

SCHEDULE 2

Article 3

PART A

further modifications of the provisions of the prevention of oil pollution act 1971 applied by article 3

- 1) Omit section 7(2).
- 2) For section 24 substitute:—

“24. The provisions of this Act do not apply to military hovercraft (whether owned or operated by or on behalf of Her Majesty’s Government or any other Government), but subject to that, they apply to hovercraft owned or operated by or on behalf of any Government Department.”.
- 3) In section 30, omit subsections (2) to (5).

PART B

further modifications of the provisions of the merchant shipping (prevention of oil pollution) regulations 1983 applied by article 3

- 1) In regulation 1(2)—
 - (a) omit the definition of “deadweight”;
 - (b) for the definition of “Government ship” substitute— ““Government hovercraft” means a hovercraft owned or operated by or on behalf of any Government Department;”;
 - (c) omit the definition “lightweight”;
 - (d) omit the definition of “oil tanker” and any provision made in relation thereto;
 - (e) for the definition of “United Kingdom ship” substitute—

““United Kingdom hovercraft” means a hovercraft which—

 - (i) is registered in the United Kingdom, or
 - (ii) is operating unregistered in accordance with any provisions of any Order for the time being in force made under section 1(1)(a) of the Hovercraft Act 1968, or
 - (iii) is not registered under the law of any country but is owned by persons any one of whom is ordinarily resident, or being a company has its principal place of business in, the United Kingdom;”;
 - (f) omit the definition of “volume”;
- 2) In regulation 2(2) for the words “warship, naval auxiliary or other ship” substitute “military, naval or other hovercraft”.
- 3) In regulation 2, omit paragraph (4).
- 4) In regulation 4(1), for the words “and every other United Kingdom ship of 400 GRT and above” substitute “Every United Kingdom hovercraft having a maximum operational weight of 150 tonnes or above”.
- 5) In regulation 7—

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- (a) in paragraph (1)(a), for the words “other ship of 400 GRT and above” substitute “hovercraft having a maximum operational weight of 150 tonnes or above”;
- (b) for paragraph (7) substitute—

“7) One copy of the appropriate Certificate shall be kept on board every hovercraft which is required by virtue of these Regulations to have one and shall be available for inspection at all reasonable times.”.
- 6) In regulation 10, for paragraph (1) substitute—

“1) Every hovercraft to which these Regulations apply having a maximum operational weight of 150 tonnes or above shall be provided with an Oil Record Book, Part I (Machinery Space Operations), in the form set out in Schedule 2, Appendix 1.”.
- 7) In regulation 12, for paragraph (1) substitute—

“1) Subject to regulation 11, and to paragraph (1A) below, this regulation applies to United Kingdom hovercraft wherever they may be and other hovercraft when they are in the United Kingdom or the territorial waters thereof.

1A) This regulation does not apply to any discharge within the meaning of these Regulations which occurs landward of the line referred to in section 2(2A)(a) of the Prevention of Oil Pollution Act 1971:

Provided that this shall not affect the operation of so much of paragraph (4) below as prohibits the discharge into the sea of chemicals or other substances in quantities or concentrations which are hazardous to the marine environment.”.
- 8) In regulation 14—
 - (a) for paragraph (1) substitute—

“1) Every hovercraft having a maximum operational weight of 150 tonnes or above but less than 1,000 tonnes shall be fitted with oily-water separating equipment(100 ppm equipment) complying with paragraph (6) of this regulation. Any hovercraft to which these Regulations apply which carries ballast water in its bunker fuel tanks shall comply with paragraph (2) of this regulation notwithstanding that it has a maximum operational weight of less than 1,000 tonnes.”;
 - (b) in paragraph (2), for the words “Subject to paragraph (4)” to “apply” substitute “Every hovercraft having a maximum operational weight above 1,000 tonnes”;
 - (c) in paragraph (3)(b), for the words “ships of less than 400 GRT” substitute “hovercraft having a maximum operational weight of less than 150 tonnes”;
 - (d) in paragraph (7), for the words “ships less than 10,000 GRT” substitute “hovercraft having a maximum operational weight of less than 1,000 tonnes”.
- 9) In regulation 16—
 - (a) in paragraph (2)(a), for the words “United Kingdom ship of 400 GRT and above” substitute “United Kingdom hovercraft having a maximum operational weight of 150 tonnes or above”;
 - (b) in paragraph (2)(b), for the words “United Kingdom ship of less than 400 GRT” substitute “United Kingdom hovercraft having a maximum operational weight of less than 150 tonnes”.
- 10) In regulation 25(1), for the words “Every ship of 400 GRT and above” substitute “Every hovercraft having a maximum operational weight of 150 tonnes or above”.

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11) In regulation 33(2), for the words “sections 460(1)” to “to the ship” substitute “sections 460(1) and 692 of the Merchant Shipping Act 1894 shall have effect in relation to the hovercraft as they have effect in relation to ships.”.

12) In Appendices II and IV of Schedule 1 and in Appendix I of Schedule 2, for any reference to gross tonnage substitute a reference to maximum operational weight, and in Part I of the said Appendix I, for the words “every ship of 400 tons gross tonnage and above” substitute “every hovercraft having a maximum operational weight of 150 tonnes or above.”.

PART C

further modification of the provisions of the merchant shipping
(reporting of pollution incidents) regulations 1987 applied by article 3

In regulation 3(1)c), omit the words “or Part II of the Merchant Shipping (Control of Pollution by Noxious Liquid Substances in Bulk) Regulations 1987”.