STATUTORY INSTRUMENTS

1983 No. 768

MERCHANT SHIPPING

SAFETY

CIVIL AVIATION

The Collision Rules (Seaplanes) Order 1983

Made - - - 18*th May* 1983

Coming into Operation 1*st June* 1983

To be laid before Parliament

At the Court at Buckingham Palace, the 18th day of May 1983

Present,

The Queen's Most Excellent Majesty in Council

Whereas

(1) by virtue of section 418(1) of the Merchant Shipping Act 1894(**a**) (hereinafter (hereinafter referred to as "the 1894 Act") Her Majesty may by Order in Council, on the joint recommendation of the Secretary of State for Defence and the Secretary of State for Trade, make regulations for the prevention of collisions at sea;

(2) by virtue of section 97(1) of the Civil Aviation Act 1982(**b**) (hereinafter referred to as "the 1982 Act") that power includes power to make regulations for the prevention of collisions at sea —

(*a*) between seaplanes on the surface of the water and

(*b*) between vessels and seaplanes on the surface of the water;

(3) the afore-mentioned Secretaries of State have recommended Her Majesty to give effect to the International Regulations for Preventing Collisions at Sea 1972(**c**), as amended with effect from 1st June 1983 by Resolution A.464(XII) of the Inter-Governmental Maritime Consultative Organisation (**d**) ("the International Regulations") and it is accordingly desired that the International Regulations should apply and have effect in relation to seaplanes on the surface of the water.

(**a**) 1894 c.60. (**b**) 1982 c.16. (**c**) Cmnd. 6962. (**d**) Cmnd. 8500.

Now, therefore, Her Majesty, in exercise of the powers conferred upon Her by section 418(1) of the 1894 Act as extended by section 97(1) of the 1982 Act and by section 738 of the 1894 Act, and of all other powers enabling Her in that behalf is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

1. This Order may be cited as the Collision Rules (Seaplanes) Order 1983 and shall come into operation on 1st June 1983:

Provided that it shall not come into operation in relation to any seaplane until noon on that date by the zone time in the area in which the seaplane is situated.

2. This Order shall apply to seaplanes on the surface of the water which are registered in the United Kingdom wherever they may be and to other seaplanes on the surface of the water while they are within the United Kingdom or the territorial waters thereof.

3. The Collision Regulations and Distress Signals Order 1977(**a**) and the Collision Regulations and Distress Signals (Amendment) Order 1977(**b**) in so far as they apply in relation to seaplanes to which this Order applies are hereby revoked.

4. The following provisions of the Merchant Shipping (Distress Signals and Prevention of Collisions) Regulations 1983(**c**), namely —

(*a*) Regulation 1(2) (Interpretation) with the modifications specified in the Schedule hereto, and

(*b*) the International Regulations set out in Schedule 1 thereto with the exception of Annex IV thereof (distress signals)

shall have effect as the Collision Regulations in relation to seaplanes to which this Order applies for the purposes of sections 418, 419 and 421 of the 1894 Act as extended by the 1982 Act.

N. E. Leigh,
Clerk of the Privy Council.

(**a**) S.I. 1977/982. (**b**) S.I. 1977/1301. (**c**) S.I. 1983/708.

THE SCHEDULE

MODIFICATIONS TO REGULATION 1(2) OF THE MERCHANT SHIPPING (DISTRESS SIGNALS AND PREVENTION OF COLLISIONS) REGULATIONS 1983

	Paragraph	Modification
(*a*)	definition of "date of entry into force of these Regulations"—	
	sub-paragraph (i)	for "United Kingdom vessels" substitute "seaplanes registered in the United Kingdom";
	sub-paragraph (ii)	for the whole sub-paragraph, substitute "in the case of a seaplane registered outside the United Kingdom, the date of entry into force of the International Regulations for the State in which the seaplane is registered;"
(*a*)	definition of "United Kingdom vessel"	the whole shall be deleted;
(*b*)		the words from "and shall include" to the end shall be deleted;
(*d*)		the whole shall be deleted.

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

This Order applies to seaplanes on the water which are registered in the United Kingdom wherever they may be and to other seaplanes on the water while they are within the United Kingdom or the territorial waters thereof. It revokes the Collision Regulations and Distress Signals Order 1977 together with the Order amending it in its application to such seaplanes; and provides that regulation 1(2) (interpretation) (with modifications) and the International Regulations set out in Schedule 1 to the Merchant Shipping (Distress Signals and Prevention of Collisions) Regulations 1983 shall have effect (with the exception of Annex IV) as the Collision Regulations for the purposes of sections 418, 419 and 421 of the Merchant Shipping Act 1894 as extended to seaplanes on the water.

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