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STATUTORY INSTRUMENTS

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**2020 No. 94**

**The Merchant Shipping (Ship-to-Ship Transfers) Regulations 2020**

**Cargo transfers within harbour authority waters**

5.—(1) Subject to regulations 6 (exceptions) and 11 (exemptions), a cargo transfer must not be carried out in harbour authority waters unless it is—

- (a) carried out in accordance with an authorisation of the harbour authority that regulates or manages the waters in which the cargo transfer is carried out;
- (b) a lightening operation; or
- (c) a consolidation operation.

(2) In this regulation—

- (a) “lightening operation” means a cargo transfer carried out—
  - (i) with the prior consent of the harbour authority that regulates or manages the waters in which the operation takes place, and
  - (ii) in order to reduce the draught of the ship transferring the cargo, to enable it to move to shallower waters in the harbour authority waters of that harbour authority; and
- (b) “consolidation operation” means a cargo transfer carried out—
  - (i) between two ships which normally carry out bunkering operations in the harbour authority waters in which the operation takes place,
  - (ii) with the prior consent of the harbour authority that regulates or manages the waters in which the operation takes place, and
  - (iii) for the purpose of rationalising cargo capacity.