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## EXPLANATORY NOTE

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

This Order amends the Hovercraft (Application of Enactments) Order 1989 (S.I. 1989/1350) (“the 1989 Order”) and the Merchant Shipping (Prevention of Pollution) (Law of the Sea Convention) Order 1996 (S.I. 1996/282) (“the 1996 Order”).

Article 2(2) inserts references to sections 128 and 129 of the Merchant Shipping Act 1995 (c. 21), and to the 1996 Order (as amended by article 3 of this Order), into the prevention of pollution instruments listed in article 3 of the 1989 Order so as to apply the relevant provisions of those sections and the 1996 Order to, or in relation to, hovercraft.

Article 2(3) inserts new article 5 into the 1989 Order so as to introduce provision which applies section 47 of the Merchant Shipping Act 1995 (relating to the manning of ships) to, or in relation to, hovercraft and to persons connected with hovercraft.

Article 3 substitutes article 2(2)(c) of the 1996 Order so as to authorise the making of regulations under that Order to provide that a contravention of such regulations is an offence punishable on summary conviction by a fine or on conviction on indictment by imprisonment for a term not exceeding two years, or a fine, or both. Article 3 also substitutes article 2(2)(d) of the 1996 Order for the purposes of updating the drafting of that provision, which provides that a contravention of such regulations may be an offence punishable only on summary conviction by a fine.

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

An Explanatory Memorandum is published alongside the instrument on [www.legislation.gov.uk](http://www.legislation.gov.uk).