

*This Statutory Instrument has been made in consequence of defects in S.I.1998/2514 and S.I. 1998/2515 and is being issued free of charge to all known recipients of those Statutory Instruments.*

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STATUTORY INSTRUMENTS

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**2002 No. 1650**

**MERCHANT SHIPPING  
SAFETY**

**The Merchant Shipping (Miscellaneous  
Amendments) Regulations 2002**

<i>Made</i>	- - - -	<i>25th June 2002</i>
<i>Laid before Parliament</i>		<i>1st July 2002</i>
<i>Coming into force</i>	- -	<i>1st August 2002</i>

The Secretary of State for Transport, after consulting the persons referred to in section 86(4) of the Merchant Shipping Act 1995<sup>(1)</sup>, in exercise of the powers conferred upon him by sections 85(1)(a) and (b), (3) and (5) to (7) and 86(1) of that Act hereby makes the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Merchant Shipping (Miscellaneous Amendments) Regulations 2002 and shall come into force on 1st August 2002.

**Amendment of the Merchant Shipping (Passenger Ship Construction: Ships of Classes I, II and II(A)) Regulations 1998**

2. The Merchant Shipping (Passenger Ship Construction: Ships of Classes I, II and II(A)) Regulations 1998<sup>(2)</sup> shall be amended as follows—

- (a) in regulation 75, for “(published 1978)” there shall be substituted “(published 1990)”; and
- (b) in regulation 91—
  - (i) for paragraph (5) there shall be substituted—

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(1) 1995 c. 21; sections 85 and 86 were amended by the Merchant Shipping and Maritime Security Act 1997 (c. 28), section 8.  
(2) S.I. 1998/2514; a relevant amending instrument is S.I. 2001/1638. By virtue of regulation 5(1)(a) of the Merchant Shipping (Passenger Ships on Domestic Voyages) Regulations 2000 (S.I. 2000/2687) S.I. 1998/2514 ceases to apply to certain types of passenger ship of 24 metres or over in length engaged in certain domestic voyages from dates specified in regulation 4 of S.I. 2000/2687.

“(5) If any officer appointed in accordance with regulation 30(1) reports to the master or other officer in charge of the bridge a door to be closed and locked when it is not in fact closed and locked he shall be guilty of an offence, punishable on summary conviction by a fine not exceeding the statutory maximum or, on conviction on indictment, by imprisonment for a term not exceeding two years and a fine.”, and

(ii) in paragraph (6), for “level 3 on the standard scale” there shall be substituted “the statutory maximum”.

### **Amendment of the Merchant Shipping (Passenger Ship Construction: Ships of Classes III to VI(A)) Regulations 1998**

3. The Merchant Shipping (Passenger Ship Construction: Ships of Classes III to VI(A)) Regulations 1998(3) shall be amended as follows—

- (a) in regulation 51(3), for “one propeller” there shall be substituted “one or more propellers”;
- (b) at the end of regulation 60, after “Schedule 9” there shall be added “in Merchant Shipping Notice MSN 1698(M)”;
- (c) in regulation 62(1)(d), for “(published 1978)” there shall be substituted “(published 1990)”;
- (d) after regulation 73(2) there shall be inserted—

“(2A) If any officer appointed in accordance with regulation 23(1) reports to the master or other officer in charge of the bridge a door to be closed and locked when it is not in fact closed and locked he shall be guilty of an offence, punishable on summary conviction by a fine not exceeding the statutory maximum or, on conviction on indictment, by imprisonment for a term not exceeding two years and a fine.”; and

- (e) in regulation 73(3), for “level three on the standard scale” there shall be substituted “the statutory maximum”.

Signed by authority of the Secretary of State for Transport

25th June 2002

*David Jamieson*  
Parliamentary Under Secretary of State,  
Department for Transport

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(3) S.I. 1998/2515, to which there are amendments not relevant to these Regulations. By virtue of regulation 5(1)(a) of the Merchant Shipping (Passenger Ships on Domestic Voyages) Regulations 2000 (S.I. 2000/2687) S.I. 1998/2515 ceases to apply to certain types of passenger ship of 24 metres or over in length engaged in certain domestic voyages from dates specified in regulation 4 of S.I. 2000/2687.

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend two earlier instruments to correct defects, and are being issued free of charge to all known recipients of those instruments.

Regulation 2 amends the Merchant Shipping (Passenger Ship Construction: Ships of Classes I, II and II(A)) Regulations 1998 to correct a reference to a published code of practice, clarify the offence in regulation 91(5) and alter the penalty for contravention of regulation 42(1).

Regulation 3 amends the Merchant Shipping (Passenger Ship Construction: Ships of Classes III to VI(A)) Regulations 1998 to alter a manoeuvring requirement, clarify a reference to a Merchant Shipping Notice, correct a reference to a published code of practice, create an offence where a door is reported closed and locked but is not closed and locked, and alter the penalty for contravention of regulation 34(4)(a) of those Regulations.