



Deregulation Act 2015

2015 CHAPTER 20

Legislative reform

106 Ambulatory references to international shipping instruments

After section 306 of the Merchant Shipping Act 1995 insert—

“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));

Status: This is the original version (as it was originally enacted).

- (b) when an international instrument is to be treated as having been replaced by another instrument for the purposes of subsection (2)(b).
- (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.”