
STATUTORY INSTRUMENTS

1985 No. 663**MERCHANT SHIPPING****SAFETY****The Merchant Shipping (Cargo Ship Construction and Survey)
Regulations 1981 (Amendment) Regulations 1985***Laid before Parliament in draft**Made - - - 21st April 1985**Coming into operation in accordance with regulation 1*

The Secretary of State for Transport, in exercise of the powers conferred on him by sections 21(1)(b) and (3) to (6) and 22 of the Merchant Shipping Act 1979(a) and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

1. These Regulations may be cited as the Merchant Shipping (Cargo Ship Construction and Survey) Regulations 1981 (Amendment) Regulations 1985 and shall come into operation on the day after they are made.

2. The Merchant Shipping (Cargo Ship Construction and Survey) Regulations 1981(b) (“the 1981 Regulations”) shall be amended as follows:—

- (1) in regulation 1(3)(b), after “paragraphs (4)” there shall be inserted “, (6A)”;
- (2) in regulation 1(6A)(i) the words “United Kingdom” shall be deleted;
- (3) in regulation 1 there shall be added after paragraph (9) the following paragraph:

“(10) Nothing in these Regulations shall apply to any ship which is not a United Kingdom ship by reason of her being within the United Kingdom or the territorial waters thereof if she would not have been therein but for stress of weather or any other circumstances that which could not have been prevented by the master or the owner or the charterer (if any).”;
- (4) in regulations 74A(1), 74B(1) and (2) and 74C(1) the words “United Kingdom” shall be deleted.

(a) 1979 c.39; section 21(6) was amended by section 49(3) of the Criminal Justice Act 1982 (c.48).

(b) S.I. 1981/572, amended by S.I. 1984/1219.

3. Regulations 34, 38(2), 39–41, 71–74, 75 (headed “Additional survey before issue of a cargo ship safety construction certificate”) and 76 of the 1981 Regulations are hereby revoked.

Nicholas Ridley,
Secretary of State for Transport.

21st April 1985.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations apply to non-United Kingdom ships the requirements governing cargo ship construction (which already apply to United Kingdom ships) in the Amendments to the International Convention for the Safety of Life at Sea 1974 (SOLAS) adopted on 20th November 1981 by the Maritime Safety Committee of the International Maritime Organization at its 45th Session.

The Regulations disapply the Merchant Shipping (Cargo Ship Construction and Survey) Regulations 1981 as amended from non-United Kingdom ships constructed on or after 1st September 1984 (Regulation 2(2)). (Cargo ships built on or after 1st September 1984 are subject to the Merchant Shipping (Cargo Ship Construction and Survey) Regulations 1984 (S.I. 1984/1217); in the case of non-United Kingdom ships this is by virtue of the Merchant Shipping (Application of Construction and Survey Regulations to other ships) Regulations 1985 (S.I. 1985/661).

In addition the Regulations apply to non-United Kingdom ships built before 1st September 1984 revised requirements for steering gear and surveys which have already been applied to United Kingdom ships built before that date (Regulations 2(4) and 3 of these Regulations: Regulations 41A to 41E, and 74A–74D contain requirements in the 1981 Regulations).

They also provide an exception for non-United Kingdom ships which come to the United Kingdom only because of stress of weather or similar reasons (Regulation 2(3)).

The IMO Amendments are contained in the IMO Publication “Amendments to the International Convention for the Safety of Life at Sea, 1974” (Sales number 092 82.01.E) which can be obtained from IMO, 4 Albert Embankment, London SE1 7SR.

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