
STATUTORY INSTRUMENTS

2018 No. 58

The Merchant Shipping (Maritime Labour Convention) (Hours of Work) Regulations 2018

Inspection of MLC ships

20.—(1) A relevant inspector may—

- (a) review a ship's Maritime Labour Certificate and Declaration of Maritime Labour Compliance or the ship's interim Maritime Labour Certificate; and
- (b) where Standard A5.2.1 of the Maritime Labour Convention (inspections in port) applies, carry out a more detailed inspection in accordance with that Standard.

(2) Subsections (1A), (2), (3) and (5) of section 258 of the Merchant Shipping Act 1995 (powers to inspect ships and their equipment, etc.) apply in relation to the power conferred by paragraph (1) as they apply to the power conferred under subsection (1) of that section.

(3) The powers conferred by section 259 of that Act (powers of inspectors in relation to ships) are available to any person conducting an inspection under paragraph (1), for the purpose of performing his or her functions in relation to the inspection.

(4) In its application by virtue of paragraph (2), section 259 has effect as if—

- (a) subsections (3), (4) and (6) were omitted ;
- (b) in subsection (2)(h)(iii)—
 - (i) for the words “this Act” there were substituted “these Regulations”; and
 - (ii) the words “or any instrument made under it” were omitted;
- (c) in subsection (2)(j)(i), for the words “this Act” there were substituted “these Regulations”;
- (d) in subsection (5)—
 - (i) for the words “subsections (2) and (4) above for the purposes of Chapter II of Part VI” there were substituted “subsection (2) above”; and
 - (ii) for the words “those subsections” there were substituted “that subsection”.

(5) Section 260 (provisions supplementary to section 259) applies in relation to the powers conferred by section 259 by virtue of paragraph (3).

(6) Sections 261 to 266 (improvement notices and prohibition notices) apply in relation to a person conducting an inspection under paragraph (1) as they apply in relation to an inspector appointed under section 256(6).

(7) In its application by virtue of paragraph (6), section 261 (meaning of “the relevant statutory provisions”), has effect as if in subsection (4), after paragraph (b) there were inserted—

- “(c) the Merchant Shipping (Maritime Labour Convention) (Hours of Work) Regulations 2018.”.

(8) Any regulations made under subsection (8) of section 259 or subsection (3) of section 260 of the Merchant Shipping Act 1995 apply for the purposes of the provisions of those sections as applied by this regulation as they apply for the purposes of the Merchant Shipping Act 1995.