

## SCHEDULE

Regulation 28

### Merchant Shipping (Load Line) Regulations 1998

1. The Merchant Shipping (Load Line) Regulations 1998(1) are amended as follows.
2. In regulation 2—
  - (a) omit the definition of “the 1966 Convention”;
  - (b) omit the definition of “the 1988 Protocol”;
  - (c) for the definition of “appropriate certificate” substitute—

““appropriate certificate” means a United Kingdom Load Line Certificate”;
  - (d) for the definition of “appropriate load line” substitute—

““appropriate load line” means the load line directed to be marked on a ship pursuant to regulation 7(2)(b)”;
  - (e) omit the definition of “Convention country”;
  - (f) omit the definition of “Convention-size”;
  - (g) in the definition of “Exemption Certificate” omit “an International Load Line Exemption Certificate or”;
  - (h) omit the definition of “International Load Line Certificate”;
  - (i) omit the definition of “International Load Line Certificate (1966)”;
  - (j) omit the definition of “International Load Line Exemption Certificate”;
  - (k) omit the definition of “International Load Line Exemption Certificate (1966)”;
  - (l) for the definition of “international voyage” substitute—

““international voyage” means a voyage between a port in the United Kingdom and a port outside the United Kingdom”;
  - (m) in the definition of “Maritime and Coastguard Agency” for “Department of the Environment, Transport and the Regions” substitute “Department for Transport”;
  - (n) omit the definition of “material date”;
  - (o) in the definition of “new ship” for “the material date” substitute “21st July 1968”;
  - (p) omit the definition of “parent country”;
  - (q) for the definition of “pleasure vessel” substitute—
    - “(a) any vessel which at the time it is being used is—
      - (i) in the case of a vessel wholly owned by—
        - (aa) an individual or individuals, used only for the sport or pleasure of the owner or the immediate family or friends of the owner; or
        - (bb) a body corporate, used only for sport or pleasure and on which the persons on board are employees or officers of the body corporate, or their immediate family or friends; and
      - (ii) on a voyage or excursion which is one for which the owner does not receive money for or in connection with operating the vessel or carrying any person, other than as a contribution to the direct expenses of the operation of the vessel incurred during the voyage or excursion; or

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(1) S.I. 1998/2241, amended by S.I. 2000/1335 and S.I. 2005/2114.

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- (b) any vessel wholly owned by or on behalf of a members' club formed for the purpose of sport or pleasure which, at the time it is being used, is used only for the sport or pleasure of members of that club or their immediate family, and for the use of which any charges levied are paid into club funds and applied for the general use of the club,

where, in the case of any vessel referred to in paragraphs (a) or (b), no other payments are made by or on behalf of users of the vessel, other than by the owner; and in this definition "immediate family" means, in relation to an individual, the spouse or civil partner of the individual, and a relative of the individual or the individual's spouse or civil partner; and "relative" means brother, sister, ancestor or lineal descendant;"

- (r) omit the definition of "relevant entry into force date";
  - (s) in the definition of "United Kingdom Load Line Certificate" omit "other than an International Load Line Certificate";
  - (t) omit the definition of "valid Convention certificate";
  - (u) omit paragraph (3).
3. In regulation 4(1)—
- (a) in sub-paragraph (a) after "ships of war" insert ", naval auxiliaries or other ships owned or operated by the United Kingdom government and engaged only on governmental non-commercial service";
  - (b) in sub-paragraph (d) omit "and";
  - (c) after sub-paragraph (e) insert—
    - "(f) new ships of 24 metres or more in length engaged on an international voyage; and
    - (g) existing ships of 150 gross tons or more engaged on an international voyage."
4. In regulation 4(2)(c), omit paragraphs (ii), (iii) and (iv).
5. In regulation 5—
- (a) omit paragraph (1) and (3);
  - (b) for paragraph (2) substitute—

"(2) Subject to paragraph (4) the Secretary of State may exempt any ship from these Regulations."
6. In regulation 6—
- (a) omit paragraph (2);
  - (b) omit paragraph (5)(a);
  - (c) in paragraph 5(b) omit "in the case of any other ship";
  - (d) omit paragraph (6).
7. In regulation 8(3) after "endorse" omit "the International Load Line Certificate, the International Load Line Certificate (1966) or, as the case may be,".
8. In regulation 9—
- (a) for paragraph (1) substitute—

"(1) Subject to the provisions of regulation 10, the Assigning Authority shall issue a United Kingdom Load Line Certificate in respect of a United Kingdom ship which has been surveyed and marked in accordance with these Regulations."
  - (b) omit paragraph (2);

- (c) omit paragraph (5);
  - (d) omit paragraph (6).
- 9.** In regulation 12—
- (a) omit paragraph (1);
  - (b) in paragraph 3(c) for “an appropriate certificate” substitute “a United Kingdom Load Line Certificate”.
- 10.** In regulation 14—
- (a) omit paragraph (1);
  - (b) in paragraph (4) after “paragraph (2)” omit “in respect of a ship registered in a Convention country”.
- 11.** After regulation 37 insert—
- “38.—**(1) The Secretary of State must from time to time—
- (a) carry out a review of the regulatory provision contained in these Regulations, and
  - (b) publish a report setting out the conclusions of the review.
- (2) The first report must be published before 9th March 2023.
- (3) Subsequent reports must be published at intervals not exceeding five years.
- (4) Section 30(3) of the Small Business, Enterprise and Employment Act 2015<sup>(2)</sup> requires that a review carried out under this regulation must, so far as is reasonable, have regard to how the obligations under the 1966 Convention are implemented in other countries which are subject to the obligations.
- (5) Section 30(4) of the Small Business, Enterprise and Employment Act 2015 requires that a report published under this regulation must, in particular—
- (a) set out the objectives intended to be achieved by the regulatory provision referred to in paragraph (1)(a),
  - (b) assess the extent to which those objectives are achieved,
  - (c) assess whether those objectives remain appropriate, and
  - (d) if those objectives remain appropriate, assess the extent to which they could be achieved in another way which involves less onerous regulatory provision.
- (6) In this regulation, “regulatory provision” has the same meaning as in sections 28 to 32 of the Small Business, Enterprise and Employment Act 2015 (see section 32 of that Act).”

### **Merchant Shipping (Fees) Regulations 2006**

- 12.** In Part 1 of Schedule 1 to the Merchant Shipping (Fees) Regulations 2006<sup>(3)</sup>, Section G Load Lines, the Table in paragraph 1 is amended as follows—
- (a) in relation to the entry for the Merchant Shipping (Load Line) Regulations 1998, in column (3) under “2000/1335”, insert “2018/155”; and
  - (b) after the entry relating to the Merchant Shipping (Carriage of Cargoes) Regulations 1999 insert an entry comprising—
    - (i) in column (1), “Merchant Shipping (International Load Line Convention) (Amendment) Regulations 2018”;

<sup>(2)</sup> 2015 c.26. Section 30(3) was amended by the Enterprise Act 2016 (c. 12), section 19.

<sup>(3)</sup> S.I. 2006/2055, amended by S.I. 2006/3225.

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- (ii) in column (2), “2018/155”; and
- (iii) in column (3), “None”.