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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations implement outstanding amendments to Chapter X of the Annex to the International Convention for the Safety of Life at Sea, 1974 (“the Convention”), which relates to the safety of high speed craft. Chapter X gives effect to the High-Speed Craft Codes, 1994 and 2000 (“the Codes”), which contain the detailed requirements governing high speed craft safety, equipment and operations.

These Regulations also amend the Merchant Shipping (Fees) Regulations 2018 (S.I. 2018/1104) to enable the Secretary of State to charge fees for certain actions (e.g. surveys and inspections) carried out under the Merchant Shipping (High Speed Offshore Support Craft) Regulations 2022 (S.I. 2022/41) and these Regulations.

These Regulations revoke and replace the Merchant Shipping (High Speed Craft) Regulations 2004 (S.I. 2004/302) and apply, with certain limited exceptions, to United Kingdom high speed craft and to non-United Kingdom high speed craft when in United Kingdom waters (regulation 4).

These Regulations implement all amendments to Chapter X as at the date on which this instrument comes into force. All future amendments to the provisions of Chapter X, and the Codes referred to in them, will be automatically incorporated into these Regulations by way of the ambulatory reference provision (regulation 5) using the power in section 306A of the Merchant Shipping Act 1995 (c. 21).

These Regulations provide for the granting of exemptions (regulation 6), the approval of equivalents (regulation 7) and the approval of other matters (regulation 8).

Regulation 9 applies the technical requirements in Chapter X to high speed craft. Regulation 10 prescribes various requirements on persons on board high speed craft. Regulations 11 to 14 make provisions for specific requirements relating to risk assessments in respect of wash, safety of persons with reduced mobility, permits to operate and high speed craft safety certificates.

Regulations 15 and 16 make provision for offences. Regulation 15 makes it an offence by the owner and master of a high speed craft for it to be used in contravention of any of the requirements of these Regulations. Regulation 16 makes it an offence by persons to contravene the requirements specified in regulation 10. Regulation 17 contains power to detain a ship in cases of non-compliance with these Regulations.

Regulation 18 requires the Secretary of State to review the operation and effect of these Regulations and publish a report at the end of the period of five years beginning with the date on which these Regulations come into force 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.

The Schedule to these Regulations makes consequential amendments to other instruments.

Merchant Shipping Notice 1672 (M+F) Amendment 4 and Merchant Shipping Notice 1874 (M+F) Amendment 5, which are referred to in these Regulations, are available on [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/946254/MSN\\_1672\\_Amendment\\_4\\_-\\_FINAL.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/946254/MSN_1672_Amendment_4_-_FINAL.pdf) and <https://www.gov.uk/government/publications/msn-1874mf-amendment-5-marine-directive-other-approval-and-standards> or in hard copy 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](mailto:infoline@mca.gov.uk)) or on <https://www.gov.uk/government/organisations/maritime-and-coastguard-agency>.

**Changes to legislation:** *There are currently no known outstanding effects for the The Merchant Shipping (High Speed Craft) Regulations 2022. (See end of Document for details)*

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, Commonwealth and Development Office (FCDO) treaties database (<https://treaties.fcdo.gov.uk/responsive/app/consolidatedSearch/>). The text of the IMO Resolutions amending the Convention and Protocol may be obtained from the IMO or on the FCDO treaties database (<https://treaties.fcdo.gov.uk/responsive/app/consolidatedSearch/>).

Future amendments to the Convention and to the Protocol, and to the Codes, may be obtained in copy from the IMO and, after coming into force in the United Kingdom, found on the Foreign, Commonwealth and Development Office (FCDO) treaties database (<https://treaties.fcdo.gov.uk/responsive/app/consolidatedSearch/>). Until such publication is made on the FCDO 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](http://www.legislation.gov.uk).

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