



Maritime &
Coastguard
Agency

GENERAL EXEMPTION

in relation to new passenger ships operating solely in UK categorised waters

The Secretary of State, in exercise of his powers under regulation 4(1) of the Merchant Shipping (High Speed Craft) Regulations 2004 ("the Regulations"), exempts

new passenger ships (where 'new' has the same meaning as defined in Merchant Shipping Notice (MSN) 1823 (M) edition 2 operating solely in UK categorised waters which meet the definition of a high-speed craft as set out in regulation 2 of the Regulations but where the maximum speed the ship is capable of is less than 20 knots,

from the requirements of the Regulations listed in Column 3 of the Schedule to this exemption in so far as they would be applicable to it.

This exemption is granted on the basis that the Secretary of State is satisfied, pursuant to regulation 4(1), that—

- (a) compliance by such ships with the Regulations is unreasonable, and
- (b) an equivalent level of safety is provided as set out below and in the Schedule.

Compliance with the Regulations is considered unreasonable for the vessels covered by this exemption as they are non-seagoing, not operating at high speed and (by the nature of the formula) will be under 500m³ displacement. The technical standards required by the Regulations are analogous to the Convention on the Safety of Life at Sea 1974 (as amended) and have been developed for seagoing, international voyages at high speed and are thus disproportionate for these smaller, non-seagoing ships which cannot operate at higher speeds. The technical standards for a ship not satisfying the formula are considered to represent a proportionate set of requirements achieving an equivalent level of safety.

This exemption is granted subject to the condition that the vessel complies in full with the Safety Code for Passenger Ships Operating Solely in UK Categorised Waters (MSN 1823 (M) edition 2 "the Safety Code"), issued by the Maritime and Coastguard Agency, an executive agency of the United Kingdom Department for Transport, and that the vessel is surveyed and certificated in accordance with the Safety Code.

This exemption has effect from 01 January 2018 and, subject to consultation and reasonable notice, remains effective until amended or revoked.

Issued at Southampton

Dated 18 December 2017

Katy Ware
Director of Maritime Safety and Standards
For the Secretary of State

SCHEDULE to General Exemption in relation to new passenger ships operating solely in UK categorised waters dated 18 December 2017

Column 1	Column 2	Column 3	Column 4
Name of Regulation	Power to Exempt	Regulations Exempted	Regulations not exempted
The Merchant Shipping (High Speed Craft) Regulations 2004 (SI 2004/302)	regulation 4	regulations 6- 7A	regulations 1-5 and regulations 9-13

Regulation 6

Description: This regulation applies the technical standards of the High Speed Craft Code (either the 1994 or 2000 Code depending on the date of construction) and also Merchant Shipping Notice (MSN) 1672 (as amended) which deals with inspection and survey organisations.

Equivalent standard: The vessels under this exemption will be subject in full to the technical requirements of Merchant Shipping Notice (MSN) 1823 edition 2. This is a comprehensive safety code and, as such, covers the same areas as the High Speed Craft Code but for conventional craft. As the vessels covered by this exemption are not operating in the high-speed regime (including not operating in either a seagoing environment or internationally), it is considered that these standards are more appropriate. The requirements of MSN 1823 edition 2 also cover the areas included in MSN 1672.

Regulation 7

Description: This regulation requires passage plans to include risk assessment with respect to the wash created by the vessel.

Equivalent standard: MSN 1823 edition 2 does not contain any requirement equivalent to this regulation. However, given that vessels covered by this exemption cannot operate at greater than 20 knots, it is considered that the wash generated will not be greater than that of other conventional non-high-speed ships and thus there need not be a requirement for such vessels.

Regulation 7A

Description: Safety requirements for persons with reduced mobility

Equivalent standard: MSN 1823 edition 2 contains the same guidelines regarding persons with reduced mobility and, as such, is a direct equivalent for this regulation.