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STATUTORY INSTRUMENTS

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**2022 No. 1269**

**The Merchant Shipping (Safety Standards  
for Passenger Ships on Domestic Voyages)  
(Miscellaneous Amendments) Regulations 2022**

**Amendment to the Merchant Shipping (Life-Saving Appliances For Passenger Ships Of Classes III To VI(A)) Regulations 1999**

4.—(1) The Merchant Shipping (Life-Saving Appliances For Passenger Ships Of Classes III To VI(A)) Regulations 1999<sup>(1)</sup> are amended as follows.

(2) In regulation 4 (application and exemptions)—

- (a) in paragraph (1), for “regulation 4A”, substitute “regulations 4A and 4B”;
- (b) at the beginning of paragraph (3), insert “Subject to paragraph (5),”;
- (c) after paragraph (4), insert—

“**(5)** Where an application is made for an exemption under paragraph (3)—

- (a) for a period commencing from the date of the ship’s first survey after the second anniversary of the date on which the Merchant Shipping (Safety Standards for Passenger Ships on Domestic Voyages) (Miscellaneous Amendments) Regulations 2022 came into force, and

(b) which relates to amendments made under those Regulations,

the Secretary of State may grant an exemption under paragraph (3) without it being subject to the conditions and limitations specified in paragraph (3)(b).”.

(3) After regulation 4A insert—

“**4B.**—(1) The amendments made to these Regulations by regulation 4(4) to (12) of the Merchant Shipping (Safety Standards for Passenger Ships on Domestic Voyages) (Miscellaneous Amendments) Regulations 2022 do not apply to a ship until the date of that ship’s first survey after the anniversary specified in regulation 4(5)(a).

(2) For the purposes of paragraph (1), “survey” means the ship’s renewal survey as required by regulation 6(3)(b) of the Merchant Shipping (Survey and Certification) Regulations 2015.”.

(4) In regulation 6(2) (ships of class IV)—

- (a) at the beginning, insert “Subject to regulation 4B(1) (application),”;
- (b) in column (5) of the table—
  - (i) for “70”, in both places it occurs, substitute “100”, and
  - (ii) for “40”, in both places it occurs, substitute “10”.

(5) In regulation 6(6)—

- (a) at the beginning, insert “Subject to regulation 4B(1) (application),”;

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<sup>(1)</sup> S.I. 1999/2723, amended by S.I. 2000/2687 and S.I. 2001/2642. There are other amendments not relevant to these Regulations.

- (b) in sub-paragraph (c), after “for each such person on board”, in the second place it occurs, insert—
- “, and each such lifejacket shall be fitted with an automatically activated light which is of a type that complies with the requirements of either paragraph 2.2.3 of the Life Saving Appliances Code<sup>(2)</sup> or paragraph 5.8 of Part 8 of ISO 12402<sup>(3)</sup>, or is approved under the Merchant Shipping (Marine Equipment) Regulations 2016<sup>(4)</sup>”
- (6) In regulation 7(1) (ships of class V), at the beginning, insert “Subject to regulation 4B(1) (application),”.
- (7) In regulation 7(4)(a), at the end of the table, in the paragraph beginning “\*The Buoyant Apparatus”, omit the words up to a maximum of 60 per cent of the vessel’s buoyant apparatus requirement”.
- (8) In regulation 7(6) (ships of class V), before sub-paragraph (a) insert—
- “(za) subject to regulation 4B(1) (application), for each person on board one of the following—
- (i) a lifejacket suitable for a person weighing 32 kilogrammes or more;
  - (ii) a lifejacket suitable for a person weighing less than 32 kilogrammes for each such person on board;
  - (iii) a buoyancy aid suitable for a person weighing 32 kilogrammes or more, and a buoyancy aid suitable for a person weighing less than 32 kilogrammes;
  - (iv) a lifejacket complying with either British Standard Specifications EN 394:1994 and 396:1994<sup>(5)</sup> or ISO 12402-3 and ISO 12402-5, provided such lifejackets do not depend wholly upon oral inflation. Lifejackets of the partially inherently buoyant type for persons weighing 32 kilogrammes or more shall have buoyancy in the uninflated state of not less than 89 Newtons; or
  - (v) an inflatable Civil Aviation Authority lifejacket which complies with Part 5 of Schedule 9;”.
- (9) In regulation 7(8)(a) (ships of class V)—
- (a) at the beginning, insert “Subject to regulation 4B(1) (application),”;
  - (b) in the table—
    - (i) in column (4), rows i, ii, v and vi, for “liferrafts or open reversible liferafts OR” substitute “lifeboats, liferafts or open reversible liferafts AND”; and
    - (ii) in column (5)—
      - (aa) with the exception of rows ii, vi, vii, x and xiii, for the first number in each row substitute “100”; and
      - (bb) with the exception of rows vii, x and xiii, for the second number in each row substitute “10”;

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(2) The Life Saving Appliances Code was incorporated into the International Convention for the Safety of Life at Sea, 1974, Chapter III (life-saving appliances) by International Maritime Organization Resolution MSC.81(70) (Cmnd. 7874). A copy of the Convention and Resolution MSC.81(70) can be obtained from the International Maritime Organization of 4 Albert Embankment, London, SE1 7SR or inspected free of charge at the Maritime & Coastguard Agency of Spring Place, 105 Commercial Road, Southampton SO15 1EG.

(3) ISO 12402 is the standard set by the International Organization for Standardization for personal flotation devices and can be purchased from <https://www.iso.org/home.html>. A copy can be inspected free of charge by appointment at the Maritime & Coastguard Agency of Spring Place, 105 Commercial Road, Southampton SO15 1EG.

(4) S.I. 2016/1025, amended by S.I. 2019/470 and S.I. 2019/1304.

(5) British Standard Specifications EN 394:1994 and EN 396:1994 can be purchased from the British Standards Institution on <https://shop.bsigroup.com/ProductDetail/?pid=00000000001561505>. A copy can be inspected free of charge by appointment at the Maritime & Coastguard Agency of Spring Place, 105 Commercial Road, Southampton SO15 1EG.

(iii) at the end of the table, in the paragraph beginning “\*The buoyant apparatus”, omit the words “up to a maximum of 60 per cent of the vessel’s buoyant apparatus requirement”.

(10) After regulation 7(10)(ships of class V) insert—

“(10A) Subject to regulation 4B(1) (application), each lifejacket or buoyancy aid carried in accordance with paragraph (10)(c) shall be fitted with an automatically activated light of a type that complies with either paragraph 2.2.3 of the Life Saving Appliances Code or paragraph 5.8 of Part 8 of ISO 12402, or is approved under the Merchant Shipping (Marine Equipment) Regulations 2016.”.

(11) In regulation 8(2)(a) (ships of class VI)—

(a) at the beginning, insert “Subject to regulation 4B(1) (application)”;

(b) for the table substitute—

<i>“(1)”</i>	<i>(2)</i>	<i>(3)</i>	<i>(4)</i>	<i>(5)</i>
<i>Type of ship</i>	<i>Number of passengers ship is certified to carry</i>	<i>Standard of survivability ship complies with</i>	<i>Life-Saving Appliances (LSA)</i>	<i>Minimum aggregate percentage of LSA for the total number of persons the ship is certified to carry</i>
i New passenger ship	Not more than 100	Table 1, (14) (one-compartment standard)	+Lifeboats, liferafts or open reversible liferafts	100 10
		OR	AND	
		Table 1, (15) (Buoyancy Test)	*buoyant apparatus	
ii New passenger ship	More than 100 but not more than 250	Table 1, (15) (one-compartment standard)	+Lifeboats, liferafts or open reversible liferafts	100 10
			AND	
			*buoyant apparatus	
iii Existing passenger ship	Not more than 100	Table 2, (26) (one-compartment ship)	+Lifeboats, liferafts or open reversible liferafts	100 10
		OR	AND	

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(1)	(2)	(3)	(4)	(5)
<i>Type of ship</i>	<i>Number of passengers ship is certified to carry</i>	<i>Standard of survivability ship complies with</i>	<i>Life-Saving Appliances (LSA)</i>	<i>Minimum aggregate percentage of LSA for the total number of persons the ship is certified to carry</i>
		Table 2, (27) (Buoyancy Test)	*buoyant apparatus	
iv	Existing passenger ship	Not more than 100	Table 2, (27) (Heel test)	100
			+Lifeboats, liferafts or open reversible liferafts	10
			AND	
			*buoyant apparatus	
v	Existing passenger ship	More than 100 but not more than 250	Table 2, (28) (one-compartment standard)	100
			+Lifeboats, liferafts or open reversible liferafts	10
			AND	
			*buoyant apparatus	
		Table 2, (28) (Buoyancy Test)		

\*The buoyant apparatus shown in columns (4) and (5) may be substituted by lifebuoys, with each such lifebuoy being suitable to support two persons.

+Lifeboats, where fitted, shall be served by their own launching appliances and be capable of launching and recovery. ”.

(12) In regulation 8(3)(a)—

- (a) at the beginning, insert “Subject to regulation 4B(1) (application)”;
- (b) for the table substitute—

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<i>(1)</i>	<i>(2)</i>	<i>(3)</i>	<i>(4)</i>	<i>(5)</i>
<i>Type of ship</i>	<i>Number of passengers ship is certified to carry</i>	<i>Standard of survivability ship complies with</i>	<i>Life-Saving Appliances (LSA)</i>	<i>Minimum aggregate percentage of LSA for the total number of persons the ship is certified to carry</i>
i New passenger ship	Not more than 250	Table 1, (16) (one-compartment standard)	+Lifeboats, liferafts or open reversible liferafts  AND  *buoyant apparatus	100  10
ii Existing passenger ship	Not more than 250	Table 2, (29) (one-compartment standard)  OR  Table 2, (29) (Buoyancy Test)	+Lifeboats, liferafts or open reversible liferafts  AND  *buoyant apparatus	100  10
iii Existing passenger ship	Not more than 250	Table 2, (30) (Heel Test)	+Lifeboats, liferafts or open reversible liferafts  AND  *buoyant apparatus	100  10

\*The buoyant apparatus shown in columns (4) and (5) may be substituted by lifebuoys, with each such lifebuoy being suitable to support two persons.

+Lifeboats, where fitted, shall be served by their own launching appliances and be capable of launching and recovery. ”.

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