

1982 No. 1292

MERCHANT SHIPPING

The Merchant Shipping (Radio) (Fishing Vessels) (Amendment) Rules 1982

<i>Made - - - -</i>	<i>9th September 1982</i>
<i>Laid before Parliament</i>	<i>10th September 1982</i>
<i>Coming into Operation</i>	<i>1st October 1982</i>

The Secretary of State, after consulting with the organisations referred to in section 85(3) of the Merchant Shipping Act 1970(a), in exercise of powers conferred by section 3 of the Merchant Shipping (Safety Convention) Act 1949(b) and section 10(1) of the Merchant Shipping Act 1964(c) and now vested in him (d) and of all other powers enabling him in that behalf hereby makes the following Rules:

1. These Rules may be cited as the Merchant Shipping (Radio) (Fishing Vessels) (Amendment) Rules 1982 and shall come into operation on 1st October 1982.

2. The Merchant Shipping (Radio) (Fishing Vessels) Rules 1974(e) shall be amended as follows:

(1) In Rule 1(4):

(a) after the definition of "Length" there shall be inserted the following definition:

" "Merchant Shipping Notice" means a Notice described as such and issued by the Department of Trade";

(b) after the definition of "Silence Periods" there shall be inserted the following definition:

" "Specified" means specified by the Secretary of State in Merchant Shipping Notice No. M1035";

(2) In Rule 3:

(a) in paragraph (1) for "paragraphs 1 to 9" there shall be substituted "paragraphs 1 and 2";

(b) for paragraph (2) there shall be substituted:

"(2) Every fishing vessel of Class I shall be provided with a radio-telephone installation which shall include the equipment specified in Parts I, II, III and IV of Merchant Shipping Notice No. M1035 and with a radiotelegraph installation which shall include the equipment specified in Parts V, VI, VII and VIII of that Merchant Shipping Notice. The main and reserve radiotelephone installations as required by the said Parts I and IV shall be electrically independent of each other.";

(a) 1970 c.36.

(b) 1949 c.43, s.3 was substituted by s.85(1) of and Schedule 1 to the Merchant Shipping Act 1970, and amended by S.I. 1980/539 and 1981/568.

(c) 1964 c.47.

(d) S.I. 1965/145 and 1970/1537.

(e) S.I. 1974/1919.

- (c) in paragraph (3) for “Schedule 3 to these Rules” there shall be substituted “Merchant Shipping Notice No. M1035”;
- (d) in paragraph (4) for “the said Schedule 3” there shall be substituted “Merchant Shipping Notice No. M1035”;
- (e) in paragraph (5) for “the said Schedule 3” there shall be substituted “Parts I and IV of Merchant Shipping Notice No. M1035”.
- (3) In Rule 4(2) the words “Subject to the provisions of paragraph 10 of Schedule 1 to these Rules” shall be deleted.
- (4) In Rule 11:
- (a) in paragraph (1) for “Schedule 3 to these Rules” there shall be substituted “Merchant Shipping Notice No. M1035”;
- (b) in paragraph (2) for “Part IV of Schedule 4 to these Rules” there shall be substituted “Part VIII of Merchant Shipping Notice No. M1035”.
- (5) In Rule 13(4) for “Rule 10 of the Merchant Shipping (Official Log Books) (Fishing Vessels) Regulations 1972” there shall be substituted “Regulation 10 of the Merchant Shipping (Official Log Books) (Fishing Vessels) Regulations 1981(a) ”.
- (6) For Rule 14 there shall be substituted:
- “14. The portable radio equipment for survival craft provided on fishing vessels in accordance with Part IIIA of the Fishing Vessels (Safety Provisions) Rules 1975 (b) shall comply with the requirements of Part IX of Merchant Shipping Notice No. M1035.”.
- (7) For Schedule 1 (Transitional provisions with respect to Rules 3 and 4(2)) there shall be substituted:

“SCHEDULE 1

See Rules 1(6) and 3

TRANSITIONAL PROVISIONS WITH RESPECT TO RULE 3

1 Any fishing vessel to which these Rules apply which is provided with radiotelegraph equipment forming part of an existing installation or which was installed before 1st January 1976 shall not be required to be provided with the equipment specified in Parts V, VI, VII and VIII of Merchant Shipping Notice No. M1035 if the radiotelegraph equipment provided in the vessel complies with all the requirements of Schedule 2 to the Merchant Shipping (Radio) (Fishing Boats) Rules 1965 which would have been applicable to it if those Rules had not been revoked.

2. Notwithstanding the provisions of Rule 3, any fishing vessel to which these Rules apply which is provided with a radiotelephone installation forming part of an existing installation which complies with all the specifications and requirements set out in Schedule 3 to the Merchant Shipping (Radio) (Fishing Boats) Rules 1965 shall not be required to be provided with the equipment specified in Parts II and III of Merchant Shipping Notice No. M1035, and shall not be required to be provided with the equipment specified in Part I of that Merchant Shipping Notice until 1st January 1983. From 1st October 1982 until 31st December 1982, radiotelephone equipment which complies with the specifications and requirements set out in Part I of Schedule 3 to the Merchant Shipping (Radio) (Fishing Boats) Rules 1965 and which is an existing installation shall be used only for purposes related to distress, urgency and safety.”

(a) S.I. 1981/570.

(b) S.I. 1975/330, to which there are amendments not relevant to these Rules.

(8) Schedules 3, 4 and 5 shall be deleted.

Gerard Vaughan,
Minister for Consumer Affairs,
Department of Trade.

9th September 1982.

EXPLANATORY NOTE

(This Note is not part of the Rules.)

These Rules amend the Merchant Shipping (Radio) (Fishing Vessels) Rules 1974 as follows:

(1) The specifications for radiotelephone and radiotelegraph installations and for portable radio equipment for use in lifeboats and liferafts are no longer set out in Schedules 3, 4 and 5 to the Rules but are specified in a Merchant Shipping Notice.

(2) Cross-references to the appropriate provisions of the Merchant Shipping (Official Log Books) (Fishing Vessels) Regulations 1972 (S.I. 1972/1873) and the Merchant Shipping (Life-Saving Appliances) Rules 1965 (S.I. 1965/1105) are up-dated.

(3) Transitional provisions are provided, in a new Schedule 1, permitting the use of double sideband equipment as the main radiotelephone equipment, subject to limitations, until 1st January 1983, after which the equipment must be replaced with single sideband equipment as the main radiotelephone installation.

(4) The Merchant Shipping Notice is obtainable from the Department of Trade Marine Library, Sunley House, 90 High Holborn, London WC1 and from any Department of Trade Marine Office.

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