

2004 No. 1107

MERCHANT SHIPPING

SAFETY

**The Merchant Shipping (Passenger Ships on Domestic Voyages)
(Amendment) Regulations 2004**

<i>Made</i> - - - -	<i>13th April 2004</i>
<i>Laid before Parliament</i>	<i>14th April 2004</i>
<i>Coming into force</i> - -	<i>6th May 2004</i>

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

Citation and commencement

1. These Regulations may be cited as the Merchant Shipping (Passenger Ships on Domestic Voyages) (Amendment) Regulations 2004 and shall come into force on 6th May 2004.

Amendment of the Merchant Shipping (Passenger Ships on Domestic Voyages) Regulations 2000

2. For the definition of “the Directive” in regulation 2(1) (Interpretation) of the Merchant Shipping (Passenger Ships on Domestic Voyages) Regulations 2000(c) there shall be substituted:

“the Directive” means Directive 98/18/EC of 17th March 1998 on Safety Rules and Standards for Passenger Ships(d) as amended by

- (a) Commission Directive 2002/25/EC of 5th March 2002 amending Council Directive 98/18/EC on safety rules and standards for passenger ships(e);
- (b) Directive 2002/84/EC of the European Parliament and of the Council of 5th November 2002 amending the Directives on maritime safety and the prevention of pollution from ships(f); and
- (c) Commission Directive 2003/75/EC of 29th July 2003 amending Annex I to Council Directive 98/18/EC on safety rules and standards for passenger ships(g)

(a) 1995 c.21

(b) Sections 85 and 86 were amended by the Merchant Shipping and Maritime Security Act 1997 (C.28), section 8, and are applied to hovercraft by the Hovercraft (Application of Enactments) Order 1989 (S.I. 1989/1350).

(c) S.I. 2000/2687, amended by S.I. 2003/771 and S.I. 2004/302.

(d) O.J. L144, 15.5.1998, p.1.

(e) O.J. L098, 15.4.2002, p.1.

(f) O.J. L324, 29.11.2002, p.55.

(g) O.J. L190, 30.7.2003, p.6.

in so far as the references in Directive 98/18/EC as so amended to the Conventions, Codes and System in their up-to-date versions:

- (i) relate to all or any of the purposes set out in section 85(1) of the Merchant Shipping Act 1995,
- (ii) are considered by the Secretary of State to be relevant from time to time, and
- (iii) are specified in a Merchant Shipping Notice.”.

Amendment of the Merchant Shipping (Survey and Certification) Regulations 1995

3. The Merchant Shipping (Survey and Certification) Regulations 1995^(a) shall be amended by the insertion in regulation 1(2) (Interpretation), at the end of the definition of “the Directive”^(b), of the words “and as amended by Commission Directive 2003/75/EC of 29th July 2003 amending Annex I to Council Directive 98/18/EC on safety rules and standards for passenger ships”.

13th April 2004

David Jamieson
Parliamentary Under Secretary of State
Department for Transport

^(a) S.I. 1995/1210, amended by S.I. 1996/2418, S.I. 2000/1334, S.I. 2000/2678 and 2004/302.

^(b) Inserted by paragraph 7 of the Schedule to S.I. 2000/2687 and amended by regulation 3 of S.I. 2003/771.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations implement Commission Directive 2003/75/EC of 29th July 2003 amending Annex I to Council Directive 98/18/EC on safety rules and standards for passenger ships (O.J. L190, 30.7.2003, p.6). The amendments to Directive 98/18/EC relate to the provision of life-saving equipment on ro-ro passenger ships.

Directive 98/18/EC was implemented by the Merchant Shipping (Passenger Ships on Domestic Voyages) Regulations 2000 (S.I. 2000/2687) (“the 2000 Regulations”). Regulation 2 of these Regulations, by amending the definition of “the Directive” in the 2000 Regulations, ensures that the implementation of the Directive by the 2000 Regulations is of the Directive in its up to date version.

Regulation 3 of these Regulations makes a consequential amendment to an interpretation provision in the Merchant Shipping (Survey and Certification) Regulations 1995 (S.I 1995/1210, as amended). Those Regulations as so amended exclude from their application ships to which the Directive as amended applies.

A full regulatory impact assessment has not been produced for this instrument as it has no impact on the costs of business.

STATUTORY INSTRUMENTS

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