

Status: Point in time view as at 14/07/2000. This version of this Instrument contains provisions that are prospective.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Merchant Shipping (EPIRB Registration) Regulations 2000. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

STATUTORY INSTRUMENTS

2000 No. 1850

MERCHANT SHIPPING SAFETY

The Merchant Shipping (EPIRB Registration) Regulations 2000

<i>Made</i>	- - - -	<i>14th July 2000</i>
<i>Laid before Parliament</i>		<i>19th July 2000</i>
<i>Coming into force</i>	- -	<i>1st September 2000</i>

The Secretary of State for the Environment, Transport and the Regions, after consulting the persons referred to in section 86(4) of the Merchant Shipping Act 1995⁽¹⁾, in exercise of the powers conferred on him by sections 85(1)(a), (3), (5) and (7) and 86(1) of that Act, and of all other powers enabling him in that behalf, hereby makes the following Regulations:

PROSPECTIVE

Citation and commencement

1. These Regulations may be cited as the Merchant Shipping (EPIRB Registration) Regulations 2000 and shall come into force on 1st September 2000.

Commencement Information

II Reg. 1 in force at 1.9.2000, see [reg. 1](#)

Interpretation

2. In these Regulations—

“Cospas-Sarsat satellite service” means a satellite aided search and rescue system designed to locate distress beacons transmitting in the 406 MHz band and on other frequencies;

“EPIRB” means an emergency position indicating radio beacon capable of transmitting a distress alert either through the Cospas-Sarsat satellite service operating in the 406 MHz band or through the INMARSAT geostationary satellites operating in the 1.6 GHz band;

⁽¹⁾ 1995 c. 21; sections 85 and 86 were amended by the Merchant Shipping and Maritime Security Act 1997 (c. 28), section 8, and apply to hovercraft by virtue of the Hovercraft (Application of Enactments) Order 1989 (S.I.1989/1350) to which there are amendments not relevant to these Regulations.

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“INMARSAT” means the Organisation established by the Convention on the International Maritime Satellite Organisation adopted on 3rd September 1976⁽²⁾;

“MID” means Maritime Identification Digits, being the three digits within the MMSI that identify the country where the ship is registered;

“MMSI” means Maritime Mobile Service Identity, being a nine-digit identification number made up of the three-digit MID followed by a six-digit identification number;

“operator” includes the master and any charterer, manager or agent of the ship;

“radio installation” means any radio installation provided on board a ship, including its associated antennas, interconnecting circuits and, where appropriate, sources of electrical energy;

“surveyor of ships” means any person appointed by the Secretary of State, either generally or in a particular case, to exercise powers under these Regulations;

“survival craft” means a craft capable of sustaining the lives of persons in distress from the time of abandoning the ship; and

“United Kingdom ship” means a ship which—

- (a) is a United Kingdom ship within the meaning of section 85(2) of the Merchant Shipping Act 1995; or
- (b) is a hovercraft registered under the Hovercraft Act 1968⁽³⁾.

Commencement Information

I2 Reg. 2 in force at 1.9.2000, see [reg. 1](#)

Application

3.—(1) These Regulations apply to United Kingdom ships wherever they may be.

(2) In relation to hovercraft these Regulations shall have effect subject to the modification that for any reference to a ship or ships, there shall respectively be substituted a reference to a hovercraft and to hovercraft.

Commencement Information

I3 Reg. 3 in force at 1.9.2000, see [reg. 1](#)

Competent authority

4.—(1) For the purposes of these Regulations, HM Coastguard is designated as the competent authority for the United Kingdom.

(2) In these Regulations in relation to any other member State of the International Telecommunication Union⁽⁴⁾ “competent authority” means the authority designated as such by the State as the authority in that State for registering the details of EPIRBs.

(2) Cmnd. 6822.

(3) 1968 c. 59.

(4) The International Telecommunication Union is a specialised agency of the United Nations with responsibility for all terrestrial and space uses of the radio frequency spectrum.

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Commencement Information

I4 Reg. 4 in force at 1.9.2000, see [reg. 1](#)

Requirement for EPIRBs to be registered

5.—(1) The owner and the operator of every United Kingdom ship shall ensure that every EPIRB carried on the ship (whether or not carried in compliance with statutory requirements) is registered with a competent authority and that the registered particulars are correct.

(2) The registered particulars referred to in paragraph (1) are the following:—

- (a) ship name;
- (b) MMSI;
- (c) radio call sign;
- (d) EPIRB identification code (if applicable) and its homing frequency;
- (e) country where the ship is registered;
- (f) brief description of ship, including its type, gross tonnage, ship superstructure, deck colours and identifying marks;
- (g) name, address, telephone and (if applicable) telefax number of emergency contact person ashore;
- (h) alternative 24-hour emergency telephone number (alternative contact ashore);
- (i) capacity of ship for carrying persons on board (passengers and crew);
- (j) radio installations carried on board the ship and survival craft;
- (k) type and number of survival craft; and
- (l) date of last modification of registered particulars.

(3) Evidence that every EPIRB carried on the ship is registered in accordance with paragraph (1) above shall be readily available on board for inspection at all times by a surveyor of ships.

Commencement Information

I5 Reg. 5 in force at 1.9.2000, see [reg. 1](#)

Change in registered particulars

6. Where in respect of an EPIRB registered with a competent authority there is any change in the particulars registered with that competent authority, the owner and the operator of the ship to which those particulars relate shall, as soon as is reasonably practicable after the change, give written notice of it to the competent authority.

Commencement Information

I6 Reg. 6 in force at 1.9.2000, see [reg. 1](#)

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Offences

7.—(1) Any contravention of regulation 5(1) or 6 shall be an offence by the owner and the operator of the ship punishable on summary conviction by a fine of an amount not exceeding level 3 on the standard scale.

(2) Any contravention of regulation 5(3) shall be an offence by the owner and the operator of the ship punishable on summary conviction by a fine of an amount not exceeding level 2 on the standard scale.

Commencement Information

I7 Reg. 7 in force at 1.9.2000, see [reg. 1](#)

Defence

8. It shall be a defence for a person charged under these Regulations to show that he took all reasonable steps and exercised all due diligence to avoid the commission of the offence.

Commencement Information

I8 Reg. 8 in force at 1.9.2000, see [reg. 1](#)

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

14th July 2000

Keith Hill
Parliamentary Under-Secretary of State,
Department of the Environment, Transport and
the Regions

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PROSPECTIVE

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations require that EPIRBs (that is, emergency position indicating radio beacons) carried on United Kingdom ships and hovercraft shall be registered with the competent authority in a member State of the International Telecommunication Union (*regulation 5(1)*). In the United Kingdom the competent authority is HM Coastguard (*regulation 4*). (The registered particulars are maintained at the EPIRB Register, HM Coastguard, South Western, Pendennis Point, Castle Drive, Falmouth TR11 4WZ). A list of details required to be registered is included (*regulation 5(2)*), and changes must be notified (*regulation 6*). Penalties are provided for contravention of the Regulations (*regulation 7*).

A Regulatory Impact Assessment has been carried out and a copy placed in the Library of both Houses of Parliament. Copies can be obtained from the Maritime and Coastguard Agency, Spring Place, 105 Commercial Road, Southampton SO15 5EG (telephone number 02380 329137).

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