STATUTORY INSTRUMENTS

2016 No. 353

MERCHANT SHIPPING

SAFETY

The Merchant Shipping (Vessels in Commercial Use for Sport or Pleasure) (Amendment) Regulations 2016

Made - - - -	*10th March 2016*
Laid before Parliament	*15th March 2016*
Coming into force - -	*6th April 2016*

The Secretary of State, in exercise of the powers conferred by sections 85(1)(a) and (b), (3) and (5) to (7) and section 86(1) of the Merchant Shipping Act 1995(**a**), and having consulted the persons referred to in section 86(4) of that Act, makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Merchant Shipping (Vessels in Commercial Use for Sport or Pleasure) (Amendment) Regulations 2016 and come into force on 6th April 2016.

(2) In these Regulations, "the 1998 Regulations" means the Merchant Shipping (Vessels in Commercial Use for Sport or Pleasure) Regulations 1998(**b**).

Amendment of the 1998 Regulations

2. After regulation 9 of the 1998 Regulations insert—

"Review

10.—(1) The Secretary of State must from time to time—

(a) carry out a review of these Regulations;

(b) set out the conclusions of the review in a report, and

(c) publish the report.

(2) In carrying out the review the Secretary of State must, so far as is reasonable, have regard to how the European obligations or any other international obligations of the United Kingdom (which are implemented by means of these Regulations) are implemented in other member States or countries which are subject to those obligations.

(3) The report must in particular—

(**a**) 1995 c.21: sections 85 and 86 were amended by the Merchant Shipping and Maritime Security Act 1997 (c.28), section 8.
(**b**) S.I. 1998/2771, as amended by S.I. 2000/482, 2002/1473, 2005/2114, 2013/1785, 2014/1614 and 2015/782.

(a) set out the objectives intended to be achieved by the regulatory system established by these Regulations,

(b) assess the extent to which those objectives are achieved, and

(c) assess whether those objectives remain appropriate and, if so, the extent to which they could be achieved with a system that imposes less regulation.

(4) The first report under this regulation must be published before the end of the period of five years beginning with 6th April 2016.

(5) Reports under this regulation are afterwards to be published at intervals not exceeding five years."

3.—(1) Substitute the table in Schedule 1 to these Regulations (which contains a list of Regulations relating to safety of vessels which do not apply to large vessels which comply with a relevant Code of Practice) for the table in Schedule 1 to the 1998 Regulations.

(2) Substitute the table in Schedule 2 to these Regulations (which contains a list of Regulations relating to safety of vessels which do not apply to small vessels which comply with a relevant Code of Practice) for the table in Schedule 2 to the 1998 Regulations.

Signed by authority of the Secretary of State for Transport

Robert Goodwill
Parliamentary Under Secretary of State
Department for Transport

10th March 2016

SCHEDULE 1

Regulation 3(1)

Table to be substituted for the table in Schedule 1 to the Merchant Shipping (Vessels in Commercial Use for Sport or Pleasure) Regulations 1998

Statutory Instruments	*SI No.*	*Amended by – SI No.*
The Merchant Shipping (Cargo Ship Construction) Regulations 1997	1997/1509	1999/643; 2004/302; 2004/2151; 2005/2114
The Merchant Shipping (Fire Protection: Small Ships) Regulations 1998	1998/1011	1999/992; 1999/1957; 2000/2687; 2003/2951; 2004/302; 2005/2114; 2010/680; 2010/1075
The Merchant Shipping (Fire Protection: Large Ships) Regulations 1998	1998/1012	1999/992; 1999/1957; 2000/2687; 2001/1638; 2003/2950; 2003/2951; 2004/302; 2005/2114
The Merchant Shipping (Radio Installations) Regulations 1998	1998/2070	1999/1957; 2000/2687; 2001/1638; 2004/302; 2005/2114; 2011/1043
The Merchant Shipping (Load Line) Regulations 1998	1998/2241	2000/1335; 2005/2114; 2011/603
The Merchant Shipping (Marine Equipment) Regulations 1999	1999/1957	2001/1638; 2004/302; 2004/1266; 2009/2021;

		2011/1043
The Merchant Shipping (Life-saving Appliances for Ships Other Than Ships of Classes III to VI(A)) Regulations 1999	1999/2721	2000/2558; 2000/2687 2001/2642; 2002/1473 2004/2259; 2005/2114
The Merchant Shipping (Safety of Navigation) Regulations 2002	2002/1473	2002/2626; 2004/302; 2004/2110; 2005/2114; 2010/680; 2010/1075; 2011/2978
The Merchant Shipping (Maritime Labour Convention) (Minimum Requirements for Seafarers etc.) Regulations 2014	2014/1613	
The Merchant Shipping (Survey and Certification Regulations 2015	2015/508	
The Merchant Shipping (Standards of Training, Certification and Watchkeeping) Regulations 2015	2015/782	

SCHEDULE 2

Regulation 3(2)

Table to be substituted for the table in Schedule 2 to the Merchant Shipping (Vessels in Commercial Use for Sport or Pleasure) Regulations 1998

Statutory Instruments	*SI No.*	*Amended by – SI No.*
The Merchant Shipping (Fire Protection: Small Ships) Regulations 1998	1998/1011	1999/992; 1999/1957; 2000/2687; 2003/2951; 2004/302; 2005/2114; 2010/680; 2010/1075
The Merchant Shipping (Load Line) Regulations 1998	1998/2241	2000/1335; 2005/2114; 2011/603
The Merchant Shipping (Marine Equipment) Regulations 1999	1999/1957	2001/1638; 2004/302; 2004/1266; 2009/2021; 2011/1043
The Merchant Shipping (Life-saving Appliances for Ships Other Than Ships of Classes III to VI(A)) Regulations 1999	1999/2721	2000/2558; 2000/2687 2001/2642; 2002/1473 2004/2259; 2005/2114
The Merchant Shipping (Safety of Navigation) Regulations 2002	2002/1473	2002/2626; 2004/302; 2004/2110; 2005/2114; 2010/680; 2010/1075; 2011/2978
The Merchant Shipping (Fire Protection) Regulations 2003	2003/2950	2005/2114
The Merchant Shipping (Maritime Labour Convention) (Minimum Requirements for Seafarers etc.) Regulations 2014	2014/1613	
The Merchant Shipping (Survey and Certification Regulations 2015	2015/508	
The Merchant Shipping (Standards of Training, Certification and Watchkeeping) Regulations 2015	2015/782	

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make a number of amendments to the Merchant Shipping (Vessels in Commercial Use for Sport or Pleasure) Regulations 1998 (S.I. 1998/2771 – "the 1998 Regulations").

Regulation 2 inserts a new regulation 10 into the 1998 Regulations, which requires the Secretary of State to review the operation and effect of the 1998 Regulations and to publish a report within five years after 6th April 2016 and at intervals not exceeding five years thereafter.

Regulation 3 substitutes updated tables for the table in the Schedules to the 1998 Regulations. The tables list a number of Regulations relating to safety of vessels which do not apply to large (Schedule 1) and small (Schedule 2) commercial vessels in use for sport or pleasure which comply with relevant Codes of Practice.

A regulatory impact assessment has not been provided for this instrument as there is no impact on business or charities or the voluntary sector.

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