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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations implement the requirements of Chapter X of the International Convention for the Safety of Life at Sea 1974 (“the SOLAS Convention”) as amended. The scope of application of the Regulations is set out in regulation 3: they apply in relation to ships and hovercraft to which Chapter X of the SOLAS Convention applies and additionally in relation to other ships as set out in that regulation.

The requirements of the High Speed Craft Code continue to apply to craft constructed before 1st July 2002. The Regulations also apply the requirements of the High Speed Code 2000 to craft constructed on or after that date (*regulation 6*). The substantive requirements of the Regulations are imposed by reference to Chapter X of the SOLAS Convention, together with corresponding, alternative and additional requirements as set out in Merchant Shipping Notice M.1672. Additional provision is made regarding risk assessment of the wash from the vessel (*regulation 7*) and the maximum number of passengers with which a passenger craft is allowed to operate (*regulation 8*).

High speed craft to which the Merchant Shipping (Domestic Passenger Ships) (Safety Management Code) Regulations 2001 (S.I.2001/3209) have previously applied will be required by these Regulations to comply with the requirements of the International Safety Management Code (*paragraphs 2 and 9 of the Schedule*).

Provision is made for exemptions to be granted by the Secretary of State where he is satisfied that compliance with those requirements would be impracticable or unreasonable and an equivalent level of safety will be provided (*regulation 4*), and for approvals in accordance with the SOLAS Chapter X requirements (*regulation 5*).

Provision is made for offences and penalties for non-compliance (*regulation 9*), for detention (*regulation 10*), and for offences by persons on board the craft (*regulation 11*).

The Merchant Shipping (High-Speed Craft) Regulations 1996 (S.I. 1996/3188) are revoked, and statutory references to those regulations updated, and the Merchant Shipping (Survey and Certification) Regulations 1995 S.I. (1995/1210) are amended (*regulation 12 and the Schedule*). The Regulations are made under section 2(2) of the European Communities Act 1972 in so far as they so amend Regulations which have been made under that Act.

A Regulatory Impact Assessment has been prepared and copies can be obtained from the Maritime and Coastguard Agency, Spring Place, 105 Commercial Road, Southampton, SO15 1EG. A copy has been placed in the Library of each House of Parliament.

Merchant Shipping Notices can be read or downloaded free from the Maritime and Coastguard Agency website ([www.mcga.gov.uk](http://www.mcga.gov.uk)). Printed copies can be obtained from Mail Marketing (Scotland) Ltd, Unit 6 Blooms Grove Industrial Estate, Norton Street, Nottingham, NG7 3JG (telephone 0115 901 3336).