
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations implement amendments to Chapter III (life-saving appliances and arrangements) in the Annex to the International Convention on the Safety of Life at Sea, 1974 (“the Convention”), including amendments to the International Life-Saving Appliances Code (“the LSA Code”). They also make provision for life-saving appliances and arrangements in respect of ships to which the Convention does not apply.

The Regulations revoke and replace the Merchant Shipping (Life-Saving Appliances For Ships Other Than Ships Of Classes III To VI(A)) Regulations 1999 (S.I. 1999/2721) and those regulations that amend them. They also amend the Merchant Shipping (Musters, Training and Decision Supports Systems) Regulations 1999 (S.I. 1999/2722) and regulation 6 of the Merchant Shipping (Entry into Dangerous Spaces) Regulations 1988 (S.I. 1988/1638), which implemented certain provisions of Chapter III, in order to remove from their scope ships subject to Parts 2 and 4 of these Regulations. All ships to which Chapter III applies are now regulated in respect of life-saving appliances and arrangements by these Regulations.

The Regulations apply, with certain limited exceptions, to United Kingdom ships and to non-United Kingdom ships in United Kingdom waters, including ships from countries which are not parties to the Convention. They apply to passenger ships of Classes I, II and II(A), and to non-passenger ships of Classes VII, VII(A), VII(T), VIII, VIII(A), VIII(T), VIII(A)(T), IX, IX(A), IX(A)(T), XI and XII. These classes of ship are defined in Schedule 2.

The Regulations contain requirements for the carriage of life-saving appliances and arrangements for existing and new ships and which may be on international or non-international voyages. They deal separately with ships constructed before 1st July 1998 (Parts 2 and 3) and ships constructed on or after 1st July 1998 (Parts 4 and 5).

All future amendments to the provisions of Part B of Chapter III, and the LSA Code, will be automatically incorporated into the Regulations by way of ambulatory reference (regulation 5).

The Regulations provide for the approval of life-saving appliances and arrangements (regulation 6), the approval of equivalents (regulation 7), the granting of exemptions (regulation 8) and the approval of alternative design and arrangements for new ships on international voyages (regulation 17).

The detail of the requirements for ships constructed before 1st July 1998 (whether engaged on international or non-international voyages) is contained in Merchant Shipping Notice 1676 (Amendment 1), which is given statutory force by these Regulations (regulations 10 and 13). The provisions relating to “all ships” in Part B of Chapter III also apply to ships constructed before 1st July 1998 (regulation 10).

Passenger ships and cargo ships constructed on or after 1st July 1998 must comply with the requirements contained in Part B of Chapter III of the Convention that apply to them (regulation 15). Separate provision is also made for ships of Class XI (sailing ships, other than fishing vessels and ships of Class XII, which proceed to sea) and Class XII (pleasure vessels of 13.7 metres in length or over) engaged on international voyages and to which the Convention does not apply; the requirements applicable to them are prescribed by Merchant Shipping Notice 1676 (Amendment 1) (regulation 16).

New ships engaged only on non-international voyages, and those new ships to which the Convention does not apply due to size, must comply with the requirements prescribed in Merchant Shipping Notice 1676 (Amendment 1) (regulation 19).

Changes to legislation: *There are currently no known outstanding effects for the The Merchant Shipping (Life-Saving Appliances and Arrangements) Regulations 2020. (See end of Document for details)*

The Regulations also provide that where any ship proceeds or attempts to proceed to sea in breach of the requirements of the Regulations, Part B of Chapter III or Merchant Shipping Notice 1676 (Amendment 1), this is an offence by the owner and master (regulation 20). In cases of non-compliance with the Regulations, Part B of Chapter III or Merchant Shipping Notice 1676 (Amendment 1), a ship may also be detained (regulation 21).

Regulation 22 requires the Secretary of State to review the operation and effect of these Regulations and publish a report before 9th June 2025 and at intervals not exceeding five years after that. Following a review, it will fall to the Secretary of State to consider whether the Regulations should remain as they are, or be amended or revoked. A further instrument would be needed to amend or revoke the Regulations.

Merchant Shipping Notice 1676 (Amendment 1) also provides guidance on how the Secretary of State will exercise discretion in relation to new ships on international voyages where Chapter III or the LSA Code permits this.

All Merchant Shipping Notices referred to in these Regulations are available on www.gov.uk/topic/ships-cargoes/m-notices and in hard copy from the Maritime and Coastguard Agency (MCA) of Spring Place, 105 Commercial Road, Southampton SO15 1EG (telephone 020 3817 2000 and email infoline@mca.gov.uk).

The Convention and its Protocol of 1988 may be obtained in copy from the International Maritime Organization (IMO), 4 Albert Embankment, London SE1 7SR and both are available on the Foreign and Commonwealth Office (FCO) treaties database (<https://treaties.fco.gov.uk/responsive/app/consolidatedSearch/>). The text of the IMO Resolutions amending the Convention and Protocol may be obtained from the IMO or can be found on the FCO treaties database (<https://treaties.fco.gov.uk/responsive/app/consolidatedSearch/>).

Future amendments to the Convention and to the Protocol may be obtained in copy from the IMO and, after coming into force in the United Kingdom, found on the Foreign and Commonwealth Office (FCO) treaties database (<https://treaties.fco.gov.uk/responsive/app/consolidatedSearch/>). Until such publication is made on the FCO treaties database, an amendment will be available from the MCA and on <https://www.gov.uk>. An amendment will be publicised in advance of its in-force date by means of a Parliamentary Statement to both Houses of Parliament and by way of a Marine Guidance Note, which will be available in copy from the MCA and on <https://www.gov.uk>.

A full impact assessment has not been produced for this instrument as the Regulations relate to the updating and maintenance of existing regulatory standards and no, or no significant, impact on the private or voluntary sector is foreseen.

An Explanatory Memorandum is published alongside the instrument on www.legislation.gov.uk.

Changes to legislation:

There are currently no known outstanding effects for the The Merchant Shipping (Life-Saving Appliances and Arrangements) Regulations 2020.