

This Statutory Instrument has been made in consequence of defects in S.I. 1998/2070, S.I. 1998/2514, S.I. 1998/2515, S.I. 1999/992, S.I. 1999/1957 and S.I. 1999/2121 and is being issued free of charge to all known recipients of those Statutory Instruments.

STATUTORY INSTRUMENTS

2001 No. 1638

**MARINE POLLUTION
MERCHANT SHIPPING**

The Merchant Shipping(Miscellaneous
Amendments)Regulations 2001

<i>Made</i>	- - - -	<i>30th April 2001</i>
<i>Laid before Parliament</i>		<i>3rd May 2001</i>
<i>Coming into force</i>	- -	<i>11th June 2001</i>

The Secretary of State for the Environment, Transport and the Regions, after such consultation as is required by section 86(4) of the Merchant Shipping Act 1995⁽¹⁾, in exercise of the powers conferred upon him by sections 85(1)(a) and (b), (3) and (7) and 86(1) of that Act⁽²⁾ hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Merchant Shipping (Miscellaneous Amendments) Regulations 2001 and shall come into force on 11th June 2001.

Amendment of the Merchant Shipping (Reporting Requirements for Ships Carrying Dangerous or Polluting Goods) Regulations 1995

2. In regulation 15(4B)(b) of the Merchant Shipping (Reporting Requirements for Ships Carrying Dangerous or Polluting Goods) Regulations 1995⁽³⁾, for “not exceeding the statutory maximum” there shall be substituted “not exceeding level 5 on the standard scale”.

(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. 1995/2498, regulation 15(4B) was inserted by S.I. 1999/2121, regulation 8(c).

Amendment of the Merchant Shipping (Fire Protection: Large Ships) Regulations 1998

3. Regulation 25 of the Merchant Shipping (Fire Protection: Large Ships) Regulations 1998(4) shall be amended as follows—

- (a) in paragraph (2), after “Each outfit” there shall be inserted “referred to in paragraph (1)”;
- and
- (b) in paragraph (4), for “paragraph (1) or (2) above” there shall be substituted “paragraph (3)”.

Amendment of the Merchant Shipping (Radio Installations) Regulations 1998

4. The Merchant Shipping (Radio Installations) Regulations 1998(5) shall be amended as follows—

- (a) in regulation 21 the definition of “radio operator” shall be omitted;
- (b) in regulation 39(2), for “Schedule 5” there shall be substituted “Schedule 6”;
- (c) in regulation 45(6)(a) “or” shall be inserted before “aggregate of periods”; and
- (d) in regulation 47(2), for “Schedule 6” there shall be substituted “Schedule 7”.

Amendment of the Merchant Shipping (Passenger Ship Construction: Ships of Classes I, II and II(A)) Regulations 1998

5. The Merchant Shipping (Passenger Ship Construction: Ships of Classes I, II and II(A)) Regulations 1998(6) shall be amended as follows—

- (a) in the first sentence of regulation 4, after “from” there shall be inserted “any of”;
- (b) in regulation 6, for “regulations 10, 14, 17 to 19 (inclusive) and 21,” there shall be substituted “regulations 10, 14 and 17 to 19 (inclusive),”;
- (c) in regulation 11(4), for “regulation 10(3)” there shall be substituted “regulation 10(7)”;
- (d) in regulation 12(2), for “the provisions of the Merchant Shipping (Load Lines) Rules 1968” there shall be substituted “the provisions of the Merchant Shipping (Load Lines) Regulations 1998(7)”;
- (e) in regulation 32(2)(f), for “regulation 31” there shall be substituted “regulation 34”;
- (f) in regulation 43(1), for “is in compliance with stability criteria in the relevant regulations” there shall be substituted “is in compliance with the requirements of such of regulations 37, 42, 44 to 46 (inclusive) and this regulation as are applicable to that ship”;
- (g) in regulation 62(5), for sub-paragraph (a) there shall be substituted:
 - “(a) the design and the materials of which the respective items are constructed;”;
 - and
- (h) in regulation 91(5) for “not exceeding level 5 or, on conviction or indictment,” there shall be substituted “not exceeding the statutory maximum or, on conviction on indictment.”

(4) S.I. 1998/1012, regulation 25 was amended by S.I. 1999/992.

(5) S.I. 1998/2070, to which there are amendments not relevant to these Regulations.

(6) S.I. 1998/2514. By virtue of regulation 5(1)(a) of the Merchant Shipping (Passenger Ships on Domestic Voyages) Regulations 2000 (S.I. 2000/2687) S.I. 1998/2514 ceases to apply to certain types of passenger ship of 24 metres or over in length engaged on certain domestic voyages from dates specified in regulation 4 of S.I. 2000/2687.

(7) S.I. 1998/2241.

Amendment of the Merchant Shipping (Passenger Ship Construction: Ships of Classes III to VI(A)) Regulations 1998

6. The Merchant Shipping (Passenger Ship Construction: Ships of Classes III to VI(A)) Regulations 1998⁽⁸⁾ shall be amended as follows—

- (a) paragraph (2) of regulation 32 shall be omitted; and
- (b) in regulation 73(1), for “statutory minimum” there shall be substituted “statutory maximum”.

Amendment of the Merchant Shipping (Fire Protection) (Amendment) Regulations 1999

7. Regulation 4 of the Merchant Shipping (Fire Protection) (Amendment) Regulations 1999⁽⁹⁾ shall be amended as follows—

- (a) at the beginning of paragraph (a), for “in sub-paragraph (2)” there shall be substituted “in paragraph (1)”; and
- (b) at the beginning of paragraph (b), for “in paragraph 2(2)” there shall be substituted “in paragraph (2)”.

Amendment of the Merchant Shipping (Marine Equipment) Regulations 1999

8. In regulation 23(3) of the Merchant Shipping (Marine Equipment) Regulations 1999⁽¹⁰⁾ “19(4) or” shall be omitted.

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

Keith Hill
Parliamentary Under Secretary of State,
Department of the Environment, Transport and
the Regions

30th April 2001

⁽⁸⁾ S.I. [1998/2515](#). By virtue of regulation 5(1)(b) of the Merchant Shipping (Passenger Ships on Domestic Voyages) Regulations 2000 S.I. [1998/2515](#) ceases to apply to certain types of passenger ship of 24 metres or over in length engaged on certain domestic voyages from dates specified in regulation 4 of S.I. [2000/2687](#).

⁽⁹⁾ S.I. [1999/992](#).

⁽¹⁰⁾ S.I. [1999/1957](#).

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations correct defects in a number of earlier instruments, and are being issued free of charge to all known recipients of those instruments.

Regulation 2 amends the Merchant Shipping (Reporting Requirements for Ships Carrying Dangerous or Polluting Goods) Regulations 1995 to alter a reference to the statutory maximum for a fine on summary conviction to a reference to level 5 on the standard scale.

Regulation 3 amends the Merchant Shipping (Fire Protection: Large Ships) Regulations 1998 to correct a mistaken cross-reference.

Regulation 4 amends the Merchant Shipping (Radio Installations) Regulations 1998 to remove a superfluous definition, correct mistaken cross-references and insert a missing word.

Regulation 5 amends the Merchant Shipping (Passenger Ship Construction: Ships of Classes I, II and II(A)) Regulations 1998 to correct mistaken cross-references, an incorrect reference to another instrument and other drafting errors.

Regulation 6 amends the Merchant Shipping (Passenger Ship Construction: Ships of Classes III to VI(A)) Regulations 1998 to omit a superfluous paragraph and correct another drafting error.

Regulation 7 amends a couple of mistaken cross-references in the Merchant Shipping (Fire Protection) (Amendment) Regulations 1999.

Regulation 8 amends the Merchant Shipping (Marine Equipment) Regulations 1999 to omit a superfluous cross-reference.