
STATUTORY INSTRUMENTS

2018 No. 242

**The Merchant Shipping (Maritime Labour Convention)
(Miscellaneous Amendments) Regulations 2018**

Amendment of the Merchant Shipping (Vessels in Commercial Use for Sport or Pleasure) Regulations 1998

2.—(1) The Merchant Shipping (Vessels in Commercial Use for Sport or Pleasure) Regulations 1998⁽¹⁾ are amended as follows.

(2) In regulation 4 (commercially operated large vessels complying with Code of Practice)—

- (a) paragraph (1)(a) becomes paragraph (1);
- (b) paragraph (1)(b) becomes paragraph (1A);
- (c) for paragraph (3) substitute—

“(3) The following provisions do not apply to a vessel which has been examined, and in respect of which appropriate certificates have been issued, in accordance with the Code of Practice—

- (a) the statutory instruments listed in Schedule 1; and
- (b) regulations 29(2) and 30 of the Merchant Shipping (Maritime Labour Convention) (Minimum Requirements for Seafarers etc.) Regulations 2014⁽²⁾ (crew accommodation requirements and provision for certain older ships)”.

(3) In regulation 5 (commercially operated small vessels complying with a Code of Practice)—

(a) in paragraph (2), after sub-paragraph (a) but before the “and” at the end insert—

- “(aa) “Marine Guidance Note 490(M) Amendment 1” means the note described as such published by the Maritime and Coastguard Agency in September 2014;
- (ab) “Marine Guidance Note 491(M) Amendment 1” means the note described as such published by the Maritime and Coastguard Agency in September 2014;”;

(b) for paragraph (3), substitute—

“(3) The following provisions do not apply to a vessel which satisfies the requirements in paragraph (3A)—

- (a) the statutory instruments listed in Schedule 2;
- (b) regulations 29(2) and 30 of the Merchant Shipping (Maritime Labour Convention) (Minimum Requirements for Seafarers etc.) Regulations 2014 (crew accommodation requirements and provision for certain older ships).

(3A) The requirements are that the vessel—

- (a) has been examined and has been issued with a small commercial vessel certificate in accordance with the applicable Code of Practice; and

(1) [S.I. 1998/2771](#), relevant amending instruments are [S.I. 2000/482](#) and [2016/353](#).

(2) [S.I. 2014/1613](#).

Status: This is the original version (as it was originally made).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

- (b) in the case of a vessel the keel of which was laid or which was at a similar stage of construction on or after 7th August 2014, complies with the standards set out in—
 - (i) where the vessel is less than 200 tons, Annex 1 to Marine Guidance Note 490(M) Amendment 1; or
 - (ii) where the vessel is 200 tons or more but less than 500 tons, Annex 1 to Marine Guidance Note 491(M) Amendment 1.”;

(c) omit paragraph (5).

(4) In Schedule 1 (statutory instruments disappplied in relation to large vessels complying with a Code of Practice), in the table omit the entry for the Merchant Shipping (Maritime Labour Convention) (Minimum Requirements for Seafarers etc.) Regulations 2014.

(5) In Schedule 2 (statutory instruments disappplied in relation to small vessels complying with a of Practice), in the table omit the entry for the Merchant Shipping (Maritime Labour Convention) (Minimum Requirements for Seafarers etc.) Regulations 2014.