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STATUTORY INSTRUMENTS

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**2020 No. 501**

**The Merchant Shipping (Life-Saving Appliances  
and Arrangements) Regulations 2020**

**PART 1**

Preliminary

**Exemptions**

**8.—(1)** Subject to paragraph (3), the Secretary of State may exempt from any provision of Part B of Chapter III or Merchant Shipping Notice 1676 (Amendment 1)—

- (a) a ship or class of ship which, during a voyage, does not proceed more than 20 miles from the nearest land, and where the Secretary of State is satisfied that the sheltered nature and conditions of such a voyage makes it unreasonable or unnecessary to apply the provisions of Part B of Chapter III or Merchant Shipping Notice 1676 (Amendment 1);
- (b) a ship employed in special trades<sup>(1)</sup> for the carriage of large numbers of special trade passengers (such as the pilgrim trade) where—
  - (i) the Secretary of State is satisfied that it is impracticable to enforce compliance with the requirements of Part B of Chapter III or Merchant Shipping Notice 1676 (Amendment 1); and
  - (ii) the ship complies with—
    - (aa) the rules annexed to the Special Trade Passenger Ships Agreement, 1971<sup>(2)</sup>; and
    - (bb) the rules annexed to the Protocol on Space Requirements for Special Trade Passenger Ships, 1973<sup>(3)</sup>;
- (c) a ship which does not normally engage on international voyages but is, in exceptional circumstances, required to undertake a single international voyage;
- (d) a ship which embodies features of a novel kind if research into the development of those features and their incorporation in ships engaged on international voyages may be seriously impeded if the ship had to comply with the requirements of Part B of Chapter III or Merchant Shipping Notice 1676 (Amendment 1).

(2) Subject to paragraph (3), the Secretary of State may, in exceptional circumstances not provided for in paragraph (1), exempt from any of the provisions of Part B of Chapter III or Merchant Shipping Notice 1676 (Amendment 1) a ship or class of ship if satisfied that compliance with such provision is either impracticable or unreasonable in the case of that ship or class of ship.

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(1) “Special trade” is defined in Rule 2 of the Special Trade Passenger Ships Agreement, 1971 (Cmnd 7761).

(2) Cmnd 7761. The Special Trade Passenger Ships Agreement, 1971 is available from the International Maritime Organization of 4 Albert Embankment, London SE1 7SR or found on the Foreign and Commonwealth Office treaties database (<http://foto.archivalware.co.uk/data/Library2/pdf/1980-TS0007.pdf>).

(3) Cmnd 7761. The rules annexed to the Protocol on Space Requirements for Special Trade Passenger Ships, 1973 are available from the International Maritime Organization of 4 Albert Embankment, London SE1 7SR or found on the Foreign and Commonwealth Office treaties database (<http://foto.archivalware.co.uk/data/Library2/pdf/1980-TS0007.pdf>).

(3) An exemption under paragraph (1) or (2) may be granted subject to such safety requirements as the Secretary of State thinks fit to ensure the overall safety of the ship.

(4) An exemption granted under paragraph (1) or (2) may, on the giving of reasonable notice, be altered or cancelled.

(5) An exemption granted under paragraph (1) or (2), or an alteration or cancellation under paragraph (4), must—

- (a) be in writing;
- (b) specify the date on which it takes effect; and
- (c) specify the terms, if any, on which it is given.

(6) The requirement that an exemption granted under paragraph (1) or (2), or an alteration or cancellation under paragraph (4), be in writing is satisfied where the text of the approval is—

- (a) transmitted by electronic means;
- (b) received in legible form; and
- (c) capable of being used for subsequent reference.

(7) Where an exemption is granted subject to safety requirements, the exemption ceases to have effect if those requirements are not complied with.

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**Commencement Information**

**11** Reg. 8 in force at 9.6.2020, see [reg. 1\(1\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Merchant Shipping (Life-Saving Appliances and Arrangements) Regulations 2020, Section 8.