
STATUTORY INSTRUMENTS

2000 No. 3216

The Merchant Shipping (Carriage of Packaged Irradiated Nuclear Fuel etc.) (INF Code) Regulations 2000

Interpretation

2.—(1) In these Regulations:

“Certificate of Fitness” means the International Certificate of Fitness for the Carriage of INF Cargo, as provided for in the INF Code;

“high-level radioactive wastes” means liquid wastes resulting from the operation of the first stage extraction system or the concentrated wastes from subsequent extraction stages, in a facility for reprocessing irradiated nuclear fuel, or solids into which such liquid wastes have been converted;

“IMDG Code” means the 2000 Edition of the IMO International Maritime Dangerous Goods Code;

“IMO” means the International Maritime Organization;

“INF cargo” means packaged irradiated nuclear fuel, plutonium and high-level radioactive wastes carried as cargo;

“INF Code” means the International Code for the Safe Carriage of Packaged Irradiated Nuclear Fuel, Plutonium and High-Level Radioactive Wastes on Board Ships adopted on 27 May 1999 by the Maritime Safety Committee of the IMO by resolution MSC 88(71) and set out in the Annex thereto;

“irradiated nuclear fuel” means material containing uranium, thorium or plutonium isotopes which has been used to maintain a self-sustaining nuclear chain reaction;

“Merchant Shipping Notice” means a Notice described as such, issued by the Secretary of State and any reference to a particular Merchant Shipping Notice includes a reference to any Merchant Shipping Notice amending or replacing it which the Secretary of State considers relevant from time to time;

“operator” in relation to a ship includes any owner, charterer, manager and agent of the ship;

“packaged” means contained in packagings complying with the requirements of Class 7 of the IMDG Code, schedules 10, 11, 12, 13 or 14;

“plutonium” means the resultant mixture of isotopes of that material extracted from the reprocessing of irradiated nuclear fuel;

“The SOLAS Convention” means the Safety of Life at Sea Convention 1974 and its 1978 Protocol as amended;

“United Kingdom ship” means a ship or hovercraft which—

- (a) is registered under Part II of the Merchant Shipping Act 1995;
- (b) is registered under the Hovercraft Act 1968(1);

- (c) is a Government ship within the meaning of section 308(4) of the Merchant Shipping Act 1995 used for commercial purposes; or
 - (d) is not registered under the law of any other country but is wholly owned by persons each of whom is—
 - (i) a British citizen, a British Dependent Territories citizen or a British Overseas citizen; or
 - (ii) a body corporate which is established under the law of a part of the United Kingdom and has its principal place of business in the United Kingdom.
- (2) For the purpose of these Regulations, “competent authority” means, in relation to United Kingdom ships, the Secretary of State, and in relation to other ships, the relevant maritime authority of the State whose flag the ship is entitled to fly.
- (3) Any reference in these Regulations to the IMDG Code, INF Code or the SOLAS Convention shall include a reference to any document amending that publication which is considered by the Secretary of State to be relevant from time to time and is specified in a Merchant Shipping Notice.
- (4) In interpreting the INF Code—
- (a) the requirements of the INF Code having been made mandatory under regulation 4 below, the language thereof shall be construed accordingly, and in particular “should” shall be construed as “shall”;
 - (b) references to the Administration shall, in relation to United Kingdom ships, be construed as references to the Secretary of State.