STATUTORY INSTRUMENTS

1985 No. 512

MERCHANT SHIPPING

SAFETY

The Merchant Shipping (Medical Examination) (Amendment) Regulations 1985

Made - - - -	26*th March* 1985
Laid before Parliament	10*th April* 1985
Coming into Operation	2*nd May* 1985

The Secretary of State for Transport, after consulting with the persons referred to in section 22(2) of the Merchant Shipping Act 1979 (**a**), in exercise of the powers conferred on him by section 21(1)*(a)*, (3)*(e)* and *(r)*, and of section 22(1)*(d)* of that Act and of all other powers enabling him in that behalf, hereby makes the following Regulations:

1. These Regulations may be cited as the Merchant Shipping (Medical Examination) (Amendment) Regulations 1985 and shall come into operation on 2nd May 1985.

2. The Merchant Shipping (Medical Examination) Regulations 1983 (**b**) shall be amended as follows:

(1) in regulation 4(4)(iii) the words "is not employed by the owner or the person employing the master of the ship and" shall be deleted;

(2) in regulation 5, the words "for seafaring employment" shall be inserted after the word "fitness", and the words "employed by the General Council of British Shipping" shall be deleted;

(3) in regulation 10(2)*(a)*, the words "on which the seafarer is given notice" shall be inserted after the word "date";

(4) in regulation 10(2), the word "and" shall be inserted after sub-paragraph *(a)* and deleted after sub-paragraph *(b)*, and sub-paragraph *(c)* shall be deleted; and

(5) in regulation 10(3), the word "shall" shall be substituted for "may" in the first sentence.

Nicholas Ridley,
Secretary of State for Transport.

26th March 1985.

(**a**) 1979 c.39.

(**b**) S.I. 1983/808.

EXPLANATORY NOTE

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

These Regulations amend the Merchant Shipping (Medical Examination) Regulations 1983. The changes (with references to the principal Regulations) include:

(1) an amendment to the exemption provisions (regulation 4(4)(iii));

(2) the requirement for certificates which are to be treated as equivalent to certificates issued under the Regulations to have been issued by a practitioner employed by the General Council of British Shipping is withdrawn (regulation 5);

(3) the period in which a seafarer has to apply for a review does not begin to run until he has been given notice of the matter he wishes to have reviewed (regulation 10(2)*(a)*);

(4) the provision for a fee in connection with an application for a review is deleted (regulation 10(2)*(c)*);

(5) medical referees will be required to examine an applicant for a review (instead of having a discretion to do so or not) (regulation 10(3)).

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