

STATUTORY INSTRUMENTS

1998 No. 1609

The Merchant Shipping (Small Workboats and Pilot Boats) Regulations 1998

PROSPECTIVE

PART I

PRELIMINARY

Citation, commencement and revocation

1.—(1) These Regulations may be cited as the Merchant Shipping (Small Workboats and Pilot Boats) Regulations 1998 and shall come into force on 3rd August 1998.

(2) The Merchant Shipping (Pilot Boats) Regulations 1991(1) are hereby revoked.

Commencement Information

I1 Reg. 1 in force at 3.8.1998, see [reg. 1\(1\)](#)

Amendment of Fees Regulations

2. In Part I of the Schedule to the Merchant Shipping (Fees) Regulations 1996(2), in the table in paragraph 1(2), section I, for the title and number—

“Merchant Shipping (Pilot Boats) Regulations 1991	65”
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there shall be substituted the following title and number—

“Merchant Shipping (Small Workboats and Pilot Boats) Regulations 1998”.

Commencement Information

I2 Reg. 2 in force at 3.8.1998, see [reg. 1\(1\)](#)

(1) S.I.1991/65.

(2) S.I. 1996/3243, to which there are amendments not relevant to these Regulations.

Status: This version of this part contains provisions that are prospective.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Merchant Shipping (Small Workboats and Pilot Boats) Regulations 1998. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Interpretation

3.—(1) In these Regulations:

“Certifying Authority” means the Secretary of State or any other person authorised by him;

“Code of Practice” means the Code of Practice entitled “The Safety of Small Workboats and Pilot Boats—A Code of Practice” published by the Maritime and Coastguard Agency; and any reference to the Code includes a reference to any document amending the Code specified in a Merchant Shipping Notice;

“competent harbour authority” means a body which is a competent harbour authority for the purposes of the Pilotage Act 1987⁽³⁾;

“dedicated pilot boat” means a vessel used, or intended to be used, solely as a pilot boat;

“EEA Agreement” means the Agreement on the European Economic Area signed at Oporto on 2nd May 1992 as adjusted by the Protocol signed at Brussels on 17th March 1993⁽⁴⁾;

“EEA State” means a State which is a Contracting Party to the EEA Agreement;

“load line length” means either 96% of the total length on a waterline or 85% of the least moulded depth measured from the top of the keel, or the length from the foreside of the stern to the axis of the rudder stock on that waterline, whichever is the greater; in a vessel designed with a rate of keel 1, the waterline on which this length is measured should be parallel to the design waterline;

“Maritime and Coastguard Agency” means the Maritime and Coastguard Agency, an executive agency of the Department of the Environment, Transport and the Regions;

“Merchant Shipping Notice” means a Notice described as such and issued by the Maritime and Coastguard Agency; and any reference to a particular Merchant Shipping Notice includes a reference to any such document amending or replacing that Notice;

“owner” means, in relation to a vessel, the person who owns the vessel, not being the competent harbour authority;

“pilot boat” means a vessel, of whatever size, employed or intended to be employed in pilotage services;

“small vessel” means a ship of less than 24 metres in load line length;

“small workboat” means a small vessel in commercial use other than for sport or pleasure, including a dedicated pilot boat, not being used as:

- (i) a tug or salvage ship;
- (ii) a ship engaged in the surveying of harbours or the approaches thereto; or
- (iii) a hopper barge or dredger;

“surveyor” means a marine surveyor nominated by the Secretary of State to undertake the surveys required by these Regulations and includes any marine surveyor of the Department of the Environment, Transport and the Regions;

“vessel in commercial use” includes any vessel, including any pleasure vessel within the meaning of regulation 3 of the Merchant Shipping (Vessels in Commercial Use for Sport or Pleasure) Regulations 1993⁽⁵⁾, while it is in possession of a broker, ship repairer or other such person for the purposes of his business.

(2) Where a vessel is managed by a person other than the owner (whether on behalf of the owner or some other person, or on his own behalf), a reference in these Regulations to the owner shall be construed as including a reference to that person.

⁽³⁾ 1987 c. 21.

⁽⁴⁾ Cmnd. 2073.

⁽⁵⁾ S.I. 1993/1072.

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(3) Any approval or exemption given pursuant to these Regulations or the Code of Practice shall be given in writing and shall specify the date on which it takes effect and the conditions (if any) on which it is given.

Commencement Information

I3 Reg. 3 in force at 3.8.1998, see [reg. 1\(1\)](#)

Application

- 4.—(1) Subject to paragraph (2) below, these Regulations shall apply to—
- (a) small workboats which are United Kingdom ships wherever they may be;
 - (b) other small workboats operating from United Kingdom ports whilst in United Kingdom waters; and
 - (c) pilot boats, not being small workboats, which are United Kingdom ships wherever they may be.
- (2) Regulation 5 shall not apply to—
- (a) dedicated pilot boats, of whatever size; or
 - (b) pilot boats which are not small workboats.

Commencement Information

I4 Reg. 4 in force at 3.8.1998, see [reg. 1\(1\)](#)

Status:

This version of this part contains provisions that are prospective.

Changes to legislation:

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Changes and effects yet to be applied to :

- Regulations revoked by [S.I. 2023/1216 reg. 2\(a\)](#)

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

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

- reg. 11 inserted by [S.I. 2016/354 reg. 3](#)