This Statutory Instrument corrects errors in S.I. 2023/35 and is being issued free of charge to all known recipients of that Statutory Instrument.

STATUTORY INSTRUMENTS

2026 No. 348

MERCHANT SHIPPING

The Merchant Shipping (Watercraft) (Amendment) Order 2026

Made - - - -	*23rd March 2026*
Laid before Parliament	*26th March 2026*
Coming into force - -	*17th April 2026*

The Secretary of State makes this Order in exercise of the powers conferred by section 112(1)(a) and (c), (3) and (5) of the Railways and Transport Safety Act 2003(**a**).

In accordance with section 112(7)(c) of that Act, the Secretary of State has consulted such organisations in the United Kingdom as appear to the Secretary of State to be representative of persons who will be affected by this Order.

Citation, commencement, extent and application

1.—(1) This Order may be cited as the Merchant Shipping (Watercraft) (Amendment) Order 2026 and comes into force on 17th April 2026.

(2) This Order extends to, and applies in relation to, the whole of the United Kingdom.

Amendment of the Merchant Shipping (Watercraft) Order 2023

2. The Merchant Shipping (Watercraft) Order 2023(**b**) is amended in accordance with articles 3 to 6.

Amendment of article 6 (conduct endangering watercraft, ships, structures or individuals)

3. In article 6, in the opening words, after "Section 58" insert "of the 1995 Act".

Insertion of article 10A

4. After article 10, insert—

(**a**) 2003 c. 20.
(**b**) S.I. 2023/35, amended by S.I. 2025/1195, 2026/306.

“PART 3A

Accident investigation: watercraft

Accident investigation

10A. The following provisions of the 1995 Act apply in relation to watercraft as they apply in relation to ships—

(a) section 267 (investigation of marine accidents) as if, in subsection (2)(a)(i), the reference to a United Kingdom ship includes a reference to a watercraft eligible for registration in the United Kingdom;

(b) section 259 so far as it applies for the purposes of section 267(8).”.

Amendment of Schedule 1 (application of the Merchant Shipping (Registration of Ships) Regulations 1993 in relation to watercraft)

5. In Schedule 1—

(a) in paragraph 1(2)—

(i) after ““section 1(1) and (2)” insert “of the Act”, and

(ii) after “(1A) and (2)” insert “of the Merchant Shipping Act 1995”;

(b) omit paragraph 1(11);

(c) renumber paragraph 2(1) as paragraph 2;

(d) in paragraph 2 (as re-numbered), in sub-paragraph (b)(ii)—

(i) after “Schedule 4 to” insert “the Act”, and

(ii) after “section 313(1) of” insert “the Merchant Shipping Act 1995”.

Amendment of Schedule 2 (application of other shipping provisions in relation to watercraft)

6. In Schedule 2, after paragraph 3, insert—

“Application of the Merchant Shipping (Accident Reporting and Investigation) Regulations 2012

4. The Merchant Shipping (Accident Reporting and Investigation) Regulations 2012(**a**) apply in relation to watercraft as they apply in relation to ships, as if in the following provisions, any reference to a master includes a reference to any person for the time being using a watercraft—

(a) regulation 6(1);

(b) paragraphs (3) and (7) of regulation 10.”.

(**a**) S.I. 2012/1743, amended by S.I. 2013/2882 and 2018/1400.

Signed by authority of the Secretary of State for Transport

Keir Mather
Parliamentary Under Secretary of State
Department for Transport

23rd March 2026

EXPLANATORY NOTE

(This note is not part of the Order)

The Merchant Shipping (Watercraft) Order 2023 (S.I. 2023/35) provides for certain provisions of the Merchant Shipping Act 1995 (c. 21) (and of instruments made, or treated as made, under that Act) and of the Harbours Act 1964 (c. 40) as they apply in relation to ships to apply, in some cases with modifications, in relation to watercraft (as defined in article 3 of that Order).

This Order amends the Merchant Shipping (Watercraft) Order 2023 to provide for section 267 of the Merchant Shipping Act 1995 (which relates to investigations of marine accidents), and regulations made under that section, to apply, with modifications, in relation to watercraft (articles 4 and 6). It also makes minor corrections (articles 3 and 5).

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen. Instead, a de minimis assessment has been prepared and has been published, with an Explanatory Memorandum, alongside this Order at www.legislation.gov.uk.

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