



Merchant Shipping and Maritime Security Act 1997

1997 CHAPTER 28

Pollution control and marine safety

8 Safety regulations.

- (1) Section 85 of the 1995 Act (safety and health on ships) is amended as mentioned in subsections (2) to (5).
- (2) In subsection (1), for paragraphs (b) and (c) and the words following paragraph (c) there is substituted—
 - “(b) for securing the safety of other ships and persons on them while they are within United Kingdom waters and for protecting the health of persons on ships other than United Kingdom ships while they are within United Kingdom waters.”
- (3) After subsection (1) there is inserted—
 - “(1A) Except as provided by subsection (1B) below, safety regulations shall not apply in relation to—
 - (a) a qualifying foreign ship while it is exercising—
 - (i) the right of innocent passage; or
 - (ii) the right of transit passage through straits used for international navigation; or
 - (b) persons on such a ship while it is exercising any such right.
 - (1B) Safety regulations shall apply in relation to a qualifying foreign ship, and persons on such a ship, even though the ship is exercising a right mentioned in subsection (1A)(a) above, to the extent that the safety regulations give effect to any provisions of an international agreement ratified by the United Kingdom so far as it relates to the safety of ships or persons on them or to the protection of the health of persons on ships.”
- (4) In subsection (3)—

Changes to legislation: There are currently no known outstanding effects for the Merchant Shipping and Maritime Security Act 1997, Section 8. (See end of Document for details)

- (a) the words from “and regulations” to “relates to safety” are omitted; and
 - (b) for “paragraph (a), (b) or (c)” there is substituted “paragraph (a) or (b)”.
- (5) In subsection (4) for “subsection (1)(a)” there is substituted “subsection (1)”.
- (6) Section 86(5) and (6) of the 1995 Act (under which certain safety regulations are subject to affirmative resolution procedure) shall cease to have effect.

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