
STATUTORY INSTRUMENTS

1998 No. 2070

MERCHANT SHIPPING

The Merchant Shipping (Radio Installations) Regulations 1998

Made - - - - 20th August 1998
Laid before Parliament 28th August 1998
Coming into force - - 28th September 1998

The Secretary of State for the Environment, Transport and the Regions, after consulting the persons referred to in section 86(4) of the Merchant Shipping Act 1995⁽¹⁾, in exercise of the powers conferred by sections 85(1)(a) and (b), (3) (5) to (7) and 86(1) of that Act⁽²⁾ and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Modifications etc. (not altering text)

- C1** Regulations excluded (16.12.1998) by The Merchant Shipping (Vessels in Commercial Use for Sport or Pleasure) Regulations 1998 (S.I. 1998/2771), regs. 1(1), 4, 5, Sch. 1, **Sch. 2** (with reg. 3)
- C2** Regulations excluded in part (23.10.2000) by The Merchant Shipping (Passenger Ships on Domestic Voyages) Regulations 2000 (S.I. 2000/2687), regs. 1, **5(1)(h)**
- C3** Regulations excluded (6.4.2016) by S.I. 1998/2771, **Sch. 1** Table (as substituted by The Merchant Shipping (Vessels in Commercial Use for Sport or Pleasure) (Amendment) Regulations 2016 (S.I. 2016/353), regs. 1(1), 3(1), Sch. 1)

PART I

GENERAL

Citation, commencement and revocation

1.—(1) These Regulations may be cited as the Merchant Shipping (Radio Installations) Regulations 1998 and shall come into force on 28th September 1998.

(2) The Merchant Shipping (Radio Installations) Regulations 1992⁽³⁾ are hereby revoked.

⁽¹⁾ 1995 c. 21.

⁽²⁾ Sections 85 and 86 were amended by the Merchant Shipping and Maritime Security Act 1997 (c. 28), section 8.

⁽³⁾ S.I. 1992/3, as amended by S.I. 1995/1210.

*Status: Point in time view as at 29/03/2023.**Changes to legislation: There are currently no known outstanding effects for the The Merchant Shipping (Radio Installations) Regulations 1998. (See end of Document for details)***Commencement Information****II** [Reg. 1](#) in force at 28.9.1998, see [reg. 1\(1\)](#)**Interpretation****2.** In these Regulations—F1
...

“cargo ship” means a ship other than a passenger ship;

[F2“category A, B, C and D waters” means the waters specified as such in Merchant Shipping Notice (MSN) 1837(M) Amendment 2;]

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...F4
...

[F5“EEA State” has the meaning given by Schedule 1 to the Interpretation Act 1978;]

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...

[F7“fishing vessel” means a ship used for catching fish, whales, seals, walrus or other living resources of the sea;]

“general radiotelecommunications” means operational and public correspondence traffic, other than distress, urgency and safety messages, conducted by radio;

[F8“gross tonnage” means gross tonnage as determined in accordance with regulation 6 or 12(1) of the Merchant Shipping (Tonnage) Regulations 1997;]

“GMDSS” means the Global Maritime Distress and Safety System;

“GMDSS ship” means a ship to which Part II of these Regulations applies;

“interference” has the same meaning as in the [F9Wireless Telegraphy Act 2006];

[F10“international voyage” means a voyage between—

- (a) a port in the United Kingdom and a port outside the United Kingdom; or
- (b) a port in a country other than the United Kingdom and a port in any other country or territory which is outside the United Kingdom;]

F11
...

[F12“Merchant Shipping Notice” means a notice described as such and issued by the Maritime and Coastguard Agency (an executive agency of the Department for Transport) and includes a reference to any document amending or replacing that notice which is considered by the Secretary of State to be relevant from time to time and is specified in a Merchant Shipping Notice;]

[F13“non-United Kingdom ship” means any ship other than a United Kingdom ship;]

[F13“passenger” is a person other than—

- (a) the master and the members of the crew or other persons employed or engaged in any capacity on board a ship on the business of that ship; and
- (b) a child under one year of age;]

F14
...F14
...

“passenger ship” means a ship certified to carry more than 12 passengers;

“pleasure vessel” means—

- (a) any vessel which at the time it is being used is—
 - (i) (a) in the case of a vessel wholly owned by an individual, or individuals, used only for the sport or pleasure of the owner or the immediate family or friends of the owner; or
 - (b) in the case of a vessel owned by a body corporate, used only for sport or pleasure and on which the persons are employees or officers of the body corporate, or their immediate family or friends; and
 - (ii) on a voyage or excursion which is one for which the owner does not receive money for or in connection with operating the vessel or carrying any person, other than as a contribution to the direct expenses of the operation of the vessel incurred during the voyage or excursion; or
- (b) any vessel wholly owned by or on behalf of a members' club formed for the purpose of sport or pleasure which, at the time it is being used, is used only for the sport or pleasure of members of that club or their immediate family or friends; and
- (c) in the case of any vessel referred to in paragraphs (a) or (b) above no other payments are made by or on behalf of users of the vessel, other than by the owner.

In this definition “immediate family” means in relation to an individual, the [^{F15}spouse or civil partner] of the individual, and a relative of the individual or the individual’s [^{F15}spouse or civil partner], and “relative” means brother, sister, ancestor or lineal descendant;

“radio installation” means any radio installation provided on board a ship in compliance with these Regulations, including its associated antennas, interconnecting circuits and, where appropriate, sources of electrical energy;

“Radio Regulations” means the Radio Regulations annexed to, or regarded as being annexed to, the [^{F16}Constitution and Convention of the International Telecommunication Union, 1992;]

“Safety Convention” means the International Convention for the Safety of Life at Sea 1974(4).

F17 ...

F17 ...

- | | |
|-----------|--|
| F1 | Words in reg. 2 omitted (24.12.2021) by virtue of The Merchant Shipping (Radiocommunications) (Amendment) Regulations 2021 (S.I. 2021/1316) , reg. 1(1) , Sch. 1 para. 2(a) (with reg. 4) |
| F2 | Words in reg. 2 inserted (24.12.2021) by The Merchant Shipping (Radiocommunications) (Amendment) Regulations 2021 (S.I. 2021/1316) , reg. 1(1) , Sch. 1 para. 2(b) (with reg. 4) |
| F3 | Words in reg. 2 omitted (24.12.2021) by virtue of The Merchant Shipping (Radiocommunications) (Amendment) Regulations 2021 (S.I. 2021/1316) , reg. 1(1) , Sch. 1 para. 2(c) (with reg. 4) |
| F4 | Words in reg. 2 omitted (20.12.2018) by virtue of The Merchant Shipping (Miscellaneous Provisions) (Amendments etc.) (EU Exit) Regulations 2018 (S.I. 2018/1221) , regs. 2(a) , 3(2)(d) |
| F5 | Words in reg. 2 substituted (20.12.2018) by The Merchant Shipping (Miscellaneous Provisions) (Amendments etc.) (EU Exit) Regulations 2018 (S.I. 2018/1221) , regs. 2(a) , 3(2)(d) |
| F6 | Words in reg. 2 omitted (24.12.2021) by virtue of The Merchant Shipping (Radiocommunications) (Amendment) Regulations 2021 (S.I. 2021/1316) , reg. 1(1) , Sch. 1 para. 2(d) (with reg. 4) |
| F7 | Words in reg. 2 inserted (24.12.2021) by The Merchant Shipping (Radiocommunications) (Amendment) Regulations 2021 (S.I. 2021/1316) , reg. 1(1) , Sch. 1 para. 2(e) (with reg. 4) |

Status: Point in time view as at 29/03/2023.

Changes to legislation: There are currently no known outstanding effects for the The Merchant Shipping (Radio Installations) Regulations 1998. (See end of Document for details)

- F8** Words in [reg. 2](#) inserted (24.12.2021) by [The Merchant Shipping \(Radiocommunications\) \(Amendment\) Regulations 2021 \(S.I. 2021/1316\)](#), [reg. 1\(1\)](#), **Sch. 1 para. 2(f)** (with [reg. 4](#))
- F9** Words in [reg. 2](#) substituted (24.12.2021) by [The Merchant Shipping \(Radiocommunications\) \(Amendment\) Regulations 2021 \(S.I. 2021/1316\)](#), [reg. 1\(1\)](#), **Sch. 1 para. 2(g)** (with [reg. 4](#))
- F10** Words in [reg. 2](#) inserted (24.12.2021) by [The Merchant Shipping \(Radiocommunications\) \(Amendment\) Regulations 2021 \(S.I. 2021/1316\)](#), [reg. 1\(1\)](#), **Sch. 1 para. 2(h)** (with [reg. 4](#))
- F11** Words in [reg. 2](#) omitted (24.12.2021) by virtue of [The Merchant Shipping \(Radiocommunications\) \(Amendment\) Regulations 2021 \(S.I. 2021/1316\)](#), [reg. 1\(1\)](#), **Sch. 1 para. 2(i)** (with [reg. 4](#))
- F12** Words in [reg. 2](#) substituted (24.12.2021) by [The Merchant Shipping \(Radiocommunications\) \(Amendment\) Regulations 2021 \(S.I. 2021/1316\)](#), [reg. 1\(1\)](#), **Sch. 1 para. 2(j)** (with [reg. 4](#))
- F13** Words in [reg. 2](#) inserted (24.12.2021) by [The Merchant Shipping \(Radiocommunications\) \(Amendment\) Regulations 2021 \(S.I. 2021/1316\)](#), [reg. 1\(1\)](#), **Sch. 1 para. 2(l)** (with [reg. 4](#))
- F14** Words in [reg. 2](#) omitted (24.12.2021) by virtue of [The Merchant Shipping \(Radiocommunications\) \(Amendment\) Regulations 2021 \(S.I. 2021/1316\)](#), [reg. 1\(1\)](#), **Sch. 1 para. 2(k)** (with [reg. 4](#))
- F15** Words in [reg. 2](#) substituted (5.12.2005) by [The Civil Partnership Act 2004 \(Amendments to Subordinate Legislation\) Order 2005 \(S.I. 2005/2114\)](#), [art. 2\(15\)](#), [reg. 1](#), **Sch. 15**
- F16** Words in [reg. 2](#) substituted (24.12.2021) by [The Merchant Shipping \(Radiocommunications\) \(Amendment\) Regulations 2021 \(S.I. 2021/1316\)](#), [reg. 1\(1\)](#), **Sch. 1 para. 2(m)** (with [reg. 4](#))
- F17** Words in [reg. 2](#) omitted (24.12.2021) by virtue of [The Merchant Shipping \(Radiocommunications\) \(Amendment\) Regulations 2021 \(S.I. 2021/1316\)](#), [reg. 1\(1\)](#), **Sch. 1 para. 2(n)** (with [reg. 4](#))

Commencement Information

- I2** [Reg. 2](#) in force at 28.9.1998, see [reg. 1\(1\)](#)

Application

- [^{F18}**3.**—(1) Subject to paragraph (2), these Regulations apply to—
- (a) United Kingdom ships, wherever they may be; or
 - (b) non-United Kingdom ships in United Kingdom waters.
- (2) These Regulations do not apply to—
- (a) ships of war and naval auxiliaries;
 - (b) ships owned or operated by a state and engaged only on governmental non-commercial service;
 - (c) ships engaged on an international voyage;
 - (d) ships operating only in category A, B, C and D waters;
 - (e) ships not propelled by mechanical means;
 - (f) cargo ships of less than 300 gross tonnage;
 - (g) pleasure vessels;
 - (h) fishing vessels;
 - (i) ships to which the Merchant Shipping (Radiocommunications) (Amendment) Regulations 2021 apply;
 - (j) ships to which the Merchant Shipping (Passenger Ships on Domestic Voyages) Regulations 2000 apply;
 - (k) ships to which [^{F19}the Merchant Shipping (High Speed Craft) Regulations 2022] apply; and
 - (l) ships while being navigated within the Great Lakes of North America and their connecting and tributary waters as far east as the lower exit of St. Lambert Lock in Montreal in the Province of Quebec, Canada.]

- F18** Reg. 3 substituted (24.12.2021) by [The Merchant Shipping \(Radiocommunications\) \(Amendment\) Regulations 2021 \(S.I. 2021/1316\)](#), reg. 1(1), **Sch. 1 para. 3** (with reg. 4)
- F19** Words in [reg. 3\(2\)\(k\)](#) substituted (19.12.2022) by [The Merchant Shipping \(High Speed Craft\) Regulations 2022 \(S.I. 2022/1219\)](#), reg. 1(1), **Sch. para. 6** (with reg. 4(2)-(4))

Ships and persons in distress

4. Nothing in these Regulations shall prohibit any ship, survival craft or person in distress from using any means at their disposal to attract attention, make known their position or obtain help.

Commencement Information

- I3** [Reg. 4](#) in force at 28.9.1998, see [reg. 1\(1\)](#)

Equivalents and exemptions

5.—(1) Where these Regulations require that a particular fitting, material, appliance or apparatus, or type thereof, shall be fitted or carried in a ship, or that any particular provision shall be made, the Secretary of state may permit any other fitting, material, appliance or apparatus or type thereof to be fitted or carried, or any other provision to be made in that ship if he is satisfied by trial thereof or otherwise that such other fitting, material, appliance or apparatus, or type thereof, or provision, is at least as effective as that required by these Regulations.

(2) For the purpose of these Regulations, the results of verifications and tests carried out by [^{F20}bodies and laboratories] offering suitable and satisfactory guarantees of technical and professional competence shall be accepted.

[^{F21}(3) Where paragraph (4) applies, the Secretary of State may grant an exemption from the requirements of these Regulations in respect of a ship provided the functional requirements in paragraph 2 of Merchant Shipping Notice 1903 (M) are satisfied in respect of that ship.

(4) This paragraph applies—

- (a) if the conditions in respect of that ship affecting safety are such as to render the full application of the requirements in regulation 8 unreasonable; or
- (b) in exceptional circumstances in respect of a single voyage in relation to which the ship is not equipped.

(5) Where paragraph (4) does not apply, the Secretary of State may, in exceptional circumstances, grant an exemption from any provision of these Regulations a ship or class of ship if satisfied that compliance with such provision is either impracticable or unreasonable in the case of that ship or class of ship.

(6) An exemption granted under paragraph (3) or (5) may—

- (a) be granted subject to such safety requirements as the Secretary of State thinks fit to ensure the overall safety of the ship; and
- (b) on the giving of reasonable notice, be altered or cancelled.

(7) An exemption granted under paragraph (3) or (5), or an alteration or cancellation under paragraph (6)(b), must—

- (a) be in writing;
- (b) specify the date on which it takes effect; and
- (c) specify the terms, if any, on which it is given.

Status: Point in time view as at 29/03/2023.

Changes to legislation: There are currently no known outstanding effects for the The Merchant Shipping (Radio Installations) Regulations 1998. (See end of Document for details)

(8) The requirement that an exemption granted under paragraph (3) or (5), or an alteration or cancellation under paragraph (6)(b), be in writing is satisfied where the text of the exemption, alteration or cancellation is—

- (a) transmitted by electronic means;
- (b) received in legible form; and
- (c) capable of being used for subsequent reference.

(9) Where an exemption granted under paragraph (3) or (5) is granted subject to safety requirements under paragraph (6)(a), the exemption ceases to have effect if those requirements are not complied with.]

- F20** Words in [reg. 5\(2\)](#) substituted (24.12.2021) by [The Merchant Shipping \(Radiocommunications\) \(Amendment\) Regulations 2021](#) (S.I. 2021/1316), [reg. 1\(1\)](#), [Sch. 1 para. 4\(a\)](#) (with [reg. 4](#))
- F21** [Reg. 5\(3\)-\(9\)](#) substituted for [reg. 5\(3\)](#) (24.12.2021) by [The Merchant Shipping \(Radiocommunications\) \(Amendment\) Regulations 2021](#) (S.I. 2021/1316), [reg. 1\(1\)](#), [Sch. 1 para. 4\(b\)](#) (with [reg. 4](#))

Commencement Information

- I4** [Reg. 5](#) in force at 28.9.1998, see [reg. 1\(1\)](#)

Performance standards

6.—(1) [^{F22}Subject to paragraph (4) below,] equipment required to be provided under these Regulations shall—

- ^{F23}(a)
- (b) subject to paragraph (2) below, be of a type approved by the Secretary of State; and
- ^{F24}(c)

^{F25} ...

(2) In respect of a ship registered in a State party to the Safety Convention, sub-paragraph (b) above shall not apply to equipment of a type approved by the Administration of that State.

(3) Any approval given pursuant to this regulation 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.

[^{F26}(4) Equipment required to be provided under these Regulations to which [^{F27}the Merchant Shipping (Marine Equipment) Regulations 2016] apply shall comply with the requirements of those Regulations.]

- F22** Words in [reg. 6\(1\)](#) inserted (5.8.1999) by [The Merchant Shipping \(Marine Equipment\) Regulations 1999](#) (S.I. 1999/1957), [reg. 1](#), [Sch. 1 para. 1\(a\)](#) (with [reg. 4](#))
- F23** [Reg. 6\(1\)\(a\)](#) omitted (24.12.2021) by virtue of [The Merchant Shipping \(Radiocommunications\) \(Amendment\) Regulations 2021](#) (S.I. 2021/1316), [reg. 1\(1\)](#), [Sch. 1 para. 5\(a\)](#) (with [reg. 4](#))
- F24** [Reg. 6\(1\)\(c\)](#) omitted (24.12.2021) by virtue of [The Merchant Shipping \(Radiocommunications\) \(Amendment\) Regulations 2021](#) (S.I. 2021/1316), [reg. 1\(1\)](#), [Sch. 1 para. 5\(a\)](#) (with [reg. 4](#))
- F25** Words in [reg. 6](#) omitted (24.12.2021) by virtue of [The Merchant Shipping \(Radiocommunications\) \(Amendment\) Regulations 2021](#) (S.I. 2021/1316), [reg. 1\(1\)](#), [Sch. 1 para. 5\(b\)](#) (with [reg. 4](#))
- F26** [Reg. 6\(4\)](#) inserted (5.8.1999) by [The Merchant Shipping \(Marine Equipment\) Regulations 1999](#) (S.I. 1999/1957), [reg. 1](#), [Sch. 1 para. 1\(b\)](#) (with [reg. 4](#))
- F27** Words in [reg. 6\(4\)](#) substituted (5.12.2016) by [The Merchant Shipping \(Marine Equipment\) Regulations 2016](#) (S.I. 2016/1025), [reg. 1](#), [Sch. para. 5](#)

Commencement Information

I5 Reg. 6 in force at 28.9.1998, see reg. 1(1)

PART II

GMDSS SHIP REQUIREMENTS

Interpretation of Part II

7. In this Part—

“Admiralty List of Radio Signals” means the document so entitled published by the Hydrographer of the Navy and any subsequent List containing the like information which the Hydrographer of the Navy considers relevant from time to time which replaces the Admiralty List of Radio Signals or replaces any subsequent List containing the like information; and a reference to any such List includes a reference to any Admiralty Notice to Mariners amending the same which the Hydrographer of the Navy considers relevant from time to time;

“area A1 ship” means a ship which goes to sea in sea area A1 only;

“area A2 ship” means a ship which goes to sea in sea area A2 only, or in sea areas A1 and A2;

“area A3 ship” means a ship which goes to sea in sea area A3 only, or in sea area A3 and also in sea area A1 or A2 or both those sea areas;

“area A4 ship” means a ship which goes to sea in sea area A4 only, or in sea area A4 and also in one or more of sea areas A1, A2 and A3;

“bridge-to-bridge communications” means safety communications between ships from the position from which the ships are normally navigated;

“conning position” means the place on the bridge with a commanding view of the ship and its position used by navigators when commanding, manoeuvring and controlling the ship;

“continuous watch” means a radio watch which is not interrupted other than for brief intervals when the ship’s receiving capability is impaired or blocked by its own communications or when the facilities are under periodical maintenance or checks;

“direct-printing telegraphy” means an automated telegraphy technique which complies with the relevant recommendations specified in a Merchant Shipping Notice;

“DSC” means Digital Selective Calling being a technique using digital codes which enables a radio station to establish contact with, and transfer information to, another station or group of stations, and complying with the relevant recommendations as specified in [^{F28}Section 5 of Annex 1 to Merchant Shipping Notice 1874 (M+F) Amendment 4];

[^{F29}“EPIRB” means an emergency position indicating radio beacon capable of transmitting a distress alert through the COSPAS/SARSAT polar orbiting satellite service operating in the 406 MHz band;]

^{F30} ...

“GMDSS general operator’s certificate” and “GMDSS restricted operator’s certificate” mean the certificates respectively so called in the Radio Regulations, issued in accordance with those Regulations, and in relation to a United Kingdom ship, associated with an authority from the Secretary of State issued under [^{F31}Part 2 of the Wireless Telegraphy Act 2006];

“HF” means the frequency spectrum between 3000 kHz and 30 Mhz;

^{F32} ...

Status: Point in time view as at 29/03/2023.

Changes to legislation: There are currently no known outstanding effects for the The Merchant Shipping (Radio Installations) Regulations 1998. (See end of Document for details)

“International NAVTEX service” means the co-ordinated broadcast and automatic reception on 518 kHz of maritime safety information by means of narrow-band direct-printing telegraphy using the English language;

“locating” means the finding of ships, aircraft, units or persons in distress;

“maritime safety information” means navigational and meteorological warnings, meteorological forecasts and other urgent safety related messages broadcast to ships;

“mobile-satellite service” means a radiocommunication service between—

(a) mobile earth stations and one or more space stations, or between space stations used by this service; or

(b) mobile earth stations by means of one or more space stations,

and this service may also include feeder links necessary for its operation;

“MF” means the frequency spectrum between 300 kHz and 3000 kHz;

“pola orbiting satellite service” means a service which is based on polar orbiting satellites which receive and relay distress alerts from satellite EPIRBS and which provides their position;

F32 ...

“radio communication” means telecommunication by means of radio waves;

“radio communications service” means a service as defined in the Radio Regulations involving the transmission, emission and/or reception of radio waves for specific telecommunication purposes;

“radio log” means the record required to be kept by regulation 20;

[^{F33}“recognised mobile satellite service” means any service which operates through a satellite system and is recognized by the International Maritime Organization, for use in the GMDSS;]

“satellite EPIRB” means an EPIRB which is in the mobile-satellite service;

“sea area A1” means an area specified as sea area A1 in the Admiralty List of Radio Signals;

“sea area A2” means an area specified as sea area A2 in the Admiralty List of Radio Signals;

“sea area A3” means an area, excluding sea areas A1 and A2, within the coverage of an INMARSAT geostationary satellite in which continuous alerting is available;

“sea area A4” means any area of the sea which is not sea area A1, A2 or A3;

“service” means, in relation to a reference to any particular type of radio service, a reference to that service as defined in the Radio Regulations;

“ship earth station” means a mobile earth station in the maritime mobile-satellite service located on board ship;

“ship station” means a mobile station in the maritime mobile-satellite service located on board a vessel which is not permanently moored, other than a survival craft station;

“survival craft station” means a mobile station in the maritime mobile-satellite service intended solely for survival purposes and located on any lifeboat, life-raft or other survival equipment;

F28 Words in [reg. 7](#) substituted (24.12.2021) by [The Merchant Shipping \(Radiocommunications\) \(Amendment\) Regulations 2021 \(S.I. 2021/1316\)](#), [reg. 1\(1\)](#), [Sch. 1 para. 6\(a\)](#) (with [reg. 4](#))

F29 Words in [reg. 7](#) inserted (29.3.2023) by [The Merchant Shipping \(Cargo and Passenger Ship Construction and Miscellaneous Amendments\) Regulations 2023 \(S.I. 2023/246\)](#), [regs. 1\(1\)](#), [19](#)

F30 Word in [reg. 7](#) omitted (24.12.2021) by virtue of [The Merchant Shipping \(Radiocommunications\) \(Amendment\) Regulations 2021 \(S.I. 2021/1316\)](#), [reg. 1\(1\)](#), [Sch. 1 para. 6\(b\)](#) (with [reg. 4](#))

F31 Words in [reg. 7](#) substituted (24.12.2021) by [The Merchant Shipping \(Radiocommunications\) \(Amendment\) Regulations 2021 \(S.I. 2021/1316\)](#), [reg. 1\(1\)](#), [Sch. 1 para. 6\(c\)](#) (with [reg. 4](#))

- F32** Words in [reg. 7](#) omitted (24.12.2021) by virtue of [The Merchant Shipping \(Radiocommunications\) \(Amendment\) Regulations 2021 \(S.I. 2021/1316\)](#), [reg. 1\(1\)](#), [Sch. 1 para. 6\(d\)](#) (with [reg. 4](#))
- F33** Words in [reg. 7](#) inserted (24.12.2021) by [The Merchant Shipping \(Radiocommunications\) \(Amendment\) Regulations 2021 \(S.I. 2021/1316\)](#), [reg. 1\(1\)](#), [Sch. 1 para. 6\(e\)](#) (with [reg. 4](#))

Commencement Information

- I6** [Reg. 7](#) in force at 28.9.1998, see [reg. 1\(1\)](#)

Functional Requirements

[^{F34}**8.** A ship must comply with each requirement applicable to that ship prescribed by Merchant Shipping Notice 1903 (M).]

- F34** [Reg. 8](#) substituted (24.12.2021) by [The Merchant Shipping \(Radiocommunications\) \(Amendment\) Regulations 2021 \(S.I. 2021/1316\)](#), [reg. 1\(1\)](#), [Sch. 1 para. 7](#) (with [reg. 4](#))

Installation, location and control of radio equipment

9.—(1) Every radio installation shall—

- (a) be so located that no harmful interference of mechanical, electrical or other origin affects its proper use, and so as to ensure electromagnetic compatibility and avoidance of harmful interaction with other equipment and systems;
- (b) be so located as to ensure the greatest possible degree of safety and operational availability;
- (c) be protected against harmful effects of water, extremes of temperature and other adverse environmental conditions;
- (d) be provided with reliable, permanently arranged electrical lighting, independent of the main and emergency sources of electrical power, for the adequate illumination of the radio controls for operating the radio installation; and
- (e) be clearly marked with the call sign, the ship station identity and other codes as applicable for the use of the radio installation.

(2) Control of the VHF radiotelephone channels shall be immediately available on the navigating bridge convenient to the position from which the ship is normally navigated; where appropriate, facilities shall be available to permit radiocommunications from the wings of the navigating bridge; portable VHF equipment may be used to meet the latter provision.

(3) Each radio transmitter and receiver fitted in accordance with these Regulations shall be provided with a suitable antenna or antennas. The antennas shall be so constructed and sited as to enable each transmitter and receiver to perform its intended communication function effectively.

Commencement Information

- I7** [Reg. 9](#) in force at 28.9.1998, see [reg. 1\(1\)](#)

Installation of a distress panel

10.—(1) In every passenger ship to which this regulation applies a distress panel shall be installed at the conning position.

- (2) A distress panel shall—
- (a) contain either—

Status: Point in time view as at 29/03/2023.

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- (i) a single button for all radio communication installations on board; or
 - (ii) a separate button for each radio communication installation on board,
- which, when pressed, initiates a distress alert using all radio communication installations required on board for that purpose;
- (b) clearly and visually indicate whenever any such button or buttons mentioned in subparagraph (a) above have been pressed; and
 - (c) provide visual and aural indication of any distress alert or alerts received on board and indicate through which radio communication service the distress alert or alerts have been received.
- (3) Means shall be provided to prevent inadvertent activation of the button or buttons on the distress panel.
- (4) If the satellite EPIRB is used as the secondary means of initiating a distress alert pursuant to these Regulations and is not capable of being remotely activated, an additional EPIRB shall be installed in the wheelhouse near the conning position.
- (5) Information on the ship's position shall be continuously and automatically provided to all relevant radio communication equipment included in the initial distress alert when the button or buttons on the distress panel is pressed.

Commencement Information

I8 [Reg. 10](#) in force at 28.9.1998, see [reg. 1\(1\)](#)

Radio equipment to be provided for all sea areas

^{F35} **11.**

F35 [Regs. 11-15](#) omitted (24.12.2021) by virtue of [The Merchant Shipping \(Radiocommunications\) \(Amendment\) Regulations 2021](#) (S.I. 2021/1316), [reg. 1\(1\)](#), [Sch. 1 para. 8](#) (with [reg. 4](#))

Additional radio equipment to be provided for area A1 ships

^{F35} **12.**

F35 [Regs. 11-15](#) omitted (24.12.2021) by virtue of [The Merchant Shipping \(Radiocommunications\) \(Amendment\) Regulations 2021](#) (S.I. 2021/1316), [reg. 1\(1\)](#), [Sch. 1 para. 8](#) (with [reg. 4](#))

Additional radio equipment to be provided for area A2 ships

^{F35} **13.**

F35 [Regs. 11-15](#) omitted (24.12.2021) by virtue of [The Merchant Shipping \(Radiocommunications\) \(Amendment\) Regulations 2021](#) (S.I. 2021/1316), [reg. 1\(1\)](#), [Sch. 1 para. 8](#) (with [reg. 4](#))

Additional radio equipment to be provided for area A3 ships

^{F35} **14.**

F35 Regs. 11-15 omitted (24.12.2021) by virtue of The Merchant Shipping (Radiocommunications) (Amendment) Regulations 2021 (S.I. 2021/1316), reg. 1(1), **Sch. 1 para. 8** (with reg. 4)

Additional radio equipment to be provided for area A4 ships

^{F35}**15.**

F35 Regs. 11-15 omitted (24.12.2021) by virtue of The Merchant Shipping (Radiocommunications) (Amendment) Regulations 2021 (S.I. 2021/1316), reg. 1(1), **Sch. 1 para. 8** (with reg. 4)

Radio watches

16.—(1) Every ship while at sea shall maintain a continuous watch—

- (a) on VHF DSC channel 70, if the ship, in accordance with the requirements of regulation 11(1)(b), is fitted with VHF radio installation;
- (b) on the distress and safety DSC frequency 2, 187.5 kHz, if the ship, in accordance with the requirements of regulation 13(1)(b) or paragraph (c) of ALTERNATIVE A in regulation 14, is fitted with an MF radio installation;
- (c) on the distress and safety DSC frequencies 2,187.5 kHz and 8,414.5 kHz, 6,312 kHz and also on at least one of the distress and safety DSC frequencies 4,207.5 kHz, 6,312 kHz, 12,577 kHz or 16,804.5 kHz, appropriate to the time of day and the geographical position of the ship, if the ship, in accordance with the requirements of paragraph (b) of ALTERNATIVE B in regulation 14 or 15, is fitted with an MF/HF radio installation; this watch may be kept by means of a scanning receiver;
- (d) for satellite shore-to-ship distress alerts, if the ship, in accordance with the requirements of paragraph (a) ALTERNATIVE A in regulation 14, is fitted with [^{F36}a recognised mobile satellite service] ship earth station.

(2) Every ship while at sea shall maintain a radio watch for broadcasts of maritime safety information on the appropriate frequency or frequencies on which such information is broadcast for the area in which the ship is navigating.

^{F37}(3)

^{F38}(4)

F36 Words in reg. 16(1)(d) substituted (24.12.2021) by The Merchant Shipping (Radiocommunications) (Amendment) Regulations 2021 (S.I. 2021/1316), reg. 1(1), **Sch. 1 para. 9(a)** (with reg. 4)

F37 Reg. 16(3) omitted (24.12.2021) by virtue of The Merchant Shipping (Radiocommunications) (Amendment) Regulations 2021 (S.I. 2021/1316), reg. 1(1), **Sch. 1 para. 9(b)** (with reg. 4)

F38 Reg. 16(4) omitted (24.12.2021) by virtue of The Merchant Shipping (Radiocommunications) (Amendment) Regulations 2021 (S.I. 2021/1316), reg. 1(1), **Sch. 1 para. 9(b)** (with reg. 4)

Commencement Information

I9 Reg. 16 in force at 28.9.1998, see **reg. 1(1)**

Sources of energy

17.—(1) There shall be available at all times while the ship is at sea a supply of electrical energy sufficient to operate the radio installations and to charge any batteries used as part of a reserve source or sources of energy for the radio installations.

Status: Point in time view as at 29/03/2023.

Changes to legislation: There are currently no known outstanding effects for the The Merchant Shipping (Radio Installations) Regulations 1998. (See end of Document for details)

(2) A reserve source or sources of energy shall be provided on every ship, to supply radio installations, used for the purpose of conducting distress and safety radiocommunications, in the event of failure of the ship's main and emergency sources of electrical power. The reserve source or sources of energy shall be capable of simultaneously operating the VHF radio installation required by regulation 11(1)(a) and, as appropriate for the sea area or sea areas for which the ship is equipped, either the MF radio installation required by regulation 13(1)(a), the MF/HF radio installation required by subparagraph (a) of ALTERNATIVE B in regulation 14 or regulation 15, or the Organisation established by the Convention on the International Maritime Satellite Organisation^{F39}... ship earth station required by subparagraph (a) of ALTERNATIVE A in regulation 14 and any of the additional loads mentioned in paragraphs (5), (6) and (9) of this regulation for a period of at least—

- (a) one hour on ships provided with an emergency source of electrical power; or
- (b) six hours on ships not provided with an emergency source of electrical power,

if such source of power complies with all relevant provisions of the^{F40}... Merchant Shipping (Cargo Ship Construction) Regulations 1997(5)^{F41} or the Merchant Shipping (Passenger Ship Construction: Ships of Classes I, II or II(A)) Regulations 1998], as appropriate, including the supply of such power to the radio installations.

(3) The reserve source or sources of energy need not be capable of supplying independent HF and MF radio installations simultaneously.

(4) The reserve source or sources of energy shall be independent of the propelling power of the ship and the ship's electrical system.

(5) Where, in addition to the VHF installation, two or more of the other radio installations, referred to in paragraph (2) of this regulation, can be connected to the reserve source or sources of energy, such sources shall be capable of simultaneously supplying, for the period specified, as appropriate, in subparagraphs (2)(a) or (2)(b) of this regulation the VHF radio installation and either—

- (a) all other radio installations which can be connected to the reserve source or sources of energy at the same time; or
- (b) if only one of the other radio installations can be connected to the reserve source or sources of energy at the same time as the VHF radio installation, whichever of the other radio installations will consume the most power.

(6) The reserve source or sources of energy may be used to supply the electrical lighting required by regulation 9(1)(d).

(7) Where a reserve source of energy consists of a rechargeable accumulator battery or batteries—

- (a) a means of automatically charging such batteries shall be provided which shall be capable of recharging them to minimum capacity requirements within 10 hours; and
- (b) the capacity of the battery or batteries shall be checked, using an appropriate method, at intervals not exceeding 12 months when the ship is not at sea.

(8) The siting and installation of accumulator batteries which provide a reserve source of energy shall be such as to ensure—

- (a) the highest degree of service;
- (b) a reasonable lifetime;
- (c) reasonable safety;
- (d) that battery temperatures remain within the manufacturer's specifications whether under charge or idle; and

- (e) that when fully charged, the batteries will provide at least the minimum required hours of operation under all weather conditions.
- (9) If an uninterrupted input of information from the ship's navigational or other equipment to a radio installation required by this Part is needed to ensure its proper performance, means shall be provided to ensure the continuous supply of such information in the event of failure of the ship's main or emergency source of electrical power.
- (10) For the purpose of calculating the required capacity of the reserve source of energy, the total current used in calculations shall be equal to the highest sum of all the radio installations which simultaneously can be connected to the source of energy, based on the following—
- (a) the current consumption of the VHF receiver;
 - (b) one fifth of the current consumption of the VHF transmitter;
 - (c) the current consumption of a MF or MF/HF receiver and of the transmitter when it is in condition that operation of the “press to transmit” switch will make it ready for immediate transmission;
 - (d) one third of the current which may be drawn by a MF or MF/HF transmitter for speech transmission on the frequency at which the current consumption of the transmitter is at a maximum;
 - (e) the current consumption of [F⁴²a] ship earth station when it is receiving transmissions;
 - (f) one quarter of the current which may be drawn by [F⁴³a] ship earth station when it is transmitting in the mode at which the current consumption is at a maximum; and
 - (g) the total current consumption of all additional loads to which the reserve source may supply energy in times of distress or emergency.

- F39** Word in reg. 17(2) omitted (24.12.2021) by virtue of The Merchant Shipping (Radiocommunications) (Amendment) Regulations 2021 (S.I. 2021/1316), reg. 1(1), **Sch. 1 para. 10(a)(i)** (with reg. 4)
- F40** Words in reg. 17(2) omitted (24.12.2021) by virtue of The Merchant Shipping (Radiocommunications) (Amendment) Regulations 2021 (S.I. 2021/1316), reg. 1(1), **Sch. 1 para. 10(a)(ii)** (with reg. 4)
- F41** Words in reg. 17(2) inserted (24.12.2021) by The Merchant Shipping (Radiocommunications) (Amendment) Regulations 2021 (S.I. 2021/1316), reg. 1(1), **Sch. 1 para. 10(a)(iii)** (with reg. 4)
- F42** Word in reg. 17(10)(e) substituted (24.12.2021) by The Merchant Shipping (Radiocommunications) (Amendment) Regulations 2021 (S.I. 2021/1316), reg. 1(1), **Sch. 1 para. 10(b)** (with reg. 4)
- F43** Word in reg. 17(10)(f) substituted (24.12.2021) by The Merchant Shipping (Radiocommunications) (Amendment) Regulations 2021 (S.I. 2021/1316), reg. 1(1), **Sch. 1 para. 10(b)** (with reg. 4)

Commencement Information

- I10** Reg. 17 in force at 28.9.1998, see **reg. 1(1)**

Serviceability and maintenance requirements

18.—(1) The equipment used pursuant to these Regulations shall be so designed that the main units can be replaced readily, without elaborate recalibration or readjustment.

(2) Where appropriate, equipment shall be so constructed and installed that it is readily accessible for inspection and on-board maintenance purposes.

(3) Adequate information shall be provided on board the ship to enable the equipment to be properly operated and maintained.

(4) Adequate tools and spares shall be provided on board the ship to enable the equipment to be maintained.

(5) Radio equipment required by this Part shall be maintained to meet the recommended performance standards of such equipment.

(6) On ships while at sea the availability of equipment shall be ensured, as required in [^{F44}Merchant Shipping Notice 1690 (M) Amendment 1].

(7) In all United Kingdom ships to which these Regulations apply a person nominated by the Master, normally the person qualified under regulation 19(3), shall, while the ship is at sea, carry out the appropriate tests and checks specified in Schedule 2 to these Regulations. If any of the radio installations required by these Regulations are not in working order, the nominated person shall inform the Master and record details of the deficiencies in the Radio Log referred to in regulation 20(1) below.

F44 Words in [reg. 18\(6\)](#) substituted (24.12.2021) by [The Merchant Shipping \(Radiocommunications\) \(Amendment\) Regulations 2021 \(S.I. 2021/1316\)](#), [reg. 1\(1\)](#), [Sch. 1 para. 11](#) (with [reg. 4](#))

Commencement Information

I11 [Reg. 18](#) in force at 28.9.1998, see [reg. 1\(1\)](#)

Radio personnel

19.—(1) Every ship shall carry a person or persons qualified for distress and safety radio communication purposes as specified in paragraph (3) or (4) (as appropriate) of this regulation. Such person or persons shall be holders of certificates specified in the Radio Regulations as appropriate.

- (a) (2) (a) In the case of passenger ships to which this sub-paragraph applies, at least one such person as mentioned in paragraph (1) above shall be assigned by the master to perform only radio communication duties during distress incidents.
- (b) In the case of all other ships one such person as mentioned in paragraph (1) above shall be designated by the master to have primary responsibility for radio communications during distress incidents.

(3) On area A1 ships the person qualified as mentioned in paragraph (1) above shall hold at least a GMDSS restricted operator's certificate issued in accordance with [^{F45}Section III of Article 47 of the Radio Regulations].

(4) On area A2, area A3 and area A4 ships the person qualified as mentioned in paragraph (1) above shall hold at least a GMDSS general operator's certificate issued in accordance with [^{F46}Section III of Article 47 of the Radio Regulations], or equivalent.

F45 Words in [reg. 19\(3\)](#) substituted (24.12.2021) by [The Merchant Shipping \(Radiocommunications\) \(Amendment\) Regulations 2021 \(S.I. 2021/1316\)](#), [reg. 1\(1\)](#), [Sch. 1 para. 12\(a\)](#) (with [reg. 4](#))

F46 Words in [reg. 19\(4\)](#) substituted (24.12.2021) by [The Merchant Shipping \(Radiocommunications\) \(Amendment\) Regulations 2021 \(S.I. 2021/1316\)](#), [reg. 1\(1\)](#), [Sch. 1 para. 12\(b\)](#) (with [reg. 4](#))

Commencement Information

I12 [Reg. 19](#) in force at 28.9.1998, see [reg. 1\(1\)](#)

Radio records

20.—(1) A record (hereinafter referred to as “the GMDSS Radio Log”) shall be kept of the matters specified in Schedule 3.

(2) The Master shall inspect and sign each day's entries in the GMDSS Radio Log.

(3) The GMDSS Radio Log shall be available for inspection by officers authorised by the Secretary of State to make such inspection.

(4) Regulation 9 of the Merchant Shipping (Official Log Books) Regulations 1981(6) shall apply to the GMDSS Radio Log as it applies to the official log book.

Commencement Information

I13 Reg. 20 in force at 28.9.1998, see **reg. 1(1)**

PART III

NON-GMDSS SHIP REQUIREMENTS

Interpretation

^{F47}**21.**

F47 Regs. 21-48 omitted (24.12.2021) by virtue of The Merchant Shipping (Radiocommunications) (Amendment) Regulations 2021 (S.I. 2021/1316), reg. 1(1), **Sch. 1 para. 13** (with reg. 4)

Provision of radio installations

^{F47}**22.**

F47 Regs. 21-48 omitted (24.12.2021) by virtue of The Merchant Shipping (Radiocommunications) (Amendment) Regulations 2021 (S.I. 2021/1316), reg. 1(1), **Sch. 1 para. 13** (with reg. 4)

Interference with reception and with other installations

^{F47}**23.**

F47 Regs. 21-48 omitted (24.12.2021) by virtue of The Merchant Shipping (Radiocommunications) (Amendment) Regulations 2021 (S.I. 2021/1316), reg. 1(1), **Sch. 1 para. 13** (with reg. 4)

Testing of equipment

^{F47}**24.**

F47 Regs. 21-48 omitted (24.12.2021) by virtue of The Merchant Shipping (Radiocommunications) (Amendment) Regulations 2021 (S.I. 2021/1316), reg. 1(1), **Sch. 1 para. 13** (with reg. 4)

Charging of batteries

^{F47}**25.**

Status: Point in time view as at 29/03/2023.

Changes to legislation: There are currently no known outstanding effects for the The Merchant Shipping (Radio Installations) Regulations 1998. (See end of Document for details)

F47 Regs. 21-48 omitted (24.12.2021) by virtue of The Merchant Shipping (Radiocommunications) (Amendment) Regulations 2021 (S.I. 2021/1316), reg. 1(1), **Sch. 1 para. 13** (with reg. 4)

Spare parts, tools and testing equipment

^{F47}**26.**

F47 Regs. 21-48 omitted (24.12.2021) by virtue of The Merchant Shipping (Radiocommunications) (Amendment) Regulations 2021 (S.I. 2021/1316), reg. 1(1), **Sch. 1 para. 13** (with reg. 4)

Serviceability and maintenance of radio installation

^{F47}**27.**

F47 Regs. 21-48 omitted (24.12.2021) by virtue of The Merchant Shipping (Radiocommunications) (Amendment) Regulations 2021 (S.I. 2021/1316), reg. 1(1), **Sch. 1 para. 13** (with reg. 4)

VHF radiotelephone station

^{F47}**28.**

F47 Regs. 21-48 omitted (24.12.2021) by virtue of The Merchant Shipping (Radiocommunications) (Amendment) Regulations 2021 (S.I. 2021/1316), reg. 1(1), **Sch. 1 para. 13** (with reg. 4)

Provision of antennas

^{F47}**29.**

F47 Regs. 21-48 omitted (24.12.2021) by virtue of The Merchant Shipping (Radiocommunications) (Amendment) Regulations 2021 (S.I. 2021/1316), reg. 1(1), **Sch. 1 para. 13** (with reg. 4)

Supply of electrical energy

^{F47}**30.**

F47 Regs. 21-48 omitted (24.12.2021) by virtue of The Merchant Shipping (Radiocommunications) (Amendment) Regulations 2021 (S.I. 2021/1316), reg. 1(1), **Sch. 1 para. 13** (with reg. 4)

Radiotelephone operators using the VHF radiotelephone installation

^{F47}**31.**

F47 Regs. 21-48 omitted (24.12.2021) by virtue of The Merchant Shipping (Radiocommunications) (Amendment) Regulations 2021 (S.I. 2021/1316), reg. 1(1), **Sch. 1 para. 13** (with reg. 4)

VHF radio watch

^{F47}32.

F47 Regs. 21-48 omitted (24.12.2021) by virtue of The Merchant Shipping (Radiocommunications) (Amendment) Regulations 2021 (S.I. 2021/1316), reg. 1(1), **Sch. 1 para. 13** (with reg. 4)

Radiotelephone station

^{F47}33.

F47 Regs. 21-48 omitted (24.12.2021) by virtue of The Merchant Shipping (Radiocommunications) (Amendment) Regulations 2021 (S.I. 2021/1316), reg. 1(1), **Sch. 1 para. 13** (with reg. 4)

Provision of antennas

^{F47}34.

F47 Regs. 21-48 omitted (24.12.2021) by virtue of The Merchant Shipping (Radiocommunications) (Amendment) Regulations 2021 (S.I. 2021/1316), reg. 1(1), **Sch. 1 para. 13** (with reg. 4)

Range of radiotelephone transmitter

^{F47}35.

F47 Regs. 21-48 omitted (24.12.2021) by virtue of The Merchant Shipping (Radiocommunications) (Amendment) Regulations 2021 (S.I. 2021/1316), reg. 1(1), **Sch. 1 para. 13** (with reg. 4)

Supply of electrical energy

^{F47}36.

F47 Regs. 21-48 omitted (24.12.2021) by virtue of The Merchant Shipping (Radiocommunications) (Amendment) Regulations 2021 (S.I. 2021/1316), reg. 1(1), **Sch. 1 para. 13** (with reg. 4)

Radiotelephone operators

^{F47}37.

F47 Regs. 21-48 omitted (24.12.2021) by virtue of The Merchant Shipping (Radiocommunications) (Amendment) Regulations 2021 (S.I. 2021/1316), reg. 1(1), **Sch. 1 para. 13** (with reg. 4)

Radio watch

^{F47}38.

F47 Regs. 21-48 omitted (24.12.2021) by virtue of The Merchant Shipping (Radiocommunications) (Amendment) Regulations 2021 (S.I. 2021/1316), reg. 1(1), **Sch. 1 para. 13** (with reg. 4)

Status: Point in time view as at 29/03/2023.

Changes to legislation: There are currently no known outstanding effects for the The Merchant Shipping (Radio Installations) Regulations 1998. (See end of Document for details)

Radio log—radiotelephone ship

^{F47}39.

F47 Regs. 21-48 omitted (24.12.2021) by virtue of The Merchant Shipping (Radiocommunications) (Amendment) Regulations 2021 (S.I. 2021/1316), reg. 1(1), **Sch. 1 para. 13** (with reg. 4)

Radiotelegraph station

^{F47}40.

F47 Regs. 21-48 omitted (24.12.2021) by virtue of The Merchant Shipping (Radiocommunications) (Amendment) Regulations 2021 (S.I. 2021/1316), reg. 1(1), **Sch. 1 para. 13** (with reg. 4)

Radiotelegraph operating rooms

^{F47}41.

F47 Regs. 21-48 omitted (24.12.2021) by virtue of The Merchant Shipping (Radiocommunications) (Amendment) Regulations 2021 (S.I. 2021/1316), reg. 1(1), **Sch. 1 para. 13** (with reg. 4)

Provision of antennas

^{F47}42.

F47 Regs. 21-48 omitted (24.12.2021) by virtue of The Merchant Shipping (Radiocommunications) (Amendment) Regulations 2021 (S.I. 2021/1316), reg. 1(1), **Sch. 1 para. 13** (with reg. 4)

Range of radiotelegraph transmitter

^{F47}43.

F47 Regs. 21-48 omitted (24.12.2021) by virtue of The Merchant Shipping (Radiocommunications) (Amendment) Regulations 2021 (S.I. 2021/1316), reg. 1(1), **Sch. 1 para. 13** (with reg. 4)

Supply of electrical energy

^{F47}44.

F47 Regs. 21-48 omitted (24.12.2021) by virtue of The Merchant Shipping (Radiocommunications) (Amendment) Regulations 2021 (S.I. 2021/1316), reg. 1(1), **Sch. 1 para. 13** (with reg. 4)

Radio officers

^{F47}45.

F47 Regs. 21-48 omitted (24.12.2021) by virtue of The Merchant Shipping (Radiocommunications) (Amendment) Regulations 2021 (S.I. 2021/1316), reg. 1(1), **Sch. 1 para. 13** (with reg. 4)

Radio watch

^{F47} 46.

F47 Regs. 21-48 omitted (24.12.2021) by virtue of The Merchant Shipping (Radiocommunications) (Amendment) Regulations 2021 (S.I. 2021/1316), reg. 1(1), **Sch. 1 para. 13** (with reg. 4)

Radio log—radiotelegraph ship

^{F47} 47.

F47 Regs. 21-48 omitted (24.12.2021) by virtue of The Merchant Shipping (Radiocommunications) (Amendment) Regulations 2021 (S.I. 2021/1316), reg. 1(1), **Sch. 1 para. 13** (with reg. 4)

Radio equipment for lifeboats and survival craft

^{F47} 48.

F47 Regs. 21-48 omitted (24.12.2021) by virtue of The Merchant Shipping (Radiocommunications) (Amendment) Regulations 2021 (S.I. 2021/1316), reg. 1(1), **Sch. 1 para. 13** (with reg. 4)

PART IV

ENFORCEMENT

^{F48}Power to detain

49.—(1) For the purposes of this regulation, any reference to “the Act” is a reference to the Merchant Shipping Act 1995.

(2) Subject to paragraph (10), a ship which does not comply with a requirement in these Regulations or Merchant Shipping Notice 1903 (M) applicable to that ship may be detained.

(3) Section 284 of the Act applies where a ship is liable to be detained under this regulation as if—

- (a) references to detention of a ship under the Act were references to detention of the ship in question under this regulation; and
- (b) subsection (7) were omitted.

(4) Where a ship is liable to be detained under this regulation, the person detaining the ship must serve on the master a detention notice which—

- (a) states the grounds of the detention; and
- (b) requires the terms of the notice to be complied with until the ship is released by any person mentioned in section 284(1) of the Act.

(5) Subject to paragraph (6), section 96 (references of detention notices to arbitration) and section 97 (compensation in connection with invalid detention of a ship) of the Act apply in relation to a detention notice issued pursuant to this regulation as they apply in relation to detention notices issued pursuant to section 95 (power to detain dangerously unsafe ship).

(6) For the purposes of paragraph (5)—

- (a) section 96 of the Act applies as if—

Status: Point in time view as at 29/03/2023.

Changes to legislation: There are currently no known outstanding effects for the The Merchant Shipping (Radio Installations) Regulations 1998. (See end of Document for details)

- (i) subsection (3) were omitted;
- (ii) the words “as a dangerously unsafe ship” in subsection (5) were omitted;
- (iii) subsection (11) were omitted; and
- (b) sections 96 and 97 of the Act apply as if “the relevant inspector” means a person issuing the detention notice pursuant to this regulation.
- (7) Subject to paragraph (8), where a non-United Kingdom ship is detained, the Secretary of State must immediately inform the ship’s flag administration in writing.
- (8) If it is not possible to inform the ship’s flag administration in accordance with paragraph (7), the Secretary of State must inform the Consul of the State of the flag administration, or in the absence of a Consul, the nearest diplomatic representative of the State of the flag administration.
- (9) For the purposes of paragraphs (7) and (8), “flag administration” in relation to a ship means the administration of the State whose flag the ship is entitled to fly.
- (10) A ship must not be detained in a port where repair facilities are not readily available by reason of malfunction of the equipment for providing general radiocommunications referred to in paragraph 2.1.8 of Merchant Shipping Notice 1903 (M) if the ship is capable of performing all other distress and safety functions as required by that Merchant Shipping Notice.]

F48 Reg. 49 substituted (24.12.2021) by [The Merchant Shipping \(Radiocommunications\) \(Amendment\) Regulations 2021 \(S.I. 2021/1316\)](#), reg. 1(1), **Sch. 1 para. 14** (with reg. 4)

Penalties

50.—(1) If a ^{F49}... person nominated under regulation 18(7) of these Regulations contravenes any provision of these Regulations imposing a duty on him, he shall be guilty of an offence punishable on summary conviction to a fine not exceeding level 2 on the standard scale; and if any person, being the owner or master of the ship, permits such a contravention, he shall be guilty of an offence punishable on summary conviction to a fine not exceeding the statutory maximum or, on conviction on indictment, to imprisonment for a term not exceeding 2 years or a fine, or both.

(2) If these Regulations are contravened in any other respect in relation to any ship, the owner and master of the ship shall each be guilty of an offence punishable on summary conviction to a fine not exceeding the statutory maximum or, on conviction on indictment, to imprisonment for a term not exceeding 2 years or a fine, or both.

F49 Words in [reg. 50\(1\)](#) omitted (24.12.2021) by virtue of [The Merchant Shipping \(Radiocommunications\) \(Amendment\) Regulations 2021 \(S.I. 2021/1316\)](#), reg. 1(1), **Sch. 1 para. 15** (with reg. 4)

Commencement Information

I14 [Reg. 50](#) in force at 28.9.1998, see [reg. 1\(1\)](#)

Defence

51. It shall be a defence for a person charged under these Regulations to show that he took all reasonable precautions to avoid the commission of the offence.

Commencement Information

I15 [Reg. 51](#) in force at 28.9.1998, see [reg. 1\(1\)](#)

^{F50}Review of Regulations

- 52.**—(1) The Secretary of State must from time to time—
- (a) carry out a review of the regulatory provision contained in these Regulations; and
 - (b) publish a report setting out the conclusions of the review.
- (2) The first report must be published before 24th December 2026.
- (3) Subsequent reports must be published at intervals not exceeding 5 years.
- (4) Section 30(4) of the Small Business, Enterprise and Employment Act 2015 requires that a report published under this regulation must, in particular—
- (a) set out the objectives intended to be achieved by the regulatory provision referred to in paragraph (1)(a);
 - (b) assess the extent to which those objectives are achieved;
 - (c) assess whether those objectives remain appropriate; and
 - (d) if those objectives remain appropriate, assess the extent to which they could be achieved in another way which involves less onerous regulatory provision.
- (5) In this regulation, “regulatory provision” has the same meaning as in sections 28 to 32 of the Small Business, Enterprise and Employment Act 2015 (see section 32 of that Act).]

F50 [Reg. 52](#) inserted (24.12.2021) by [The Merchant Shipping \(Radiocommunications\) \(Amendment\) Regulations 2021 \(S.I. 2021/1316\)](#), reg. 1(1), [Sch. 1 para. 16](#) (with reg. 4)

Signed by authority of the Secretary of State for the Department of the Environment, Transport and the Regions

Nick Raynsford
Parliamentary Under-Secretary of State,
Department of the Environment, Transport and
the Regions

*Status: Point in time view as at 29/03/2023.**Changes to legislation: There are currently no known outstanding effects for the The Merchant Shipping (Radio Installations) Regulations 1998. (See end of Document for details)*

F51 SCHEDULE 1

Regulation 11(1)(f)

SATELLITE EPIRBS

F51 Sch. 1 omitted (24.12.2021) by virtue of [The Merchant Shipping \(Radiocommunications\) \(Amendment\) Regulations 2021 \(S.I. 2021/1316\)](#), reg. 1(1), **Sch. 1 para. 17** (with reg. 4)

.....

SCHEDULE 2

Regulation 18(7)

EQUIPMENT TESTS AND RESERVE POWER CHECKS

1 Daily

- (a) (a) The proper functioning of the DSC facilities shall be tested at least once each day, without radiation of signals, by use of the means provided on the equipment.
- (b) Batteries providing a source of energy for any part of the radio installations shall be tested daily and, where necessary, brought up to the fully charged condition.

Commencement Information

I16 [Sch. 2 para. 1](#) in force at 28.9.1998, see [reg. 1\(1\)](#)

2 Weekly

- (a) (a) The proper operation of the DSC facilities shall be tested at least once a week by means of a test call, when within communication range of a coast station fitted with DSC equipment. Where a ship has been out of communication range of a coast station fitted with DSC equipment for a period of longer than one week, a test call shall be made on the first opportunity that the ship is within communication range of such a coast station.
- (b) Where the reserve source of energy is not a battery (for example, a motor generator), the reserve source of energy shall be tested weekly.

Commencement Information

I17 [Sch. 2 para. 2](#) in force at 28.9.1998, see [reg. 1\(1\)](#)

3 Monthly

- (a) (a) Each EPIRB and satellite EPIRB shall be examined at least once a month to determine its capability to operate properly, particularly its ability to float free (where required to do so) in the event of the ship sinking, its security and for signs of damage.
- (b) Each search and rescue radar transponder shall be checked at least once a month for security and signs of damage.
- (c) Each survival craft two-way VHF equipment shall be tested at least once a month on a frequency other than 156.8 MHz (VHF Channel 16).

- (d) A check shall be made at least once a month on the security and condition of all batteries providing a source of energy for any part of a radio installation. The battery connections and compartment shall also be checked.

Commencement Information

I18 Sch. 2 para. 3 in force at 28.9.1998, see reg. 1(1)

SCHEDULE 3

Regulation 20(1)

GMDSS RADIO LOG

Commencement Information

I19 Sch. 3 in force at 28.9.1998, see reg. 1(1)

The following shall be recorded in the GMDSS Radio Log as they occur—

- (a) a summary of communications relating to distress, urgency and safety traffic and the time such communications occurred;
- (b) a record of important incidents connected with the radio service and the time such incidents occurred; and
- (c) where appropriate, the position of the ship at least once a day and the time at which the ship was in that position.

^{F52}SCHEDULE 4

Regulation 24(1)

F52 Schs. 4-7 omitted (24.12.2021) by virtue of The Merchant Shipping (Radiocommunications) (Amendment) Regulations 2021 (S.I. 2021/1316), reg. 1(1), Sch. 1 para. 17 (with reg. 4)

^{F52}SCHEDULE 5

Regulations 37(3) and 45(4)

**ADDITIONAL KNOWLEDGE AND TRAINING REQUIREMENTS
FOR RADIOTELEPHONE OPERATORS AND RADIO OFFICERS**

^{F52}SCHEDULE 6

Regulation 39(2)

Status: Point in time view as at 29/03/2023.

Changes to legislation: There are currently no known outstanding effects for the The Merchant Shipping (Radio Installations) Regulations 1998. (See end of Document for details)

^{F52}SCHEDULE 7

Regulation 47(2)

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EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke and replace, with amendments, the Merchant Shipping (Radio Installations) Regulations 1992.

They give effect to Chapter IV of the International Convention for the Safety of Life at Sea 1974 (SOLAS), including amendments adopted by states party to that Convention at a Conference on the Global Maritime Distress and Safety Systems (GMDSS) on 11 November 1988 and at Conferences on 11 December 1992 and 29 November 1995. GMDSS is the International Maritime Organisation's world-wide network of automated emergency communications for vessels at sea.

In addition to minor drafting amendments, the changes of substance to the 1992 Regulations require that ships of Class I, II or II(A) have a distress panel on board located at the conning position (regulation 10), that means be provided for two-way on-scene radio communications for search and rescue purposes (regulation 11(4)) and that at least one person qualified for distress and safety radio communications be assigned to perform only radio communication duties during distress incidents (regulation 19(2)(a)).

Part II contains the GMDSS provisions. It requires new ships to carry new types of radio equipment including equipment for satellite communication, emergency radio beacons (EPIRBs) and other items. The carriage requirements depend on the ship's area of operations. For this purpose the world is divided up under the GMDSS into four sea areas: area A1 which is within range of VHF coastal radio; area A2 which is within range of MF coastal radio; area A3 which is within coverage of geostationary satellites; and area A4 which covers the remainder of the world. The requirements for maintenance of the equipment carried permit some flexibility: maintenance may be achieved by duplication of equipment by shore-based maintenance or by an at-sea maintenance capability.

A compliance cost assessment has been produced and a copy laid in the library of each House of Parliament. Copies may be obtained from the Maritime and Coastguard Agency, Spring Place, 105 Commercial Road, Southampton SO15 1EG (telephone: 01703 329134).

Copies of SOLAS may be obtained from the International Maritime Organisation, 4 Albert Embankment, London SE1 7SR. Merchant Shipping Notices may be obtained from Eros Marketing Support Services, Unit B, Imber Court Trading Estate, Orchard Lane, East Molesey, Surrey KT8 0BN (telephone number 0181 957 5028).

Status:

Point in time view as at 29/03/2023.

Changes to legislation:

There are currently no known outstanding effects for the The Merchant Shipping (Radio Installations) Regulations 1998.