

1981 No. 584

MERCHANT SHIPPING

SAFETY

The Merchant Shipping (Safety Convention) (Transitional Provisions) Regulations 1981

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| <i>Made - - - -</i> | <i>8th April 1981</i> |
| <i>Laid before Parliament</i> | <i>10th April 1981</i> |
| <i>Coming into Operation</i> | <i>1st May 1981</i> |

Whereas by virtue of section 22(3)(c) of the Merchant Shipping Act 1979(a) the Secretary of State may by regulations make such transitional provisions and such incidental and supplemental provision as he considers appropriate or in connection with any modifications made by virtue of section 22(3)(a) of that Act:

And whereas the Secretary of State has made the Merchant Shipping (Modification of Enactments) Regulations 1981(b) in exercise of his powers under the said section 22(3)(a):

Now, therefore, the Secretary of State, in exercise of the said powers under section 22(3)(c) and of all other powers enabling him in that behalf, hereby makes the following Regulations:

1.—(1) These Regulations may be cited as the Merchant Shipping (Safety Convention) (Transitional Provisions) Regulations 1981 and shall come into operation on 1st May 1981.

(2) In these Regulations, unless the context otherwise requires, the following expressions have the following meaning; respectively:—

“the Acts” means the Merchant Shipping (Safety Convention) Act 1949(c) and the Merchant Shipping Act 1964(d);

“the Protocol of 1978” means the Protocol of 1978 relating to the International Convention for the Safety of Life at Sea 1974(e);

“the Safety Convention of 1974” means the International Convention for the Safety of Life at Sea 1974(f);

“1974 certificate” means a certificate which—

(a) purports to have been issued in accordance with the Safety Convention of 1974 in respect of a ship registered outside the United Kingdom; and

(a) 1979 c. 39.

(b) S.I. 1981/568.

(c) 1949 c. 43, as amended by section 85 of and Schedule 1 to the Merchant Shipping Act 1970 (c. 36), section 1(2) of the Merchant Shipping (Safety Convention) Act 1977 (c. 24), S.I. 1980/539 and S.I. 1981/568.

(d) 1964 c. 47, as amended by section 1(3) of the Merchant Shipping (Safety Convention) Act 1977 (c. 24), S.I. 1980/539 and S.I. 1981/568.

(e) Cmnd. 7346.

(f) Cmnd. 7874.

(b) immediately before the coming into operation of these Regulations, complied with such of the provisions of the Merchant Shipping (Accepted Safety Convention Certificates) Regulations 1980(a), as were applicable in the circumstances.

2. Any country to which the Safety Convention of 1974 applies shall, up to and including the 30th April 1982, be treated for the purposes of the Acts as if it were a country to which the Protocol of 1978 applies.

3. Any 1974 certificate which—

(a) relates to a ship registered in a country in respect of which the Protocol of 1978 takes effect on the 1st May 1981; and

(b) is in force on the 1st May 1981

shall, so long as it remains in force, be treated as if it were an accepted Safety Convention certificate within the meaning of the Acts.

4. Any 1974 certificate which relates to a ship registered in a country to which the Protocol of 1978 does not for the time being apply shall be treated as if it were an accepted Safety Convention certificate within the meaning of the Acts so long as the certificate remains in force: provided that no such certificate shall be so treated after the 30th April 1982.

5. Any 1974 certificate which—

(a) relates to a ship registered in a country in respect of which the Protocol of 1978 takes effect on a date later than the 1st May 1981; and

(b) is in force on such later date

shall be treated, with effect from such later date and so long as it remains in force, as if it were an accepted Safety Convention certificate within the meaning of the Acts.

Trefgarne,

Parliamentary Under-Secretary of State,
Department of Trade.

8th April 1981.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations provide that a country to which the International Convention for the Safety of Life at Sea 1974 applies shall be treated up to and including the 30th April 1982 for the purposes of the Merchant Shipping Act 1964 and the Merchant Shipping (Safety Convention) Act 1977, as if it were a country to which the Protocol of 1978 relating to the International Convention for the Safety of Life at Sea 1974 applies. The Regulations also provide for the continued acceptance for a limited time of certain certificates issued under the 1974 Convention in respect of ships not registered in the United Kingdom as if they had been issued under the Protocol of 1978.

(a) S.I. 1980/532.

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