
STATUTORY INSTRUMENTS

2023 No. 35

The Merchant Shipping (Watercraft) Order 2023

PART 5

Miscellaneous provisions

Appointment and powers of surveyors in relation to watercraft

12. The following provisions of the 1995 Act apply in relation to watercraft as they apply in relation to ships—

- (a) section 256 (appointment of inspectors and surveyors), as if subsections (6) to (8) were omitted;
- (b) section 258(1) (powers to inspect ships and their equipment, etc.), as if subsection (2) were omitted.

Powers to make subordinate legislation under the 1995 Act

13. The following provisions of the 1995 Act apply for the purposes of any power to make subordinate legislation in relation to watercraft conferred by an applied shipping provision as they apply for the purposes of any power to make subordinate legislation in relation to ships conferred by the 1995 Act—

- (a) section 306(1) and (2)(2) (regulations, rules and orders, etc.);
- (b) section 306A(3) (power to make ambulatory references to international instruments).

Application of other shipping provisions in relation to watercraft

14. Schedule 2 applies and, in some cases, modifies certain shipping provisions in relation to watercraft.

(1) Section 258 was amended by paragraph 4(2), (3) and (4) of Schedule 1 to the Merchant Shipping and Maritime Security Act 1997 and paragraph 2(1) of Schedule 10 to the Protection of Freedoms Act 2012 (c. 9).

(2) Section 306 was amended by paragraph 18(2), (3) and (5) of Schedule 6 to the Merchant Shipping and Maritime and Security Act 1997; section 1(3) of the Wreck Removal Convention Act 2011 (c. 8); and regulation 3(1)(c) of S.I. 1998/2241.

(3) Section 306A was inserted by section 106 of the Deregulation Act 2015 (c. 20).