



# Merchant Shipping Act 1995

## 1995 CHAPTER 21

### PART XIII

#### SUPPLEMENTAL

##### *Subordinate Legislation*

#### **[<sup>F1</sup>306A Power to make ambulatory references to international instruments**

- (1) This section applies where—
  - (a) a person has power under this Act to make subordinate legislation, and
  - (b) the person proposes to exercise that power to make subordinate legislation which refers to an international instrument.
- (2) The power may be exercised so as to have the effect that the reference to the instrument is construed—
  - (a) as a reference to the instrument as modified from time to time;
  - (b) if the instrument is replaced by another instrument, as a reference to that other instrument.
- (3) For the purposes of subsection (2)(a), an instrument is modified if—
  - (a) omissions, additions or other alterations to the text of the instrument take effect, or
  - (b) supplementary provision made under the instrument takes effect.
- (4) In this section, provision included in subordinate legislation by virtue of subsection (2) is referred to as ambulatory provision.
- (5) Subordinate legislation which makes ambulatory provision may make provision as to—
  - (a) when a modification of an international instrument is to be treated as taking effect for the purposes of subsection (2)(a) (read with subsection (3));
  - (b) when an international instrument is to be treated as having been replaced by another instrument for the purposes of subsection (2)(b).

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**Changes to legislation:** Merchant Shipping Act 1995, Section 306A is up to date with all changes known to be in force on or before 20 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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(6) In this section—

- (a) “international instrument” means an international convention or treaty or an instrument made under such a convention or treaty except that “international instrument” does not include an EU instrument;
- (b) “subordinate legislation” has the same meaning as in the Interpretation Act 1978.]

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**Textual Amendments**

**F1** S. 306A inserted (26.5.2015) by [Deregulation Act 2015 \(c. 20\)](#), **ss. 106**, 115(3)(m)

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**Modifications etc. (not altering text)**

**C1** S. 306A applied (31.3.2023) by [The Merchant Shipping \(Watercraft\) Order 2023 \(S.I. 2023/35\)](#), arts. 1(1), **13**

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 145(2)(a)(ia) inserted by [2003 c. 44 Sch. 36 para. 13\(2\)](#)
- s. 145(2)(a)(ia) words substituted by [2015 c. 2 Sch. 11 para. 16\(2\)](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 145(2)(a)(ia) by 2003 c. 44, Sch. 36 para. 13 is still prospective.)
- s. 145(2A) inserted by [2003 c. 44 Sch. 36 para. 13\(3\)](#)
- s. 145(2A) words substituted by [2015 c. 2 Sch. 11 para. 16\(3\)](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 145(2A) by 2003 c. 44, Sch. 36 para. 13 is still prospective.)