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**STATUTORY INSTRUMENTS**

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**1982 No. 1637****MERCHANT SHIPPING****The Merchant Shipping (Tankers) (EEC Requirements)  
(Amendment) Regulations 1982**

*Made* - - - 19th November 1982

*Laid before Parliament* 19th November 1982

*Coming into Operation* 10th December 1982

The Secretary of State, being a Minister designated(a) for the purpose of section 2(2) of the European Communities Act 1972(b) in relation to requirements concerning sea-going tankers entering or leaving United Kingdom ports, in exercise of the powers conferred by that section, hereby makes the following Regulations:—

1. These Regulations may be cited as the Merchant Shipping (Tankers) (EEC Requirements) (Amendment) Regulations 1982 and shall come into operation on 10th December 1982.

2. The Merchant Shipping (Tankers) (EEC Requirements) Regulations 1981(c) shall be amended as follows:

- (1) After regulation 6, the following regulation shall be added:  
“6A. If any pilot, licensed under section 16 of the Pilotage Act 1913, having boarded a tanker to which these Regulations apply to pilot it into or out of a harbour, knows or believes that there are defects which may prejudice the safe navigation of the tanker which have not been notified to the harbour master in accordance with regulation 4(k), 5 or 6, he shall notify the master of those defects. If the pilot knows or believes that the master, having been notified by the pilot of those defects, has failed to notify the harbour master of them, the pilot shall forthwith notify the harbour master of those defects.”
- (2) After regulation 7, the following regulation shall be added:  
“7A. If the master of a tanker to which these Regulations apply fails to make a check list available to the pilot in accordance with regulation 7(a) above, the pilot shall forthwith notify the harbour master.”

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(a) S.I. 1979/1704.

(b) 1972 c. 68.

(c) S.I. 1981/1077.

- (3) After regulation 8.–(1) the following regulations shall be added:
- “8(1A). Any master who:
- (a) pursuant to regulation 4, 5 or 6 makes a notification or
- (b) pursuant to regulation 7 makes available a check list
- which is false in a material particular and which he knows to be false shall be guilty of an offence and liable on summary conviction to a fine not exceeding £1,000 and on conviction on indictment to a fine.
- (1B). If a pilot, without reasonable excuse, contravenes the provisions of regulation 6A above, he shall be guilty of an offence and liable on summary conviction to a fine not exceeding £400.”

*Iain Sproat,*  
Parliamentary Under Secretary of State,  
Department of Trade.

19th November 1982.

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#### EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These Regulations implement Article 1.2 of Council Directive No 79/116/EEC (OJ No. L33, 8.2.1979, p. 33) concerning minimum requirements for certain tankers entering or leaving Community ports.

They amend the Merchant Shipping (Tankers) (EEC Requirements) Regulations 1981 by requiring a pilot who boards a tanker to pilot it into or out of a harbour and who knows or believes that there are defects which may prejudice the safe navigation of the tanker which have not been notified to the harbour master, to notify the master of those defects and, if he knows or believes that the master has failed to notify the harbour master of those defects, to make such notification himself – new regulation 6A. The Regulations also require a pilot to notify the harbour master if the master of a tanker fails to make a check list available to him – new regulation 7A. Provision is made for offences and penalties in connection with the breach of regulation 6A by pilots, and for the making of false notifications and check list by masters.



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