
STATUTORY INSTRUMENTS

2019 No. 649

**The Merchant Shipping (Passengers' Rights)
(Amendment etc.) (EU Exit) Regulations 2019**

PART 3

Amendment and revocation of retained direct EU legislation

Amendment of Regulation (EC) No 392/2009

6.—(1) Regulation (EC) No 392/2009 of the European Parliament and of the Council of 23 April 2009 on the liability of carriers of passengers by sea in the event of accidents⁽¹⁾ is amended as follows.

- (2) In Article 1 (subject matter)—
- (a) in paragraph 1—
 - (i) in the first paragraph, omit “Community”; and
 - (ii) in subparagraph (a), for “Annex I”, substitute “Part 1 of Schedule 6 to the Merchant Shipping Act 1995⁽²⁾”;
 - (b) in paragraph 2, for “a single Member State”, substitute “the United Kingdom”; and
 - (c) omit paragraph 3.
- (3) In Article 2 (scope)—
- (a) in the first paragraph, for “a single Member State”, substitute “the United Kingdom”;
 - (b) in points (a), (b) and (c), omit “a Member State” in each place that it appears and substitute “the United Kingdom”; and
 - (c) omit the words “Member States may apply this Regulation to all domestic seagoing voyages.”.
- (4) In Article 3 (liability and insurance), in paragraph 1, omit “16 and Articles”.
- (5) In Article 6 (advance payment), in paragraph 1—
- (a) for “EUR 21,000”, substitute “£18,500”; and
 - (b) in the second paragraph, for “Community”, substitute “United Kingdom”.
- (6) In Article 7 (information to passengers)—
- (a) at the beginning of the first paragraph, omit the words from “Without prejudice” to “package tours.”;
 - (b) in the second paragraph, for “a Member State”, on both occasions it appears, substitute “the United Kingdom”; and
 - (c) omit the third paragraph.

(1) OJNo. L 131, 28.5.2009, p. 24.

(2) 1995 c. 21. Part 1 of Schedule 6 was substituted by S.I. 2014/1361.

- (7) Omit Article 8 (reporting).
- (8) In Article 9 (amendments)—
 - (a) in paragraph 1—
 - (i) in the first paragraph, for “Measures designed”, substitute “The Secretary of State may make regulations”;
 - (ii) in the first paragraph, omit the words from “, shall be adopted” to the end of the paragraph; and
 - (iii) omit the second paragraph; and
 - (b) in paragraph 2—
 - (i) for “Measures designed”, substitute “The Secretary of State may make regulations”;
and
 - (ii) omit the words from “shall be adopted” to the end of the paragraph.
- (9) In Article 10 (committee procedure)—
 - (a) for the title, substitute “Regulations”;
 - (b) for paragraph 1, substitute “Any power of the Secretary of State to make regulations is exercisable by statutory instrument.”; and
 - (c) for paragraph 2, substitute “Any statutory instrument is subject to annulment in pursuance of a resolution of either House of Parliament.”.
- (10) Omit Articles 11 (transitional provisions) and 12 (entry into force).
- (11) Omit Annex I.