchant Shipping (Technical Requirements for Inland Waterway Vessels) (Amendment) Regulations 2019 (S.I. 2019/160), regs. 1(2), **14(b)(i)**
- F3** OJ No. L 259, 2.10.2009, p. 8 as amended by Article 36 of Directive (EU) 2016/1629.
- F4** Words in Sch. 1 para. 1(b) inserted (31.12.2020) by The Merchant Shipping (Inland Waterways) (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/808), regs. 1(2), **2(6)(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F5** Words in Sch. 1 para. 1(b)(ii) substituted (23.2.2019) by The Merchant Shipping (Technical Requirements for Inland Waterway Vessels) (Amendment) Regulations 2019 (S.I. 2019/160), regs. 1(2), **14(b)(ii)**
- F6** 2017, issued by the Central Commission for the Navigation on the Rhine.
- F7** Words in Sch. 1 para. 1(b)(iii) substituted (23.2.2019) by The Merchant Shipping (Technical Requirements for Inland Waterway Vessels) (Amendment) Regulations 2019 (S.I. 2019/160), regs. 1(2), **14(b)(iii)**
- F8** 2017, issued by the United Nations Economic Commission for Europe.

Recognition of navigability licences issued by other member States

2. Subject to paragraph 3, where a navigability licence has been issued to a vessel by an EEA State ^{F9}... and that licence is still valid, the vessel may operate on any inland waterway in the United Kingdom ^{F10}...

Changes to legislation: There are currently no known outstanding effects for the The Merchant Shipping (Technical Requirements for Inland Waterway Vessels) Regulations 2010. (See end of Document for details)

Textual Amendments

- F9** Words in Sch. 1 para. 2 omitted (31.12.2020) by virtue of The Merchant Shipping (Inland Waterways) (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/808), regs. 1(2), **2(6)(e)**; 2020 c. 1, Sch. 5 para. 1(1)
- F10** Words in Sch. 1 para. 2 omitted (23.2.2019) by virtue of The Merchant Shipping (Technical Requirements for Inland Waterway Vessels) (Amendment) Regulations 2019 (S.I. 2019/160), regs. 1(2), **14(c)**

Inspection of vessels issued with navigability licences

3.—(1) A ship surveyor may interrupt the passage of a vessel which has been issued with a navigability licence if an inspector has found on inspection that—

- (a) the vessel is in a condition which constitutes a danger to the surroundings, or
- (b) the vessel or its equipment does not satisfy the requirements set out in the navigability licence.

(2) A ship surveyor who decides to interrupt the passage of a vessel under paragraph (1) must notify the master or owner of the vessel, or the owner's representative, of—

- (a) the decision and the detailed reasons on which that decision is based,
- (b) the remedies available to the master, owner or owner's representative, as specified in a Merchant Shipping Notice, and
- (c) the time limits for the pursuit of those remedies.

(3) Where a ship surveyor has interrupted the passage of a vessel in accordance with paragraph (1), the MCA must notify the competent authority of the member State where the navigability licence was issued of the reasons for that decision.

(4) The interruption of the passage of a vessel in accordance with paragraph (1) must not continue after the defects in the vessel have been corrected or the vessel or its equipment has been brought into compliance with the requirements set out in the navigability licence.

SCHEDULE 2

Regulation 14

Amendment of Regulations

<i>Column 1</i>	<i>Column 2</i>
The Merchant Shipping (Emergency Information for Passengers) Regulations 1990 ^{M1}	In regulation 3A, for “Merchant Shipping (Passenger Ships) (Safety Code for UK Categorised Waters) Regulations 2010 apply” substitute “the Merchant Shipping (Passenger Ships) (Safety Code for UK Categorised Waters) Regulations 2010 ^{M2} apply or vessels to which the Merchant Shipping (Technical Requirements for Inland Waterway Vessels) Regulations 2010 apply”.
The Merchant Shipping (Survey and Certification) Regulations 1995 ^{M3}	For regulation 2(1) substitute— “(1) Subject to paragraph (1A), these Regulations apply to United Kingdom ships

Changes to legislation: There are currently no known outstanding effects for the The Merchant Shipping (Technical Requirements for Inland Waterway Vessels) Regulations 2010. (See end of Document for details)

	<p>wherever they may be and to other ships whilst they are in United Kingdom waters.</p> <p>(1A) These Regulations do not apply to—</p> <p>(a) fishing vessels,</p> <p>(b) pleasure vessels,</p> <p>(c) high-speed craft which comply with the requirements of the Merchant Shipping (High-Speed Craft) Regulations 2004 ^{M4},</p> <p>(d) passenger ships to which the Merchant Shipping (Passenger Ships) (Safety Code for UK Categorised Waters) Regulations 2010 apply,</p> <p>(e) vessels to which the Merchant Shipping (Technical Requirements for Inland Waterway Vessels) Regulations 2010 apply.”.</p> <p>Regulation 2(3) is revoked.</p>
<p>The Merchant Shipping (Fire Protection: Small Ships) Regulations 1998 ^{M5}</p>	<p>In regulation 1(7)(b), for sub-paragraph (vi) substitute—</p> <p>“(vi) any passenger ship to which the Merchant Shipping (Passenger Ship) (Safety Code for UK Categorised Waters) Regulations 2010 apply,</p> <p>(vii) any vessel to which the Merchant Shipping (Technical Requirements for Inland Waterway Vessels) Regulations 2010 apply”.</p>
<p>The Merchant Shipping (Code of Safe Working Practices for Merchant Seamen) Regulations 1998 ^{M6}</p>	<p>In regulation 3, for “Merchant Shipping (Passenger Ships) (Safety Code for UK Categorised Waters) Regulations 2010” substitute “the Merchant Shipping (Passenger Ships) (Safety Code for UK Categorised Waters) Regulations 2010 or the Merchant Shipping (Technical Requirements for Inland Waterway Vessels) Regulations 2010”.</p>
<p>The Merchant Shipping (Passenger Ship Construction: Ships of Classes III to VI(A)) Regulations 1998 ^{M7}</p>	<p>For regulation 3A substitute—</p> <p>“3A. These Regulations do not apply to—</p> <p>(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 ^{M8},</p> <p>(b) any passenger ship to which the Merchant Shipping (Passenger Ships) (Safety Code for UK Categorised Waters) Regulations 2010 apply,</p> <p>(c) any vessel to which the Merchant Shipping (Technical Requirements for Inland Waterway Vessels) Regulations 2010 apply.”.</p>
<p>The Merchant Shipping (Counting and Registration of Persons on Board Passenger Ships) Regulations 1999 ^{M9}</p>	<p>In regulation 4(2), for the words after “commercial purposes,” in sub-paragraph (c) substitute—</p> <p>“(d) passenger ship to which the Merchant Shipping (Passenger Ships) (Safety Code for UK Categorised Waters) Regulations 2010 apply, or</p>

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	(e) vessel to which the Merchant Shipping (Technical Requirements for Inland Waterway Vessels) Regulations 2010 apply”.
The Merchant Shipping (Life-Saving Appliances For Passenger Ships of Classes III to VI(A)) Regulations 1999 M10	For regulation 4A, substitute— “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.”.
The Merchant Shipping (Passenger Ships on Domestic Voyages) Regulations 2000 M11	In regulation 4(2), for the words after “port waters,” in sub-paragraph (h) substitute— “ (i) a passenger ship to which the Merchant Shipping (Passenger Ships) (Safety Code for UK Categorised Waters) Regulations 2010 apply, or (j) a vessel to which the Merchant Shipping (Technical Requirements for Inland Waterway Vessels) Regulations 2010 apply”.
The Merchant Shipping (Domestic Passenger Ships) (Safety Management Code) Regulations 2001 M12	For regulation 3(4) substitute— “(4) These Regulations do not apply to passenger ships to which the Merchant Shipping (Passenger Ships) (Safety Code for UK Categorised Waters) Regulations 2010 apply. (5) These Regulations do not apply to vessels to which the Merchant Shipping (Technical Requirements for Inland Waterway Vessels) Regulations 2010 apply.”.
F11 ...	F11 ...
The Merchant Shipping (Bridge Visibility) (Small Passenger Ships) Regulations 2005 M13	In regulation 3(1), for “paragraphs (3) and (4)” substitute “paragraphs (3) to (5)”. For regulation 3(4) substitute— “(4) These Regulations do not apply to passenger ships to which the Merchant Shipping (Passenger Ships) (Safety Code for UK Categorised Waters) Regulations 2010 apply. (5) These Regulations do not apply to vessels to which the Merchant Shipping (Technical Requirements for Inland Waterway Vessels) Regulations 2010 apply.”.
The Merchant Shipping (Passenger Ships) (Safety Code for UK Categorised Waters) Regulations 2010	At the end of regulation 3(2)(d) insert—

“(e) any vessel to which the Merchant Shipping (Technical Requirements for Inland Waterway Vessels) Regulations 2010 apply”.

Textual Amendments

- F11** Words in Sch. 2 table omitted (31.7.2020) by virtue of [The Merchant Shipping \(Safety of Navigation\) Regulations 2020 \(S.I. 2020/673\)](#), reg. 1(1), **Sch. para. 17** (with reg. 3)

Marginal Citations

- M1** [S.I. 1990/660](#). Regulation 3A was added by [S.I. 2010/680](#).
- M2** [S.I. 2010/680](#).
- M3** [S.I. 1995/1210](#). Regulation 2(1) was amended by [S.I. 2010/680](#) and regulation 2(3) was added by [S.I. 2004/302](#).
- M4** [S.I. 2004/302](#).
- M5** [S.I. 1998/1011](#). Regulation 1(7)(b) was revoked as respects certain ships by [S.I. 2000/2687](#) and amended by [S.I. 2000/2687](#), [2004/302](#) and [2010/680](#).
- M6** [S.I. 1998/1838](#). Regulation 3 was amended by [S.I. 2010/680](#).
- M7** [S.I. 1998/2515](#). Regulation 3A was added by [S.I. 2000/2687](#) and amended by [S.I. 2010/680](#).
- M8** [S.I. 2000/2687](#), amended by [S.I. 2004/302](#).
- M9** [S.I. 1999/1869](#). Regulations 4(2) was amended by [S.I. 2010/680](#).
- M10** [S.I. 1999/2723](#). Regulation 4A was added by [S.I. 2000/2687](#) and amended by [S.I. 2010/680](#).
- M11** [S.I. 2000/2687](#). Regulation 4 was amended by [S.I. 2004/302](#) and [2010/680](#).
- M12** [S.I. 2001/3209](#). Regulation 3 was amended by [S.I. 2004/302](#) and [2010/680](#).
- M13** [S.I. 2005/2286](#). Regulation 3 was amended by [S.I. 2010/680](#).

Changes to legislation:

There are currently no known outstanding effects for the The Merchant Shipping (Technical Requirements for Inland Waterway Vessels) Regulations 2010.