

2001 No. 2642

**MERCHANT SHIPPING
SAFETY**

**The Merchant Shipping (Life-Saving Appliances)
(Amendment) Regulations 2001**

Made - - - - - 19th July 2001

Laid before Parliament 23rd July 2001

Coming into force - - 14th August 2001

The Secretary of State for Transport, Local Government, and the Regions, after consulting such persons referred to in section 86(4) of the Merchant Shipping Act 1995(a) as he considers will be affected, in exercise of the powers conferred by section 85(1)(a) and (b), (3), (5) to (7) and section 86(1) of that Act, and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Merchant Shipping (Life-Saving Appliances) (Amendment) Regulations 2001 and shall come into force on 14th August 2001.

(2) In these Regulations “the principal Regulations” means the Merchant Shipping (Life-Saving Appliances for Passenger Ships of Classes III to VI(A)) Regulations 1999(b).

Removal of transitional exemption from principal Regulations

2. Regulation 4(2) of the principal Regulations is hereby revoked.

Restriction on power to grant exemptions in principal Regulations

3. For regulation 4(3) of the principal Regulations there shall be substituted the following paragraphs:

“(3) The Secretary of State may exempt any ship or description of ships from all or any of the provisions of these Regulations (as may be specified in the exemption) if he is satisfied that:

- (a) compliance with such provision is either impracticable or unreasonable in the case of that ship or description of ships, and
- (b) the exemption is subject to such conditions and limitations as will provide a level of safety equivalent to that provided by the provision or provisions from which exemption is being granted.

(4) The Secretary of State may, on giving reasonable notice, alter or cancel any exemption granted under paragraph (3) above.”

(a) 1995 c. 21; sections 85 and 86 were amended by the Merchant Shipping and Maritime Security Act 1997 (c. 28), section 8.

(b) S.I. 1999/2723.

Communications equipment for Class V and VI ships

4.—(1) In regulation 7(1)(b) of the principal Regulations, for the words “paragraphs (4) and (5)” there shall be substituted the words “paragraphs (4) to (7)”.

(2) For regulation 7(6)(a) of the principal Regulations there shall be substituted the following:

“(a) if it is a ship which carries one or more open reversible liferafts, a means of communication which is portable, waterproof and capable in an emergency situation of making immediate contact with the emergency services for the area in which the ship is operating; and”.

(3) In regulation 8(2)(d)(i) of the principal Regulations, for the words “at least 3” there shall be substituted the words “at least 2”.

General emergency alarms for Class IV, V, VI and VI(A) ships

5.—(1) For regulation 6(9)(a) of the principal Regulations there shall be substituted the following:

“(a) a general emergency alarm system, or a public address system which can be used for broadcasting a general emergency alarm and which complies with the requirements of Merchant Shipping Notice No. 1676(M) as amended by Merchant Shipping Notice No. 1757(M);”.

(2) For regulation 7(3)(b) of the principal Regulations there shall be substituted the following:

“(b) a general emergency alarm system, or a public address system which can be used for broadcasting a general emergency alarm and which complies with the requirements of Merchant Shipping Notice No. 1676(M) as amended by Merchant Shipping Notice No. 1757(M);”.

(3) For regulation 7(7)(i) of the principal Regulations there shall be substituted the following:

“(i) a general emergency alarm system, or a public address system which can be used for broadcasting a general emergency alarm and which complies with the requirements of Merchant Shipping Notice No. 1676(M) as amended by Merchant Shipping Notice No. 1757(M);”.

(4) For regulation 7(11)(i) of the principal Regulations there shall be substituted the following:

“(i) a general emergency alarm system, or a public address system which can be used for broadcasting a general emergency alarm and which complies with the requirements of Merchant Shipping Notice No. 1676(M) as amended by Merchant Shipping Notice No. 1757(M);”.

(5) For regulation 8(2)(e)(i) of the principal Regulations there shall be substituted the following:

“(i) a general emergency alarm system, or a public address system which can be used for broadcasting a general emergency alarm and which complies with the requirements of Merchant Shipping Notice No. 1676(M) as amended by Merchant Shipping Notice No. 1757(M);”.

(6) For regulation 8(3)(e)(i) of the principal Regulations there shall be substituted the following:

“(i) a general emergency alarm system, or a public address system which can be used for broadcasting a general emergency alarm and which complies with the requirements of Merchant Shipping Notice No. 1676(M) as amended by Merchant Shipping Notice No. 1757(M);”.

(7) For regulation 9(2)(e)(i) of the principal Regulations there shall be substituted the following:

“(i) a general emergency alarm system, or a public address system which can be used for broadcasting a general emergency alarm and which complies with the requirements of Merchant Shipping Notice No. 1676(M) as amended by Merchant Shipping Notice No. 1757(M);”.

Ships other than small passenger ships

6.—(1) The Merchant Shipping (Life-Saving Appliances for Ships Other Than Ships of Classes III to VI(A)) Regulations 1999(a) shall be amended as follows.

(2) In regulation 23, for “Schedule 7” each time it occurs there shall be substituted “Schedule 8”.

(3) In regulation 30(3)(d), for “ships of Classes II, VII(T)” there shall be substituted “ships of Classes VII, VII(T)”.

Signed by authority of the Secretary of State
for Transport, Local Government, and the Regions

David Jamieson
Parliamentary Under-Secretary of State,
Department for Transport, Local Government, and the Regions

19th July 2001

(a) S.I. 1999/2721, amended by S.I. 2000/2558.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Merchant Shipping (Life-Saving Appliances for Passenger Ships of Classes III to VI(A)) Regulations 1999 (S.I. 1999/2723) (“the principal Regulations”) and the Merchant Shipping (Life-Saving Appliances for Ships Other than Ships of Classes III to VI(A)) Regulations 1999 (S.I. 1999/2721). They come into force on 2001.

Regulations 2 and 3 of these Regulations implement the recommendation at paragraph 27.38 of Lord Justice Clark’s report on the Thames Safety Inquiry. Regulation 2, by revoking regulation 4(2) of the principal Regulations, ensures that all passenger ships to which the principal Regulations apply will carry life-saving appliances which meet the standards of the principal Regulations, rather than being allowed to continue to use equipment approved in accordance with earlier Regulations. Regulation 3 amends regulation 4(3) of the principal Regulations so as to provide that the Secretary of State may grant ships exemptions from the principal Regulations only where their life-saving appliances will meet standards of safety equivalent to those provided for by the principal Regulations.

Regulation 4, by substituting new provisions for regulation 7(6)(a) of the principal Regulations, provides that certain Class V ships shall carry emergency communications equipment which can make contact with the emergency services for the area in which the ship is operating. (In the case of ships operating on some inland waters, it may be appropriate to contact the police by telephone rather than the coastguard by VHF radio.) Regulation 4 also applies the requirements of regulation 7(6) and (7) to Class V ships operating within Category A and B waters.

Regulation 5 provides for ships of Classes IV, V, VI and VI(A) to broadcast emergency alarms over a suitable public address system rather than a general emergency alarm system.

Regulation 6 makes minor corrections to the Merchant Shipping (Life-Saving Appliances for Ships Other Than Ships of Classes III to VI(A)) Regulations 1999 (S.I. 1999/2721).

A Regulatory Impact Assessment was not considered necessary in relation to these Regulations, as they will not impose any new costs on operators.

Merchant Shipping Notices are obtainable from Iforce Marketing Support Services Ltd, Delta House, Imber Court Trading Estate, Orchard Lane, East Molesey, Surrey KT8 0BN (tel. 020-8957 5028).

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