

SCHEDULE

Regulation 2

Amendment of regulations

Amendment of the 2015 Regulations

1. The 2015 Regulations are amended as follows.
2. In regulation 9 (surveys of cargo ship structure, machinery and equipment), at the end, insert—
 - “(3) An oil tanker to which this regulation applies and which is engaged on international voyages, must be subjected to the enhanced programme of inspections required by the ESP Code during a survey required by these Regulations(1).
 - (4) In this regulation, any reference to the ESP Code is to be construed—
 - (a) as a reference to the ESP Code as modified from time to time; and
 - (b) as, if the ESP Code is replaced, a reference to the replacement.
 - (5) For the purposes of paragraph (4), the ESP Code is modified or replaced if the modification or replacement takes effect in accordance with Article VIII of the SOLAS Convention.
 - (6) A modification or replacement of the ESP Code has effect at the time such modification or replacement comes into force in accordance with Article VIII of the SOLAS Convention.
 - (7) In this regulation—

“ESP Code” means the International Code on the Enhanced Programme of Inspections during surveys of Bulk Carriers and Oil Tankers, 2011(2);

“oil tanker” has the meaning given to it in regulation 1 of Annex I to the International Convention for the Prevention of Pollution from Ships, 1973(3).”

Amendment of the Merchant Shipping (Fees) Regulations 2018

3. The Merchant Shipping (Fees) Regulations 2018(4) are amended as follows.
4. In Part 1 of Schedule 1 (fees under the Merchant Shipping Act 1995), in the table in paragraph 5 (fees for inspections, etc.)—

- (1) See Merchant Shipping Notice (MSN) 1751 (M+F) Amendment 1 for information on the enhanced programme of inspections in the ESP Code. This Merchant Shipping Notice can be found at www.gov.uk/topic/ships-cargoes/m-notices and is available in hard copy from the Maritime and Coastguard Agency (MCA) of Spring Place, 105 Commercial Road, Southampton, SO15 1EG (telephone 020 3817 2000 and email infoline@mcga.gov.uk).
- (2) The ESP Code is made mandatory by regulation 2 of Chapter XI-1 of the Convention (special measures to enhance maritime safety). It was adopted by International Maritime Organization (IMO) Resolution A.1049(27) on 30th November 2011 and amended by IMO Resolutions MSC.371(93), MSC.381(94), MSC.405(96), MSC.412(97), MSC.461(101) and MSC.483(103). The ESP Code and the amendments to it can be found at <https://www.imo.org/en/KnowledgeCentre/IndexofIMOResolutions/Pages/Default.aspx> or obtained in hard copy from the IMO of 4 Albert Embankment, London SE1 7SR, or from the Maritime and Coastguard Agency (MCA) of Spring Place, 105 Commercial Road, Southampton, SO15 1EG (telephone 020 3817 2000 and email infoline@mcga.gov.uk).
- (3) The International Convention for the Prevention of Pollution from Ships, 1973 (MARPOL) was published in Cmnd 5748. It was modified by the Protocol of 1978 (Cmnd 7347) and amended by the Protocol of 1997 (Cm 4427). MEPC.21(22) amended the Convention to introduce Protocol I, which was amended by MEPC.68(38). Annex I was revised and replaced by IMO Resolution MEPC.117(52), which amended the Annex to the Protocol of 1978 and came into force on 1st January 2007. Annex I was further amended by IMO Resolutions MEPC.141(54), 154(55), 164(56), 186(59), 187(59), 189(60), 216(63), 238(65), 246(66), 248(66), 256(67), 265(68), 266(68), 276(70), 314(74) and 330(76). MARPOL is available in hard copy from the IMO of 4 Albert Embankment, London SE1 7SR. Hard copies of the Command Papers are available for inspection free of charge but by appointment at the Parliamentary Archives, Houses of Parliament, London SW1A 0PW. The IMO Resolutions are also available from the IMO at <https://www.imo.org/en/KnowledgeCentre/IndexofIMOResolutions/Pages/MEPC.aspx> or found on the Foreign, Commonwealth and Development Office treaties database (<https://treaties.fcdo.gov.uk/responsive/app/consolidatedSearch>).
- (4) S.I. 2018/1104. There are amendments but none is relevant.

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

- (a) in Section I (construction and equipment), at the end—
 - (i) in the first column, insert “The Merchant Shipping (Special Measures to Enhance Maritime Safety) Regulations 2024”;
 - (ii) in the second column, insert “2024/280”;
 - (iii) in the third column, insert “None”;
- (b) in Section L (survey and certification), in the entry for the Merchant Shipping (Survey and Certification) Regulations 2015, in the third column—
 - (i) after “2018/53”, insert “2018/1221” and “2022/41”;
 - (ii) for “2022/42”, substitute “2022/1169”; and
 - (iii) after “2022/1219”, insert “2024/280”.