
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations implement outstanding amendments to Chapter IV of the International Convention for the Safety of Life at Sea, 1974 (“the Convention”), which relates to radiocommunications, in respect of ships engaged on international voyages.

These Regulations also amend the Merchant Shipping (Radio Installations) Regulations 1998 (S.I. 1998/2070) (“the 1998 Regulations”) to make provision for radiocommunications in relation to ships engaged on non-international voyages.

These Regulations therefore have the effect that the 1998 Regulations cease to apply to ships subject to the Convention requirements, which must only comply with the requirements in these Regulations.

These Regulations contain requirements relating to a ship’s radiocommunications equipment and arrangements. These Regulations apply, with certain limited exceptions, to United Kingdom ships and to non-United Kingdom ships in United Kingdom waters, including ships from countries which are not parties to the Convention.

These Regulations implement all amendments to Chapter IV as at the date on which this instrument comes into force. All future amendments to the provisions of Chapter IV (radiocommunications), and the instruments referred to in them, and Article 47 of the Radio Regulations, will be automatically incorporated into these regulations by way of the ambulatory reference provision (regulation 7) using the power in section 306A of the Merchant Shipping Act 1995.

These Regulations provide for the granting of exemptions (regulation 5) and the approval of equivalents (regulation 6).

Regulations 8 to 12 apply the technical carriage requirements in Chapter IV to ships engaged on international voyages. Regulation 9 makes provision for performance standards (including, for the purpose of compliance by non-UK ships in UK waters, reference to the international standards set out in Annex 1 to Merchant Shipping Notice 1874 (M+F) Amendment 4). Regulation 10 makes provision for watches etc. (including in relation to maintenance requirements, radio personnel and radio records) and where relevant refers to recommendations etc. in Marine Guidance Note 641. Regulation 12 makes it a requirement for specified persons to carry out tests and checks of radio equipment, and to inform the master if radio equipment is defective.

Regulation 13 makes provision for a number of offences. Regulation 13(1) makes it an offence by the owner and master for a ship to be used in contravention of any of the requirements of these Regulations. Regulation 13(2) makes it an offence by a person to whom regulation 12 applies to fail to carry out the tests and checks, or inform the master of defective equipment, as required by regulation 12. Regulation 14 contains power to detain a ship in cases of non-compliance with these Regulations and certain provisions of Chapter IV.

Regulation 15 requires the Secretary of State to review the operation and effect of these Regulations and publish a report before 24th December 2026 and at intervals not exceeding five years after that. Following a review, it will fall to the Secretary of State to consider whether the Regulations should remain as they are, or be amended or revoked. A further instrument would be needed to amend or revoke the Regulations.

Part 1 of Schedule 1 to these Regulations amends the 1998 Regulations to prescribe the technical requirements for ships not engaged on international voyages, including provision that the carriage requirements relating to radio equipment are prescribed in Merchant Shipping Notice (MSN)

Changes to legislation: There are currently no known outstanding effects for the The Merchant Shipping (Radiocommunications) (Amendment) Regulations 2021. (See end of Document for details)

1903(M). Part III of the 1998 Regulations is revoked as the requirements contained in that Part no longer apply to any ship.

The Marine Guidance Notice and Merchant Shipping Notices referred to in these Regulations are available from the Maritime and Coastguard Agency (MCA) of Spring Place, 105 Commercial Road, Southampton SO15 1EG (telephone 020 3817 2000 and email infoline@mca.gov.uk) and on <https://www.gov.uk/government/organisations/maritime-and-coastguard-agency>.

The Convention and its Protocol of 1988 may be obtained in copy from the International Maritime Organization (IMO), 4 Albert Embankment, London SE1 7SR and both are available on the Foreign and Commonwealth Office (FCO) treaties database (<https://treaties.fco.gov.uk/responsive/app/consolidatedSearch/>). The text of the IMO Resolutions amending the Convention and Protocol may be obtained from the IMO or found in a Marine Information Note, or on the FCO treaties database (<https://treaties.fco.gov.uk/responsive/app/consolidatedSearch/>).

Future amendments to the Convention and to the Protocol may be obtained in copy from the IMO and, after coming into force in the United Kingdom, found on the Foreign and Commonwealth Office (FCO) treaties database (<https://treaties.fco.gov.uk/responsive/app/consolidatedSearch/>). Until such publication is made on the FCO treaties database, an amendment will be available from the MCA and on <https://www.gov.uk>. An amendment will be publicised in advance of its in-force date by means of a Parliamentary Statement to both Houses of Parliament and by way of a Marine Guidance Note, which will be available in copy from the MCA and on <https://www.gov.uk/government/organisations/maritime-and-coastguard-agency>.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private or voluntary sector is foreseen.

An Explanatory Memorandum is published alongside the instrument on www.legislation.gov.uk.

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