STATUTORY INSTRUMENTS

1981 No. 1065

MERCHANT SHIPPING

The Merchant Shipping (Ships' Doctors) Regulations 1981

Made - - - -	*22nd July* 1981
Laid before Parliament	*5th August* 1981
Coming into Operation	*1st September* 1981

The Secretary of State, after consulting with the organisations referred to in section 99(2) of the Merchant Shipping Act 1970(**a**) and the persons referred to in section 22(2) of the Merchant Shipping Act 1979(**b**), in exercise of the powers conferred by section 43(1)(*a*) and (3) of the Merchant Shipping Act 1970 and now vested in him (**c**) and by section 21(1)(*a*), (3)(*e*) and (5) of the Merchant Shipping Act 1979 and of all other powers enabling him in that behalf, hereby makes the following Regulations:

1.—(1) These Regulations may be cited as the Merchant Shipping (Ships' Doctors) Regulations 1981 and shall come into operation on 1st September 1981.

(2) In these Regulations:

"Near Continental trading area" means the area bounded by a line from a point on the Norwegian coast in latitude 62° North to a point 62° North 02° West; thence to a point 58° North 10° West; thence to a point 51° North 12° West; thence to Brest, but excluding all waters which lie to the eastward of a line drawn between Kristiansand, Norway and Hanstholm lighthouse on the North Danish coast;

"qualified doctor" means a fully registered person within the meaning of section 54(1) of the Medical Act 1956(**d**);

"United Kingdom ship" has the same meaning as in section 21(2) of the Merchant Shipping Act 1979.

2. Subject to regulation 3, every United Kingdom ship which goes to sea having 100 or more persons on board shall carry a qualified doctor: provided that this requirement shall not apply to ships going solely between places within the Near Continental trading area.

3. Notwithstanding the provisions of regulation 2, the Secretary of State may grant exemptions from all or any of the provisions of these Regulations (as may be specified in the exemption) for classes of cases or individual cases on such terms (if any) as he may so specify and may, subject to giving reasonable notice, alter or cancel any such exemption.

(**a**) 1970 c.36; section 43 was amended by the Merchant Shipping Act 1979 (c.39), section 37(2) and (3); the amendment is not relevant to these Regulations.
(**b**) 1979 c.39. (**c**) S.I. 1970/1537.
(**d**) 1956 c.76; a new definition of "fully registered person" was substituted in section 54(1) by paragraph 49 of Schedule 6 to the Medical Act 1978 (c.12).

Trefgarne,
Parliamentary Under Secretary of State,
Department of Trade.

22nd July 1981.

EXPLANATORY NOTE

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

These Regulations require United Kingdom ships, other than ships going solely between places in the Near Continental trading area, to carry a qualified doctor when going to sea with 100 or more persons on board. The Secretary of State may exempt ships from this requirement.

It is an offence under section 45 of the Merchant Shipping Act 1970 for a ship to go to sea undermanned; and under section 46(1) of that Act for an unqualified person to go to sea as qualified. The penalties for these offences were increased by section 43 of the Merchant Shipping Act 1979 and Part V of Schedule 6 to that Act. There is a fine on conviction on indictment and a maximum fine of £1,000 on summary conviction.

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