
STATUTORY INSTRUMENTS

2023 No. 1216

**The Merchant Shipping (Small Workboats
and Pilot Boats) Regulations 2023**

PART 2

Survey and certification of vessels

Certifying Authorities

10.—(1) In these Regulations, “Certifying Authority” means the Secretary of State or any person authorised by the Secretary of State⁽¹⁾.

(2) Authorisation under paragraph (1) may be given conditionally or unconditionally and is subject to paragraph (4).

(3) Without restricting what may be done under paragraph (2), the Secretary of State may in particular impose limitations on any person’s authorisation relating to—

- (a) individual vessels,
- (b) classes of vessels, and
- (c) the extent of any survey to be carried out by that person.

(4) The Secretary of State may direct in relation to an individual case or to a class of cases that a survey or part of a survey for the purposes of these Regulations may only be carried out by the Secretary of State and not by another Certifying Authority.

(5) A Certifying Authority, other than the Secretary of State, is not to be regarded as the servant or agent of the Crown or as enjoying any status, immunity or privilege of the Crown and its property is not to be regarded as property of or held on behalf of the Crown.

(6) An authorisation or a direction given by the Secretary of State under this regulation must be in writing and include the details of any conditions or particulars in relation to the authorisation or direction.

(1) A list of Certifying Authorities, authorised by the Secretary of State is published in Marine Information Note 538. Amendment 5(M) is available at the following address: <https://www.gov.uk/government/publications/min-538-amendment-5-m-codes-of-practice-authorisation-of-certifying-authorities/min-538-amendment-5-m-codes-of-practice-authorisation-of-certifying-authorities#list-of-certifying-authorities>.