
STATUTORY INSTRUMENTS

2004 No. 929

**The Merchant Shipping (Gas Carriers)
(Amendment) Regulations 2004**

Amendment of principal Regulations: interpretation

2. In regulation 1(2) of the principal Regulations,
- (a) after the definition of “the 1974 SOLAS Convention” there shall be inserted the following:
 - ““anniversary date” means the day and month of each year which will correspond to the date of expiry of the International Certificate of Fitness for the Carriage of Liquefied Gases in Bulk;
 - “appropriate Certifying Authority” means the Secretary of State or any person authorised by the Secretary of State and includes in particular (if so authorised) Lloyd’s Register of Shipping, the British Committee of Bureau Veritas, the British Committee of Det Norske Veritas, the British Committee of Germanischer Lloyd, the British Technical Committee of the American Bureau of Shipping, and the British Committee of Registro Italiano Navale;”
 - (b) in the definition of “the IGC Code” after both “1983 IGC Code” and “1993 IGC Code” there shall be inserted the words “as amended by Resolution MSC.17.(58) of the International Maritime Organisation, adopted on 24th May 1990, and includes any further amendments adopted by the International Maritime Organisation which are considered by the Secretary of State to be relevant from time to time and are specified in a Merchant Shipping Notice”;
 - (c) for the definition of “International Certificate of Fitness for the Carriage of Liquefied Gases in Bulk” there shall be substituted the following:
 - ““International Certificate of Fitness for the Carriage of Liquefied Gases in Bulk” means a certificate which certifies compliance with the IGC Code;”
 - (d) after the definition of “International Certificate of Fitness for the Carriage of Liquefied Gases in Bulk” there shall be inserted the following:
 - ““Merchant Shipping Notice” means a Notice described as such and issued by the Maritime and Coastguard Agency (which is an executive agency of the Department for Transport); and any reference to a particular Merchant Shipping Notice includes a reference to any document amending or replacing that Notice which is considered by the Secretary of State to be relevant from time to time and is specified in a Merchant Shipping Notice;”
 - (e) after the definition of “new gas carrier” there shall be inserted the following:
 - ““proper officer” means a consular officer appointed by Her Majesty’s Government in the United Kingdom and, in relation to a port in a country outside the United Kingdom which is not a foreign country, also any officer exercising in that port functions similar to those of a superintendent;
 - “short international voyage” means a voyage from a port in one country to which the 1974 SOLAS Convention applies to a port in another country, or conversely,—

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- (a) in the course of which a ship is not more than two hundred nautical miles from a port or place in which the passengers and crew could be placed in safety, and
- (b) which does not exceed 600 nautical miles in distance between the last port of call in the country in which the voyage begins and the last port of call in the scheduled voyage before beginning a return voyage, and which on the return voyage does not exceed 600 nautical miles in distance between the port of call in which the ship commences its return voyage and the first port of call in the country in which the voyage began,

and for the purposes of this definition no account shall be taken of any deviation by a ship from her intended voyage due solely to stress of weather or any other circumstances that neither the master nor the owner nor the charterer (if any) of the ship could have prevented or forestalled;”.