
STATUTORY INSTRUMENTS

1994 No. 2464

MERCHANT SHIPPING
SAFETY

The Merchant Shipping (Gas Carriers) Regulations 1994

Made - - - - *19th September 1994*
Laid before Parliament *29th September 1994*
Coming into force - - *1st October 1994*

The Secretary of State for Transport, after consulting with the persons referred to in section 22(2) of the Merchant Shipping Act 1979(1), in exercise of the powers conferred on him by section 21(a) and (b), (3) to (6) and section 22(1) of that Act, and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation, commencement, interpretation and revocation

1.—(1) These Regulations may be cited as the Merchant Shipping (Gas Carriers) Regulations 1994 and shall come into force on 1st October 1994.

(2) In these Regulations:—

“the 1974 SOLAS Convention” means the International Convention for the Safety of Life at Sea, 1974, as amended(2);

[^{F1}“anniversary date” means the day and month of each year which will correspond to the date of expiry of the International Certificate of Fitness for the Carriage of Liquefied Gases in Bulk;]

[^{F1}“appropriate Certifying Authority” means the Secretary of State or any person authorised by the Secretary of State and includes in particular (if so authorised) Lloyd’s Register of Shipping, the British Committee of Bureau Veritas, the British Committee of Det Norske Veritas, the British Committee of Germanischer Lloyd, the British Technical Committee of the American Bureau of Shipping, and the British Committee of Registro Italiano Navale;]

“Cargo Ship Safety Construction Certificate”, “Cargo Ship Safety Equipment Certificate”, “Cargo Ship Safety Radiotelegraphy Certificate” and “Cargo Ship Safety Radiotelephony Certificate” mean respectively the certificates so entitled, issued in conformity with the 1974

(1) 1979 c. 39; section 21(6) was amended by section 49(3) of the Criminal Justice Act 1982 (c. 48).

(2) The Convention and amendments are set out in the 1992 consolidated edition of SOLAS published by the International Maritime Organisation.

SOLAS Convention and, in the case of a United Kingdom ship, under or pursuant to the Merchant Shipping Acts 1894 to 1994;

“constructed” means, in relation to a ship, having its keel laid or being at a similar stage of construction; and “similar stage of construction” means the stage at which—

- (a) construction identifiable with a specific ship begins; and
- (b) assembly of that ship has commenced comprising at least 50 tonnes or 1% of the estimated mass of all structural material, whichever is the less;

“1986-1994 gas carrier” means—

- (a) a gas carrier which was constructed on or after 1st July 1986 but before 1st October 1994;
- (b) a ship which was converted to being a gas carrier in that period; or
- (c) (to the extent that the Secretary of State considers reasonable and practicable) a gas carrier which was constructed before 1st July 1986, but which underwent repairs, alterations or modifications of a major character in that period;

“gas carrier” means a self-propelled cargo ship constructed or adapted and used for the carriage in bulk of any liquefied gas listed in Chapter 19 of the IGC Code or any other substance so listed;

“the IBC Code” means, in relation to 1986-1994 gas carriers the 1983 IBC Code, and in relation to new gas carriers, the 1994 IBC Code;

“the IGC Code” means, in relation to 1986-1994 gas carriers, the 1983 IGC Code^{F2} as amended by Resolution MSC.17.(58) of the International Maritime Organisation, adopted on 24th May 1990, and includes any further amendments adopted by the International Maritime Organisation which are considered by the Secretary of State to be relevant from time to time and are specified in a Merchant Shipping Notice] and in relation to new gas carriers, the 1993 IGC Code^{F2} as amended by Resolution MSC.17.(58) of the International Maritime Organisation, adopted on 24th May 1990, and includes any further amendments adopted by the International Maritime Organisation which are considered by the Secretary of State to be relevant from time to time and are specified in a Merchant Shipping Notice];

[^{F3}“IMO Member State” means a State which is a member of the International Maritime Organization;]

“in bulk” means directly and without intermediate form of containment in a tank forming an integral part of, or permanently located on, a ship;

[^{F4}“International Certificate of Fitness for the Carriage of Liquefied Gases in Bulk” means a certificate which certifies compliance with the IGC Code;]

[^{F5}“Merchant Shipping Notice” means a Notice described as such and issued by the Maritime and Coastguard Agency (which is an executive agency of the Department for Transport); and any reference to a particular Merchant Shipping Notice includes a reference to any document amending or replacing that Notice which is considered by the Secretary of State to be relevant from time to time and is specified in a Merchant Shipping Notice;]

“new gas carrier” means—

- (a) a gas carrier which is constructed on or after 1st October 1994;
- (b) a ship which is converted to being a gas carrier on or after that date; or
- (c) (to the extent that the Secretary of State considers reasonable and practicable) a gas carrier which was constructed before that date, but underwent repairs, alterations or modifications of a major character after that date;

[^{F6}“proper officer” means a consular officer appointed by Her Majesty’s Government in the United Kingdom and, in relation to a port in a country outside the United Kingdom which is

not a foreign country, also any officer exercising in that port functions similar to those of a superintendent;]

[^{F6}“short international voyage” means a voyage from a port in one country to which the 1974 SOLAS Convention applies to a port in another country, or conversely,—

- (a) in the course of which a ship is not more than two hundred nautical miles from a port or place in which the passengers and crew could be placed in safety, and
- (b) which does not exceed 600 nautical miles in distance between the last port of call in the country in which the voyage begins and the last port of call in the scheduled voyage before beginning a return voyage, and which on the return voyage does not exceed 600 nautical miles in distance between the port of call in which the ship commences its return voyage and the first port of call in the country in which the voyage began,

and for the purposes of this definition no account shall be taken of any deviation by a ship from her intended voyage due solely to stress of weather or any other circumstances that neither the master nor the owner nor the charterer (if any) of the ship could have prevented or forestalled;]

“1983 IBC Code” means the International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk published by the International Maritime Organisation in 1983;

“1994 IBC Code” means the International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk published by the International Maritime Organisation in 1994;

“1983 IGC Code” means the International Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk published by the International Maritime Organisation in 1983;

“1993 IGC Code” means the International Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk published by the International Maritime Organisation in 1993.

(3) In interpreting the IGC Code—

- (a) the requirements of the IGC Code having been made mandatory under regulation 3 the language thereof shall be construed accordingly;
- (b) the definitions set out in Chapter 1, paragraph 1.3 thereof, shall apply;
- (c) references to the Administration shall, in relation to United Kingdom ships, be references to the Secretary of State; and references to the Port Administration shall, in relation to all ships in the United Kingdom, be references to the Secretary of State;
- (d) references to the 1974 SOLAS Convention mean references to the Convention as defined in these Regulations.

(4) In interpreting the 1983 IGC Code—

- (a) in paragraph 2.7.8.1, the number “2.9.1.2.1” shall be read as “2.9.2.1”; in paragraph 4.2.2.3, last line, “1 mm” shall be read as “10 mm”; in paragraph 5.2.1.1, first line, “this section” shall be read as “sections 5.2-5.5”;
 - in paragraph 5.4.6.3.1, second line, “service temperatures” shall be read as “design temperatures”;
 - in paragraph 11.1.1.1, the number “56.4” shall be read as “56.6”;
 - in paragraph 14.2.3.1, first line, “one set” shall be read as “one spare set”;
- (b) the number of firemen’s outfits required pursuant to paragraph 11.6.1 shall, for ships below 2000m³ total cargo capacity, be 4.

(5) Any reference in these Regulations to any of the following—

- (a) the IBC Code;
- (b) the IGC Code;
- (c) 1974 SOLAS Convention;

shall include a reference to any document amending it which is considered by the Secretary of State to be relevant from time to time and is specified in a Merchant Shipping Notice.

(6) The Merchant Shipping (Gas Carriers) Regulations 1986(3) are hereby revoked.

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| F1 | Words in reg. 1(2) inserted (20.4.2004) by The Merchant Shipping (Gas Carriers) (Amendment) Regulations 2004 (S.I. 2004/929) , regs. 1(1), 2(a) |
| F2 | Words in reg. 1(2) inserted (20.4.2004) by The Merchant Shipping (Gas Carriers) (Amendment) Regulations 2004 (S.I. 2004/929) , regs. 1(1), 2(b) |
| F3 | Words in reg. 1(2) inserted (31.12.2020) by The Merchant Shipping (Miscellaneous Provisions) (Amendments etc.) (EU Exit) Regulations 2018 (S.I. 2018/1221) , reg. 2(b) , Sch. para. 2(2) ; 2020 c. 1, Sch. 5 para. 1(1) |
| F4 | Words in reg. 1(2) substituted (20.4.2004) by The Merchant Shipping (Gas Carriers) (Amendment) Regulations 2004 (S.I. 2004/929) , regs. 1(1), 2(c) |
| F5 | Words in reg. 1(2) inserted (20.4.2004) by The Merchant Shipping (Gas Carriers) (Amendment) Regulations 2004 (S.I. 2004/929) , regs. 1(1), 2(d) |
| F6 | Words in reg. 1(2) inserted (20.4.2004) by The Merchant Shipping (Gas Carriers) (Amendment) Regulations 2004 (S.I. 2004/929) , regs. 1(1), 2(e) |

Commencement Information

- I1** Reg. 1 in force at 1.10.1994, see [reg. 1\(1\)](#)

[^{F7}Transitional provision

1A. Except in special circumstances as determined by the Maritime and Coastguard Agency, an International Certificate of Fitness for the Carriage of Liquefied Gases in Bulk issued or endorsed before 20th April 2004 by:

- (a) an appropriate Certifying Authority, or
- (b) the Government of a Party to the 1974 SOLAS Convention in accordance with regulation 6(4),

shall remain valid until it expires under the terms of these Regulations as in force before that date, and shall for any other purpose of these Regulations be treated as though it had been issued or endorsed under these Regulations as amended.]

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| F7 | Reg. 1A inserted (20.4.2004) by The Merchant Shipping (Gas Carriers) (Amendment) Regulations 2004 (S.I. 2004/929) , regs. 1(1), 3 |
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Application

2.—(1) These Regulations apply, subject to the following provisions of this regulation, to 1986-1994 gas carriers and to new gas carriers.

(2) Where a ship is constructed or adapted to carry one or more of the substances listed both in Chapter 17 of the IBC Code and in Chapter 19 of the IGC Code and is not constructed or adapted to carry any substance listed only in Chapter 19 of the IGC Code then these Regulations shall not apply to that ship.

(3) [S.I.1986/1073](#).

(3) These Regulations apply to all ships specified in paragraph (1) which are United Kingdom ships wherever they may be and to other such ships while they are within the United Kingdom or the territorial waters thereof: provided that in the case of a ship registered in a State which is not a party to the 1974 SOLAS Convention they shall not apply by reason of its being in the United Kingdom or the territorial waters thereof if it would not have been there but for stress of weather or any circumstances which could not have been prevented by the owner, the master or the charterer (if any).

Commencement Information

I2 Reg. 2 in force at 1.10.1994, see [reg. 1\(1\)](#)

Compliance with the IGC Code

[^{F8}3. Every ship to which these Regulations apply shall be constructed, equipped and operated in accordance with the requirements of Chapter 1, paragraphs 1.1.4.1 to 1.1.4.4 inclusive, and Chapters 2 to 19 inclusive of the IGC Code relevant to a ship of its physical description.]

F8 [Reg. 3 substituted \(20.4.2004\) by The Merchant Shipping \(Gas Carriers\) \(Amendment\) Regulations 2004 \(S.I. 2004/929\), regs. 1\(1\), 4](#)

[^{F9}Surveys

4. A United Kingdom gas carrier shall be subject to the following surveys:
- before the ship is put in service, or before an International Certificate of Fitness for the Carriage of Liquefied Gases in Bulk is first issued in relation to the ship, an initial survey as set out in section 1.5.2 of the IGC Code,
 - within five years of the first issue of an International Certificate of Fitness for the Carriage of Liquefied Gases in Bulk, and thereafter at intervals which, subject to regulations 6A(3) and 6B(3) to (6) shall be no more than five years, a renewal survey as set out in section 1.5.2 of the IGC Code,
 - within three months before or after the second or third anniversary date of an International Certificate of Fitness for the Carriage of Liquefied Gases in Bulk being issued, an intermediate survey as set out in section 1.5.2 of the IGC Code,
 - within three months before or after each anniversary date of the issue of the ship's International Certificate of Fitness for the Carriage of Liquefied Gases in Bulk, other than when an intermediate survey is required to be carried out within that period, an annual survey as set out in section 1.5.2 of the IGC Code, and
 - after a repair resulting from investigations prescribed in regulation 5(4) below, or whenever any important repairs or renewals are made, an additional survey as set out in section 1.5.2 of the IGC Code.

F9 [Regs. 4-6B substituted for regs. 4-6 \(20.4.2004\) by The Merchant Shipping \(Gas Carriers\) \(Amendment\) Regulations 2004 \(S.I. 2004/929\), regs. 1\(1\), 5](#)

Responsibilities of owner and master

5.—(1) The owner and master of every ship shall ensure that the condition of the ship and its equipment shall be maintained to conform:

- (a) in the case of a United Kingdom ship, or any ship surveyed pursuant to these Regulations, with the provisions of these Regulations,
- (b) in the case of any other ship, with the requirements of the IGC Code,

so as to ensure that the ship in all respects will remain fit to proceed to sea without presenting an unreasonable threat of harm to the safety of ships or persons on them.

(2) The owner and master of every ship shall ensure that after any survey of the ship required by these Regulations or by the IGC Code (as applicable) has been completed, no change shall be made in the structure, equipment, systems, fittings, arrangements or material covered by the survey, without the approval of the appropriate Certifying Authority, or of the Administration of the State which carried out the survey for that ship, except by direct replacement.

(3) The owner and master of every ship shall ensure that whenever an accident occurs to a ship or a defect is discovered which, in either case, substantially affects the integrity of the ship or the efficiency or completeness of its equipment:

- (a) if the ship is a United Kingdom ship, it is reported at the earliest opportunity to the Secretary of State and to any other appropriate Certifying Authority,
- (b) if the ship is a United Kingdom ship in a port outside the United Kingdom it is also reported to the proper officer and to the appropriate authorities of the country in which the port is situated, and
- (c) if the ship is a non-United Kingdom ship in a port in the United Kingdom, it is reported at the earliest opportunity to the Secretary of State.

(4) Whenever an accident or defect is reported:

- (a) to the Secretary of State or a Certifying Authority under paragraph (3)(a), or
- (b) to the proper officer under paragraph (3)(b),

the Secretary of State, Certifying Authority or proper officer shall cause investigations to be initiated to determine whether or not a survey by a surveyor is necessary, and if a survey is found to be necessary require that survey to be carried out.

F9 Regs. 4-6B substituted for regs. 4-6 (20.4.2004) by [The Merchant Shipping \(Gas Carriers\) \(Amendment\) Regulations 2004 \(S.I. 2004/929\)](#), regs. 1(1), 5

Issue and Endorsement of Certificates

6.—(1) Where the appropriate Certifying Authority is satisfied after the completion of an initial or renewal survey carried out in accordance with the provisions of regulation 4(a) or (b) above that the requirements of the IGC Code are being complied with, that Authority shall issue an International Certificate of Fitness for the Carriage of Liquefied Gases in Bulk to a gas carrier.

(2) Where the appropriate Certifying Authority is satisfied after the completion of an intermediate or annual survey carried out in accordance with the provisions of regulation 4(c) or (d) above that the requirements of the IGC Code are being complied with, that Authority shall so endorse the International Certificate of Fitness for the Carriage of Liquefied Gases in Bulk.

(3) If any gas carrier which was previously under the flag of another State becomes a United Kingdom ship, a Certifying Authority shall issue an International Certificate of Fitness for the Carriage of Liquefied Gases in Bulk only if it is fully satisfied that the ship is in compliance with the requirements of section 1.5.3.1 and 1.5.3.2 of the IGC Code.

(4) The Secretary of State may, through a proper officer or otherwise, request the Government of a Party to the 1974 SOLAS Convention to carry out a survey of a United Kingdom ship and, if satisfied that the survey has been completed in accordance with the requirements of the IGC Code:

- (a) to issue or authorise the issue of an International Certificate of Fitness for the Carriage of Liquefied Gases in Bulk to the ship, or to endorse or authorise the endorsement of that Certificate, in accordance with the requirements of the IGC Code,
 - (b) to include in the Certificate a statement to the effect that it has been issued at the request of the Secretary of State, and
 - (c) to transmit a copy of the survey report and the Certificate to the Secretary of State as soon as possible.
- (5) A Certificate issued or endorsed in accordance with paragraph (4) above shall have the same force and receive the same recognition as a Certificate issued or endorsed in accordance with paragraphs (1) to (3) above.
- (6) The Secretary of State may, at the request of the Administration of a Party to the 1974 SOLAS Convention, survey a ship registered in that State and, if satisfied that the requirements of the IGC Code are complied with, issue or authorise the issue to the ship of an International Certificate of Fitness for the Carriage of Liquefied Gases in Bulk, or endorse or authorise the endorsement of such a certificate.
- (7) The Secretary of State shall include or have included in any Certificate issued or endorsed in accordance with paragraph (6) a statement to the effect that it has been issued or endorsed at the request of the Administration, and shall transmit a copy of the survey report and the Certificate to that Administration as soon as possible.
- (8) A Certificate issued or endorsed in accordance with paragraph (6) shall have effect as if issued or endorsed by the Administration which requested the survey of the ship to be carried out.
- (9) A Certificate issued or endorsed in accordance with paragraphs (1) to (3) and (6) to (8) shall be drawn up in a form corresponding to the model given in the Appendix to the IGC Code.

F9 Regs. 4-6B substituted for regs. 4-6 (20.4.2004) by [The Merchant Shipping \(Gas Carriers\) \(Amendment\) Regulations 2004 \(S.I. 2004/929\)](#), regs. 1(1), 5

Duration and validity of Certificates

6A.—(1) Subject to paragraphs (2) to (5) below, an International Certificate of Fitness for the Carriage of Liquefied Gases in Bulk shall be issued:

- (a) on the date of the completion of the relevant survey,
- (b) as being valid from the date of issue, and
- (c) for a period of validity not exceeding five years.

(2) Where a renewal survey required under regulation 4(b) has been completed within a period of three months before the expiry of an International Certificate of Fitness for the Carriage of Liquefied Gases in Bulk, the new Certificate shall be issued as being valid from the date of expiry of the existing Certificate.

(3) Subject to regulation 6B(6), where a renewal survey required under regulation 4(b) has been completed after the expiry of an International Certificate of Fitness for the Carriage of Liquefied Gases in Bulk, the new Certificate shall be issued as being valid from the date of expiry of that expired Certificate.

(4) Where an annual or intermediate survey is completed before the period prescribed for such a survey in regulation 4(c) or (d) above:

- (a) the anniversary date shown on the International Certificate of Fitness for the Carriage of Liquefied Gases in Bulk shall be amended by endorsement to a date which shall not be more than three months later than the date on which the survey was completed,

- (b) subsequent annual or intermediate surveys required under regulation 4(c) or (d) shall be completed at the intervals prescribed by those regulations using the new anniversary date, and
 - (c) the expiry date may remain unchanged provided one or more annual or intermediate surveys, as appropriate, are carried out so that the maximum intervals between the surveys prescribed by regulation 4 are not exceeded.
- (5) An International Certificate of Fitness for the Carriage of Liquefied Gases in Bulk shall cease to be valid:
- (a) if its period of validity has been exceeded and the validity of the certificate has not been extended by the appropriate Certifying Authority in accordance with regulation 6B or the period of any such extension has expired,
 - (b) if the relevant surveys have not been completed within the periods specified in regulation 4, and the Certificate endorsed in accordance with regulation 6, or
 - (c) upon transfer of the ship to the flag of another State.

F9 Regs. 4-6B substituted for regs. 4-6 (20.4.2004) by [The Merchant Shipping \(Gas Carriers\) \(Amendment\) Regulations 2004 \(S.I. 2004/929\)](#), regs. 1(1), 5

Extension of validity of Certificates

6B.—(1) Where an International Certificate of Fitness for the Carriage of Liquefied Gases in Bulk has been issued for a period of validity of less than five years and the intermediate and annual surveys required under regulation 4(c) and (d) above have been completed, the appropriate Certifying Authority may extend the validity of that Certificate so that the certificate is valid for a maximum period of five years.

(2) Where a renewal survey required under regulation 4(b) has been completed before the expiry of an International Certificate of Fitness for the Carriage of Liquefied Gases in Bulk but the new certificate cannot be issued or placed on board the ship before the expiry of the existing Certificate, the appropriate Certifying Authority may endorse the existing Certificate as valid for a period not exceeding five months from its previous expiry date.

(3) Where a renewal survey required under regulation 4(b) has not been completed before the expiry of an International Certificate of Fitness for the Carriage of Liquefied Gases in Bulk and at the time of expiry the ship is not in a port in which it is to be surveyed, the appropriate Certifying Authority may, where it appears to it proper and reasonable to do so, extend the validity of the Certificate, solely for the purpose of allowing the ship to complete its voyage to its port of survey, for a period of no more than three months.

(4) Where no other extension has been granted, the appropriate Certifying Authority may extend the validity of the International Certificate of Fitness for the Carriage of Liquefied Gases in Bulk of a ship used solely on short international voyages for a period of no more than one month.

(5) An extension of validity under paragraph (3) or (4) above shall be disregarded for the purposes of determining the date of expiry of an existing International Certificate of Fitness for the Carriage of Liquefied Gases in Bulk under regulation 6A(2) or (3) above.

(6) In special circumstances as determined by the Maritime and Coastguard Agency, where a renewal survey required under regulation 4(b):

- (a) has been completed after the expiry of an International Certificate of Fitness for the Carriage of Liquefied Gases in Bulk,

- (b) has been completed during the period for which the validity of the International Certificate of Fitness for the Carriage of Liquefied Gases in Bulk has been extended in accordance with paragraph (3) above, or
- (c) has been completed during the period for which the validity of the International Certificate of Fitness for the Carriage of Liquefied Gases in Bulk has been extended in accordance with paragraph (4) above,

the new Certificate may be issued as being valid from the date of completion of the renewal survey.]

F9 Regs. 4-6B substituted for regs. 4-6 (20.4.2004) by [The Merchant Shipping \(Gas Carriers\) \(Amendment\) Regulations 2004 \(S.I. 2004/929\)](#), regs. 1(1), 5

Equivalents

7.—(1) Where the IGC Code requires that a particular fitting, material, appliance, apparatus, item of equipment or type thereof should be fitted or carried in a ship, or that any particular provision should be made, or any procedure or arrangement should be complied with, the Secretary of State shall allow any other fitting, material, appliance, apparatus, item of equipment or type thereof to be fitted or carried, or any other provision, procedure or arrangement to be made in that ship, if he is satisfied by trial thereof or otherwise that such fitting, material, appliance, apparatus, item of equipment or type thereof, or that any particular provision, procedure or arrangement is at least as effective as that required by the IGC Code.

(2) For the purposes of these Regulations, the results of a verification or test shall be accepted if the verification or test is carried out—

- (a) in accordance with these Regulations or with a standard, code of practice, specification or technical description of [^{F10}an IMO Member State], other than the United Kingdom offering equivalent levels of safety, suitability and fitness for purpose; and
- (b) by a body or laboratory of [^{F11}an IMO Member State] other than the United Kingdom offering suitable and satisfactory guarantee of technical and professional competence and independence.

F10 Words in [reg. 7\(2\)\(a\)](#) substituted (31.12.2020) by [The Merchant Shipping \(Miscellaneous Provisions\) \(Amendments etc.\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1221\)](#), [reg. 2\(b\)](#), [Sch. para. 2\(3\)](#); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

F11 Words in [reg. 7\(2\)\(b\)](#) substituted (31.12.2020) by [The Merchant Shipping \(Miscellaneous Provisions\) \(Amendments etc.\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1221\)](#), [reg. 2\(b\)](#), [Sch. para. 2\(3\)](#); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

Commencement Information

I3 Reg. 7 in force at 1.10.1994, see [reg. 1\(1\)](#)

Exemptions

8. The Secretary of State may exempt any ship from any of the requirements of the IGC Code, subject to such conditions as he may specify, and may alter or cancel any exemption so granted.

Commencement Information

I4 Reg. 8 in force at 1.10.1994, see [reg. 1\(1\)](#)

Loading and carriage in bulk of dangerous substances

9.—(1) No ship to which these Regulations apply shall load in bulk or carry in bulk any of the substances listed in Chapter 19 of the IGC Code unless—

- (a) there is in force in respect of that ship a valid International Certificate of Fitness for the Carriage of Liquefied Gases in Bulk covering the substance which the ship is loading or carrying; or
- (b) the Secretary of State has given approval to its carriage.

(2) Any approval in pursuance of this regulation shall be given in writing and shall specify the date on which it takes effect and the conditions (if any) on which it is given.

Commencement Information

I5 Reg. 9 in force at 1.10.1994, see [reg. 1\(1\)](#)

Penalties

- (a) **10.** (1) (a) If there is a breach of [^{F12}regulation 3, 5 or 9] in relation to a ship then the owner and master of the ship shall each be guilty of an offence punishable on summary conviction by a fine not exceeding the statutory maximum or, on indictment, to a fine.

^{F13}(b)

(2) It shall be a defence for a person charged with an offence under these Regulations to prove that he took all reasonable steps to ensure that the Regulations were complied with.

F12 Words in [reg. 10\(1\)\(a\)](#) substituted (20.4.2004) by [The Merchant Shipping \(Gas Carriers\) \(Amendment\) Regulations 2004 \(S.I. 2004/929\)](#), [regs. 1\(1\), 6\(a\)](#)

F13 [Reg. 10\(1\)\(b\)](#) revoked (20.4.2004) by [The Merchant Shipping \(Gas Carriers\) \(Amendment\) Regulations 2004 \(S.I. 2004/929\)](#), [regs. 1\(1\), 6\(b\)](#)

Commencement Information

I6 Reg. 10 in force at 1.10.1994, see [reg. 1\(1\)](#)

Power to detain

[^{F14}**11.** In any case where:

- (a) a ship does not comply with the requirements of these Regulations,
- (b) an accident occurs to a non-United Kingdom ship, or a defect is discovered in a non-United Kingdom ship, either of which substantially affects the integrity of the ship or the efficiency or completeness of its equipment, and a full and proper report of that accident or defect has not been made to the appropriate authority for that ship, or
- (c) within a reasonable period of a report being made of an accident to or defect in a non-United Kingdom ship the Secretary of State is not satisfied that action taken as respects that ship is sufficient to restore the integrity of the ship or the efficiency or completeness of its equipment,

the ship shall be liable to be detained and section 284(1) to (6) and (8) of the Merchant Shipping Act 1995 (which relates to the detention of a ship) shall have effect in relation to that craft, as if for the words “this Act” wherever they appear, there were substituted the words “the Merchant Shipping (Gas Carriers) Regulations 1994”.]

F14 Reg. 11 substituted (20.4.2004) by The Merchant Shipping (Gas Carriers) (Amendment) Regulations 2004 (S.I. 2004/929), regs. 1(1), 7

Signed by authority of the Secretary of State for Transport

Goschen
Parliamentary Under-Secretary,
Department of Transport

Changes to legislation: There are currently no known outstanding effects for the The Merchant Shipping (Gas Carriers) Regulations 1994. (See end of Document for details)

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations replace the Merchant Shipping (Gas Carriers) Regulations 1986.

These Regulations require gas carriers built on or after 1 July 1986, but before 1st October 1994, and ships converted during that period into gas carriers, to comply with the provisions of the 1983 edition of the International Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk (the IGC Code). Gas carriers built or converted on or after 1st October 1994 are similarly required to comply with the 1993 edition of the IGC Code. The 1993 edition of the IGC Code incorporates amendments adopted by the Marine Safety Committee (MSC) of the International Maritime Organization. The MSC adopted the amendments at its 61st session (December 1992) by resolution MSC 30(61).

Copies of the 1974 SOLAS Convention and the IGC Codes can be obtained from the International Maritime Organisation, 4 Albert Embankment, London SE1 7SR.

Merchant Shipping Notices can be obtained from the Marine Safety Agency, Department of Transport, Spring Place, 105 Commercial Road, Southampton SO15 1EG, or any Marine Office of the Marine Safety Agency.

Changes to legislation:

There are currently no known outstanding effects for the The Merchant Shipping (Gas Carriers) Regulations 1994.