STATUTORY INSTRUMENTS

2015 No. 629

MERCHANT SHIPPING

SAFETY

The Merchant Shipping (Weighing of Goods Vehicles and other Cargo) (Revocations) Regulations 2015

Made - - - -	*9th March 2015*
Laid before Parliament	*12th March 2015*
Coming into force - -	*6th April 2015*

The Secretary of State, in exercise of the powers conferred by sections 85(1), (3), (5), (6) and (7) and 86(1) of the Merchant Shipping Act 1995(**a**), makes the following Regulations.

The Secretary of State has consulted such persons in the United Kingdom as the Secretary of State considers will be affected by the exercise of powers in this instrument in accordance with section 86(4) of the Merchant Shipping Act 1995.

Citation and commencement

1. These Regulations may be cited as the Merchant Shipping (Weighing of Goods Vehicles and other Cargo) (Revocations) Regulations 2015 and come into force on 6th April 2015.

Revocations

2. The following instruments are revoked—

(a) the Merchant Shipping (Weighing of Goods Vehicles and other Cargo) Regulations 1988(**b**),

(b) the Merchant Shipping (Weighing of Goods Vehicles and other Cargo) (Amendment) Regulations 1989(**c**), and

(**a**) 1995 c. 21. Section 85 enables the Secretary of State to make regulations, referred to in that Act as "safety regulations". Section 85 is amended by the Merchant Shipping and Maritime Security Act 1997 (c. 28), sections 8, 29(2) and Schedule 7, Part 1. There are other amendments which are not relevant to this instrument.

(**b**) S.I. 1988/1275. Following the repeal of sections 21 and 22 of the Merchant Shipping Act 1979 (c. 39) and the re-enactment of the powers (with modifications) in sections 85 and 86 of the Merchant Shipping Act 1995, these Regulations have effect as if made under those re-enacted provisions. These Regulations are amended by the Criminal Justice Act 1988 (c. 33), section 52. They are also amended by S.I. 1989/270 and their application is extended to certain non-United Kingdom ships whilst in a port in the United Kingdom by S.I. 1989/568. These two instruments are also revoked by this instrument.

(**c**) S.I. 1989/270. Following the repeal of sections 21 and 22 of the Merchant Shipping Act 1979 and the re-enactment of the powers (with modifications) in sections 85 and 86 of the Merchant Shipping Act 1995, these Regulations have effect as if made under those re-enacted provisions.

(c) the Merchant Shipping (Weighing of Goods Vehicles and other Cargo) (Application to non-UK Ships) Regulations 1989(**a**).

Signed by authority of the Secretary of State for Transport

John Hayes
Minister of State
9th March 2015 Department for Transport

EXPLANATORY NOTE

(This note is not part of the Regulations)

This instrument revokes three sets of Regulations relating to merchant shipping safety and the weighing of vehicles and other cargo.

The Merchant Shipping (Weighing of Goods Vehicles and other Cargo) Regulations 1988 (S.I. 1988/1275, amended by S.I. 1989/270) impose requirements as to the weighing of certain road vehicles and other cargo transported on voyages on which passengers are also carried. The application of the regulations was extended by the Merchant Shipping (Weighing of Goods Vehicles and other Cargo) (Application to non-UK Ships) Regulations 1989 (S.I. 1989/568) to include certain ships registered outside the United Kingdom whilst in a port in the United Kingdom. Newer safety standards relating to ship construction are prescribed in the Merchant Shipping (Passenger Ship Construction: Ships of Classes I, II and II(A)) Regulations 1998 (S.I. 1998/2514) and the Merchant Shipping (Passenger Ship Construction: Ships of Classes III to VI(A)) Regulations 1998 (S.I. 1998/2515). The Merchant Shipping (Carriage of Cargoes) Regulations 1999 (S.I. 1999/336) also require shippers to provide information to port operators about the weight of cargo to be transported. The requirements prescribed in the instruments to be revoked have therefore been superseded.

A full impact assessment of the effect that the revocations will have on the costs of business and the voluntary sector is available and is published with the Explanatory Memorandum alongside the instrument on www.legislation.gov.uk.

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(**a**) S.I. 1989/568. Following the repeal of sections 21 and 22 of the Merchant Shipping Act 1979 and the re-enactment of the powers (with modifications) in sections 85 and 86 of the Merchant Shipping Act 1995, these Regulations have effect as if made under those re-enacted provisions. These Regulations were made following approval by a resolution of each House of Parliament in accordance with section 49(4A) of the Merchant Shipping Act 1979 (inserted by the Safety at Sea Act 1986 (c. 23), section 11(3)). This procedure was prescribed for safety regulations which applied to non-UK ships, except where the instrument gave effect to amendments to an international agreement. The Merchant Shipping Act 1995 contains no similar requirement (see section 306 of that Act) so the revocation of the instrument is subject to annulment in pursuance of a resolution of either House of Parliament.

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