
STATUTORY INSTRUMENTS

1991 No. 638

MERCHANT SHIPPING

SAFETY

The Merchant Shipping (Distress Signals and Prevention of Collisions) (Amendment) Regulations 1991

<i>Made</i>	- - - -	<i>12th March 1991</i>
<i>Laid before Parliament</i>		<i>20th March 1991</i>
<i>Coming into force</i>	- -	<i>19th April 1991</i>

The Secretary of State for Transport, after consultation 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 sections 21(1) (a) and (b), (3) and (4) and 22(1) of that Act and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

1. These Regulations may be cited as the Merchant Shipping (Distress Signals and Prevention of Collisions) (Amendment) Regulations 1991 and shall come into force on 19th April 1991.

2. The Merchant Shipping (Distress Signals and Prevention of Collisions) Regulations 1989(2) shall be amended as follows—

- (i) in regulation 1(2)(d) for “February 1986 and No. 5 of June 1988” there shall be substituted “February 1986, No. 5 of June 1988 and No. 6 of April 1990”;
- (ii) in the title to the Schedule, for “(as amended by Resolution A464 (XII) and Resolution A626 (15))” there shall be substituted “(as amended by Resolution A464 (XII), Resolution A626 (15) and A678 (16))”;
- (iii) in Rule 10(b)(ii) of the Schedule the word “lane” shall be replaced by the word “line”;
- (iv) in Rule 10(c) of the Schedule for “A vessel shall so far as practicable avoid crossing traffic lanes, but” there shall be substituted “A vessel shall, so far as practicable, avoid crossing traffic lanes but”;
- (v) Rule 10(d) of the Schedule shall be replaced by the following:

(1) 1979 c. 39; sections 21 and 22 were applied to hovercraft by the Hovercraft (Application of Enactments) Order 1989 (S.I.1989/1350). Sections 21 and (3) were amended by Section 11 of the Safety at Sea Act 1986 (c. 23); and section 21(6) was amended by section 49(3) of the Criminal Justice Act 1982 (c. 48).

(2) S.I. 1989/1798.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- “(d) (i) A vessel shall not use an inshore traffic zone when she can safely use the appropriate traffic lane within the adjacent traffic separation scheme. However, vessels of less than 20 metres in length, sailing vessels and vessels engaged in fishing may use the inshore traffic zone.
- (ii) Notwithstanding sub-paragraph (d)(i), a vessel may use an inshore traffic zone when *en route* to or from a port, offshore installation or structure, pilot station or any other place situated within the inshore traffic zone, or to avoid immediate danger”.

Signed by authority of the Secretary of State for Transport

12th March 1991

Patrick McLoughlin
Parliamentary Under Secretary of State,
Department of Transport

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations give effect to the amendment made by Resolution A678 (16) of the International Maritime Organization to Rule 10 of the International Regulations for Preventing Collisions at Sea 1972, which are set out in the Schedule to the Merchant Shipping (Distress Signals and Prevention of Collisions) Regulations 1989. This amendment was necessary to remove the perceived ambiguity in the wording of the original text. The amendment will enter into force internationally on 19th April 1991.

Minor typographical errors in Rules 10(b) and 10(c) have also been corrected.