
STATUTORY INSTRUMENTS

2020 No. 673

**The Merchant Shipping (Safety
of Navigation) Regulations 2020**

PART 1

Preliminary

Citation, commencement, amendments and revocations

1.—(1) These Regulations may be cited as the Merchant Shipping (Safety of Navigation) Regulations 2020 and come into force on 31st July 2020.

(2) The amendments listed in Part 1 of the Schedule have effect.

(3) The Regulations listed in the first column of the Table in Part 2 of the Schedule are revoked to the extent specified in the third column of that Table.

Interpretation

2. In these Regulations—

“Chapter V” means Chapter V in the Annex to the Convention (relating to safety of navigation)(1);

“Convention” means the International Convention for the Safety of Life at Sea, 1974(2);

“international voyage” means a voyage between—

(a) a port in the United Kingdom and a port outside the United Kingdom; or

(b) a port in a Convention country (other than the United Kingdom) and a port in any other country or territory (whether a Convention country or not) which is outside the United Kingdom,

and, for the purposes of paragraph (b), “Convention country” means a country or territory which is either a country the Government of which is party to the Convention or a territory to

(1) Chapter V was revised and replaced by International Maritime Organization (IMO) Resolution MSC.99(73) (Cm 6001) and has been further amended by IMO Resolutions MSC.123(75) (Cm 6587), MSC.142(77) (Cm 7205), MSC.153(78) (Cm 6387), MSC.170(79), MSC.201(81), MSC.202(81), MSC.282(86), MSC.308(88), MSC.325(90) and MSC.350(92). The amendments to Chapter V are available from the International Maritime Organization of 4 Albert Embankment, London SE1 7SR or found on the Foreign and Commonwealth Office treaties database (<https://treaties.fco.gov.uk/responsive/app/consolidatedSearch/>). See footnote (c) for further information on the Convention.

(2) Cmnd 7874. The Convention may be obtained in copy from the International Maritime Organization of 4 Albert Embankment, London SE1 7SR or found on the Foreign and Commonwealth Office treaties database (<https://treaties.fco.gov.uk/awweb/pdfopener?md=1&did=79786>). The Convention was modified by its Protocol of 1978 (Cmnd 8277), which was replaced and abrogated by the Protocol of 1988 (Cm 5044) with respect to the parties to the 1988 Protocol. The amendments to the Convention are available from the International Maritime Organization of 4 Albert Embankment, London SE1 7SR or found on the Foreign and Commonwealth Office treaties database (<https://treaties.fco.gov.uk/awweb/pdfopener?md=1&did=68013>). Hard copies of the Command Papers are available for inspection free of charge but by appointment at the Parliamentary Archives, Houses of Parliament, London SW1A 0PW. The Parliamentary Archives catalogue numbers for the Command Papers are HL/PO/JO/10/11/2031/2878 (Cmnd 7874), HL/PO/JO/10/11/1959/2032 (Cmnd 8277) and HL/PO/JO/10/11/3156/2280 (Cm 5044).

which the Convention extends whether or not it is subject to the amendments to, or reservations in respect of, the Convention.

Application

3.—(1) Subject to paragraphs (2) and (3), these Regulations apply to—

- (a) United Kingdom ships, wherever they may be; and
- (b) non-United Kingdom ships while they are within United Kingdom waters.

(2) These Regulations do not apply to—

- (a) ships of war and naval auxiliaries;
- (b) ships owned or operated by a State and engaged only on governmental non-commercial service;
- (c) ships solely navigating the Great Lakes of North America and their connecting and tributary waters as far east as the lower exit of the St. Lambert Lock at Montreal in the Province of Quebec, Canada;
- (d) ships to which the Merchant Shipping (Passenger Ships on Domestic Voyages) Regulations 2000⁽³⁾ apply;
- (e) ships to which the Merchant Shipping (Passenger Ships) (Safety Code for UK Categorised Waters) Regulations 2010⁽⁴⁾ apply;
- (f) vessels to which the Merchant Shipping (Technical Requirements for Inland Waterway Vessels) Regulations 2010⁽⁵⁾ apply.

(3) A non-United Kingdom ship flying the flag of a State which is not a party to the Convention is not subject to these Regulations if it would not have been in United Kingdom waters but for stress of weather or any other circumstances which neither the master nor the owner or the charterer could have prevented.

(4) Where persons are on board a ship as a consequence of—

- (a) the circumstances described in paragraph (3); or
- (b) an obligation laid upon the master to carry shipwrecked or other persons⁽⁶⁾,

those persons are not to be taken into account for the purpose of determining the application to that ship of any provision of these Regulations.

(5) For the purposes of this regulation, “non-United Kingdom ship” means any ship other than a United Kingdom ship.

Ambulatory reference

4.—(1) In these Regulations, any reference to Chapter V is to be construed—

- (a) as a reference to Chapter V as modified from time to time; and
- (b) as, if Chapter V is replaced, a reference to the replacement.

(2) For the purposes of paragraph (1), Chapter V is modified or replaced if the modification or replacement takes effect in accordance with Article VIII of the Convention.

(3) S.I. 2000/2687, amended by S.I. 2002/1473, 2003/771, 2004/302, 2004/2883, 2010/680, 2010/1075, 2012/2636, 2018/53 and 2018/1221 (which contains prospective amendments).

(4) S.I. 2010/680, amended by S.I. 2010/1075, 2011/3056 and 2018/1104.

(5) S.I. 2010/1075, amended by S.I. 2018/53, 2019/160, 2019/808 (which contains prospective amendments) and 2020/58.

(6) Regulation 33 in Chapter V places an obligation on the master to provide assistance to persons in distress at sea and this obligation is implemented in these Regulations.

(3) A modification or replacement of Chapter V has effect at the time such modification or replacement comes into force in accordance with Article VIII of the Convention.