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STATUTORY INSTRUMENTS

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**2014 No. 1614**

**The Merchant Shipping (Maritime Labour Convention)  
(Consequential and Minor Amendments) Regulations 2014**

**PART 2**

**Amendments to Secondary Legislation**

**Amendment of the Merchant Shipping (Maritime Labour Convention) (Medical Certification) Regulations 2010**

**13.—(1)** The Merchant Shipping (Maritime Labour Convention) (Medical Certification) Regulations 2010(1) are amended as follows.

(2) In regulation 2—

(a) for the definitions of “medical practitioner” and “sea-going” substitute respectively—

““medical practitioner” means—

- (a) in the case of a practitioner ordinarily resident in the United Kingdom, a fully registered person who—
  - (i) holds a licence to practise; or
  - (ii) meets the criteria specified in Merchant Shipping Notice 1839(M), being criteria which the Secretary of State considers appropriate having regard to the evidence of continuing professional development which such a practitioner must demonstrate in order to obtain a licence to practise; or
- (b) in the case of a practitioner not ordinarily resident in the United Kingdom, a person who meets the criteria specified in Merchant Shipping Notice 1839(M), being criteria which the Secretary of State considers appropriate having regard to the qualifications and other credentials which must be demonstrated by a person falling within paragraph (a);”;

and

““sea-going” in relation to a United Kingdom ship means—

- (a) a ship which operates outside the waters specified as Category A, B, C and D waters in Merchant Shipping Notice 1837(M)(2);
- (b) a ship to which the Merchant Shipping (Survey and Certification) Regulations 1995(3) apply and in respect of which no exemption granted under regulation 2(2) of those Regulations applies;

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(1) [S.I. 2010/737](#).

(2) Merchant Shipping Notice 1837(M) specifies which waters are Category A, B, C and D waters for the purposes of regulation 3(2)(a) of [S.I. 1992/2356](#), as the notice which currently supersedes Merchant Shipping Notice M1504 pursuant to regulation 2 of those Regulations.

(3) [S.I. 1995/1210](#), amended by [S.I. 2004/302](#), [S.I. 2005/2114](#) and [S.I. 2010/1075](#); there are other amending instruments but none is relevant.

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- (c) a ship to which regulation 4 of the Merchant Shipping (Vessels in Commercial Use for Sport or Pleasure) Regulations 1998(4) applies and which falls within the description given in paragraph (3) of that regulation; or
  - (d) a high speed craft in respect of which a permit to operate outside waters of Categories A, B, C or D has been issued in accordance with regulation 8 of the Merchant Shipping (High Speed Craft) Regulations 2004(5);”.
- (b) after the definition of “relevant inspector” insert—
- ““seafarer” means any person, including a master, who is employed or engaged or works in any capacity on board a ship and whose normal place of work is on a ship;”.
- (3) Omit regulation 3.
  - (4) In regulation 5(1)(b), for “regulation 18(1)(b)” substitute “regulation 20”.
  - (5) In regulations 8(1) (wherever it appears), 8(2)(b), 10(1), 12(3), 13(1)(c), 14(5) to (7) and 16(2), for “Merchant Shipping Notice 1822(M)” substitute “Merchant Shipping Notice 1839(M)”.

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(4) [S.I. 1998/2771](#), amended by [S.I. 2002/1473](#) (and see regulation 3 of these Regulations); there is another amending instrument which is not relevant.

(5) [S.I. 2004/302](#), amended by [S.I. 2012/2636](#); there are other amending instruments but none is relevant.