

---

STATUTORY INSTRUMENTS

---

**1993 No. 1213**

**The Merchant Shipping (Local Passenger Vessels)(Masters' Licences and Hours, Manning and Training) Regulations 1993**

**PART I**  
**GENERAL**

**Citation and commencement**

**1.** These Regulations may be cited as the Merchant Shipping (Local Passenger Vessels) (Masters' Licences and Hours, Manning and Training) Regulations 1993 and shall come into force:

- (a) except for regulations 4 and 14, on 1st June 1993
- (b) regulations 4 and 14, on 1st October 1993.

**Interpretation**

**2.** In these Regulations, unless the context otherwise requires—

“crewman” has the same meaning as “seaman” in the Merchant Shipping Act 1894(1) (and accordingly includes every person (except masters and pilots) employed or engaged in any capacity on board a vessel);

“existing boatman’s licence” means a document bearing the title “Boatman’s licence” which—

- (a) is before the date on which these Regulations come into force issued by the Department of Transport in accordance with the provisions of Merchant Shipping Notice No.M. 1036 issued by the Department of Trade in August 1982 (as amended by Merchant Shipping Notice 1288 issued by the Department of Transport in September 1987); and
- (b) certifies that a person named in it has been tested by a Department of Transport surveyor and found to be qualified to be a person in charge of a passenger vessel in Classes IV, V, VI and VI(A);

“Merchant Shipping Notice” means a Notice issued by the Department of Transport and describing itself as a Merchant Shipping Notice;

“mile” means a nautical mile of 1852 metres;

“passenger” has the meaning given by section 26(1) of the Merchant Shipping (Safety Convention) Act 1949(2) (and accordingly means any person carried in a vessel, except—

- (a) a person employed or engaged in any capacity on board the vessel on the business of the vessel;
- (b) a person on board the vessel in pursuance of the obligation laid upon the master to carry shipwrecked, distressed or other persons, or by reason of any circumstance that neither

---

(1) 1894 c. 60; the definition of “seaman” in section 742 was amended by the Merchant Shipping Act 1970, Schedule 3, paragraph 4.

(2) 1949 c. 43.

the master nor the owner nor the charterer (if any) could have prevented or forestalled; and

(c) a child under one year of age);

“sea” does not include any waters of Category A, B, C or D;

“vessel” has the same meaning as “ship” in the Merchant Shipping Act 1894 (and accordingly includes every description of vessel used in navigation not propelled by oars);

“voyage” includes an excursion.

(2) In these Regulations a reference to waters of a stated category is a reference to waters which are specified as of that category in Merchant Shipping Notice M 1504 or in any subsequent Merchant Shipping Notice amending or replacing it which specifies the date on which that subsequent notice takes effect and which the Secretary of State considers relevant from time to time.

### **Application**

3.—(1) Part II of these Regulations applies to—

- (a) every vessel registered in the United Kingdom which is a passenger ship of Class IV, V, VI or VI(A) according to the classification set out in paragraph (4) of this regulation; and
- (b) every vessel registered elsewhere which is a passenger ship of one of the said Classes and carries passengers—

- (i) between places in the United Kingdom; or

- (ii) on a voyage which begins and ends at the same place in the United Kingdom and on which the ship calls at no place outside the United Kingdom.

(2) It is hereby directed that (to the extent that the provisions of sections 43 to 47 of the Merchant Shipping Act 1970 have not already been extended to vessels of the description mentioned below in this paragraph) the provisions of those sections and of Part II of these Regulations shall apply to—

(a) every vessel of the following description; that is to say, every vessel which—

- (i) is entitled to be registered under the Merchant Shipping Act 1894 but is not registered in the United Kingdom or elsewhere;

- (ii) is a passenger ship of a Class mentioned in paragraph (1)(a) above; and

- (iii) is wholly owned by persons each of whom either is resident in the United Kingdom or is a body corporate which has a principal place of business in the United Kingdom; and

(b) the master and seamen employed in every such vessel.

(3) Parts III and IV of these Regulations apply to every United Kingdom vessel which is a passenger ship of a Class mentioned in paragraph (1)(a) above.

(4) The descriptions of passenger ships within the Classes mentioned in paragraph (1)(a) above are as follows

Class IV. Ships engaged only on voyages in Category A, B, C and D waters.

Class V. Ships engaged only on voyages in Category A, B, and C waters.

Class VI. Ships engaged only on voyages with not more than 250 passengers on board, to sea, or in Category A, B, C and D waters, in all cases in favourable weather and during restricted periods, in the course of which the ships are at no time more than 15 miles, exclusive of any Category A, B, C or D waters, from their point of departure nor more than 3 miles from land.

Class VI(A). Ships carrying not more than 50 passengers for a distance of not more than 6 miles on voyages to or from isolated communities on the islands or coast of the United Kingdom and

which do not proceed for a distance of more than 3 miles from land; subject to any conditions which the Secretary of State may impose.

(5) In paragraphs (1) to (4) above—

“favourable weather” means fine, clear, settled weather with a sea state such as to cause only moderate rolling or pitching;

“passenger ship” means a ship carrying more than 12 passengers;

“restricted period” means a period falling within the following limits—

(a) from the 1st April to 31st October, both dates inclusive; and

(b) between one hour before sunrise and one hour after sunset in the case of a vessel fitted with navigation lights conforming to the Merchant Shipping (Distress Signals and Prevention of Collisions) Regulations 1989<sup>(3)</sup>, and between sunrise and sunset in the case of any other vessel;

“United Kingdom vessel” has the meaning given to “United Kingdom ship” by section 21(2) of the Merchant Shipping Act 1979.

(6) The requirements of Part II of these Regulations have effect subject to any exemptions given under section 44 of the Merchant Shipping Act 1970.

---

(3) S.I.1989/1798, to which there is an amendment not relevant to these Regulations.