
STATUTORY INSTRUMENTS

2024 No. 280

The Merchant Shipping (Special Measures to Enhance Maritime Safety) Regulations 2024

Application

- 4.—(1) Subject to paragraphs (2), (3) and (5) to (7), these Regulations apply to—
- (a) United Kingdom ships engaged on international voyages;
 - (b) United Kingdom Class A passenger ships;
 - (c) United Kingdom Class B passenger ships which are certified to carry more than 250 passengers;
 - (d) United Kingdom tankers engaged on non-international voyages which proceed to sea; and
 - (e) non-United Kingdom ships while they are within United Kingdom waters.
- (2) These Regulations do not apply to—
- (a) ships of war and naval auxiliary ships;
 - (b) ships owned or operated by a State and engaged only on governmental non-commercial service;
 - (c) ships not propelled by mechanical means;
 - (d) wooden ships of primitive build;
 - (e) pleasure vessels;
 - (f) fishing vessels;
 - (g) ships solely navigating the Great Lakes of North America and the River St Lawrence as far east as a straight line drawn from Cap des Rosiers to West Point, Anticosti Island and, on the north side of Anticosti Island, the 63rd meridian.
- (3) A non-United Kingdom ship flying the flag of a State which is not a party to the Convention is not subject to these Regulations if it would not have been in United Kingdom waters but for stress of weather or any other circumstances which the master, owner or charterer could not have prevented.
- (4) Where persons are on board a ship as a consequence of—
- (a) the circumstances described in paragraph (3); or
 - (b) an obligation laid upon the master to carry shipwrecked or other persons⁽¹⁾,
- those persons are not to be taken into account for the purpose of determining the application to that ship of any provision of these Regulations.
- (5) Regulation 7 (ship identification number) does not apply to—
- (a) passenger ships of less than 100 gross tonnage; and
 - (b) cargo ships of less than 300 gross tonnage.

(1) Regulation 33 in Chapter V of the Convention (safety of navigation) places an obligation on the master to provide assistance to persons in distress at sea and this obligation is implemented in the Merchant Shipping (Safety of Navigation) Regulations 2020 (S.I. 2020/673).

(6) Regulation 8 (company and registered owner identification number) does not apply to cargo ships of less than 500 gross tonnage.

(7) Regulation 9 (continuous synopsis record) does not apply to—

- (a) ships on non-international voyages; and
- (b) cargo ships of less than 500 gross tonnage.

(8) For the purposes of this regulation—

“Class A passenger ship” means a passenger ship engaged solely on non-international voyages in Areas A, B, C and D, as defined in regulation 3A(1) of the Merchant Shipping (Passenger Ships on Domestic Voyages) Regulations 2000⁽²⁾;

“Class B passenger ship” means a passenger ship engaged solely on non-international voyages in Areas B, C and D, as defined in regulation 3A(1) of the Merchant Shipping (Passenger Ships on Domestic Voyages) Regulations 2000;

“fishing vessel” means a ship used for catching fish, whales, seals, walrus or other living resources of the sea;

“gross tonnage” means gross tonnage determined in accordance with regulation 6 or 12(1) of the Merchant Shipping (Tonnage) Regulations 1997⁽³⁾;

“pleasure vessel” means—

- (a) any vessel which at the time it is being used is—
 - (i) in the case of a vessel wholly owned by—
 - (aa) an individual or individuals, used only for the sport or pleasure of the owner or the immediate family or friends of the owner; or
 - (bb) a body corporate, used only for sport or pleasure and on which the persons on board are employees or officers of the body corporate, or their immediate family or friends; and
 - (ii) on a voyage or excursion which is one for which the owner does not receive money for or in connection with operating the vessel or carrying any person, other than as a contribution to the direct expenses of the operation of the vessel incurred during the voyage or excursion; or
- (b) any vessel wholly owned by or on behalf of a members’ club formed for the purpose of sport or pleasure which, at the time it is being used, is used only for the sport or pleasure of members of that club or their immediate family, and for the use of which any charges levied are paid into club funds and applied for the general use of the club,

where, in the case of any vessel referred to in paragraph (a) or (b), no other payments are made by or on behalf of users of the vessel, other than by the owner; and in this definition “immediate family” means, in relation to an individual, the spouse or civil partner of the individual, and a relative of the individual or the individual’s spouse or civil partner; and “relative” means brother, sister, ancestor or lineal descendant;

“sea”, other than in the definition of “fishing vessel”, includes any estuary or arm of the sea but does not include Category A, B, C or D waters as specified in Merchant Shipping Notice 1837(M) Amendment 2⁽⁴⁾ and, for the purposes of this definition, “Merchant Shipping Notice” means a notice described as such and issued by the Maritime and Coastguard Agency (an executive agency of the Department for Transport) and includes a reference to any document

(2) [S.I. 2000/2687](#), amended by [S.I. 2020/1222](#). There are other amendments but none is relevant.

(3) [S.I. 1997/1510](#), amended by [S.I. 2020/362](#). There are other amendments but none is relevant.

(4) Merchant Shipping Notice 1837(M) Amendment 2 is available on <https://www.gov.uk/government/publications/msn-1837-m-amendment-2-categorisation-of-waters>, and in hard copy from the Maritime and Coastguard Agency of Spring Place, 105 Commercial Road, Southampton SO15 1EG (telephone 020 3817 2000 and email infoline@mcga.gov.uk).

amending or replacing that notice which is considered by the Secretary of State to be relevant from time to time and is specified in a Merchant Shipping Notice;

“tanker” means a cargo ship constructed or adapted for the carriage in bulk of liquid cargoes of an inflammable nature.