



BERMUDA

MERCHANT SHIPPING AMENDMENT ACT 2019

2019 : 40

WHEREAS the Fifth Schedule to the Merchant Shipping Act 1979 was saved by paragraphs 2 and 3 of Schedule 11 to the Merchant Shipping Act 2002;

AND WHEREAS for ease of reference and for the removal of doubt it is deemed necessary to insert the Fifth Schedule to the Merchant Shipping Act 1979 as Schedule 12 to the Merchant Shipping Act 2002;

Be it enacted by The Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Assembly of Bermuda, and by the authority of the same, as follows:

Citation

1 This Act may be cited as the Merchant Shipping Amendment Act 2019..

Amends section 254

2 Section 254 of the Merchant Shipping Act 2002 (in this Act referred to as "the principal Act") is amended by inserting the following subsection next after subsection (4)—  
“(4A) The Minister may by Order amend Schedule 12.”.

Inserts Schedule 12

3 The principal Act is amended by inserting the Schedule to this Act, as Schedule 12 to the principal Act.

Amends section 255

4 Section 255 of the principal Act is amended by inserting the following subsection next after subsection (3)—

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“(3A) Schedule 12, which lists various United Kingdom statutory instruments applicable to Bermuda, has effect.”.

### Validating provisions

5 (1) Any legislation listed in the Fifth Schedule to the Merchant Shipping Act 1979 on the day of the coming into force of the principal Act shall, unless repealed or revoked, or is spent on the day of the coming into force of the this Act, be read and construed as listed in Schedule 12 to the principal Act.

(2) Any reference in the principal Act or any statutory instrument made under the principal Act, to the Fifth Schedule to the Merchant Shipping Act 1979, shall be read and construed as a reference to Schedule 12 to the principal Act.

(3) Any action or decision taken in pursuance of any legislation in the Fifth Schedule to the Merchant Shipping Act 1979 within the period commencing on the day of the coming into force of the principal Act and the day of the coming into force of this Act, is declared to be as valid as it would have been, if this Act had been in force when that action or decision was taken.

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SCHEDULE

(Section 3)

“SCHEDULE 12

(Section 255(3A))

VARIOUS UNITED KINGDOM MERCHANT SHIPPING STATUTORY INSTRUMENTS  
APPLICABLE TO BERMUDA

1. GENERAL

- (a). Merchant Shipping Act (Modification of Merchant Shipping (Safety Convention) Act 1949 and Merchant Shipping Act 1964) Regulations 1980 No. 539;
- (b). Merchant Shipping (Safety Convention) (Transitional Provisions) Regulations 1981 No. 584;
- (c). Merchant Shipping (Modification of Enactments) Regulations 1985 No. 212;
- (d). Merchant Shipping (Confirmation of Legislation) (Bermuda) Order 1988 No. 927.

2. PASSENGER SHIP CONSTRUCTION

- (a). Merchant Shipping (Emergency Equipment Lockers for Ro/Ro Passenger Ships) Regulations 1988 No. 2272;
- (b). Merchant Shipping (Emergency Information for Passengers) Regulations 1990 No. 660;
- (c). Merchant Shipping (Ro-Ro Passenger Ship, Survivability) Regulations 1997 No. 647;
- (d). Merchant Shipping (Passenger Ship Construction: Ships of Classes I, II and II(A) Regulations 1998 No. 2514.

3. CARGO SHIP CONSTRUCTION AND SURVEY

- (a). Merchant Shipping (Cargo Ship Construction) Regulations 1997 No. 1509.

4. STEERING GEAR

- (a). Merchant Shipping (Automatic Pilot and Testing of Steering Gear) Regulations 1981 No 571.

5. PILOT LADDERS AND HOISTS

- (a). Merchant Shipping (Pilot Transfer Arrangements) Regulations 1999 No. 17.

6. LIFE-SAVING APPLIANCES AND SURVIVAL CRAFT

- (a). Merchant Shipping (Additional Safety Measures for Bulk Carriers) Regulations 1999 No. 1644;
- (b). Merchant Shipping (Life Saving Appliances for Ships Other Than Ships of Classes III to VI(A)) Regulations 1999 No. 2721.

7. FIRE APPLIANCES AND FIRE PROTECTION

- (a). Merchant Shipping (Fire Protection: Large Ships) Regulations 1998 No. 1012;
- (b). Merchant Shipping (Fire Protection: Small Ships) Regulations 1998 No. 1011.

8. RADIO INSTALLATIONS

- (a). Merchant Shipping (Minimum Standards of Safety Communications) Regulations 1998 No. 529;
- (b). Merchant Shipping (Radio Installations) Regulations 1998 No. 2070.

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### 9. SIGNALS OF DISTRESS

- (a). Merchant Shipping (Signals of Distress) Rules 1992 No. 1582;
- (b). Merchant Shipping (Distress Messages) Regulations 1998 No. 1691.

### 10. NAVIGATIONAL EQUIPMENT

- (a). Merchant Shipping (Navigational Equipment) Regulations 1993 No. 69.

### 11. MUSTERS AND TRAINING

- (a). Merchant Shipping (Musters Training and Decision Support Systems) Regulations 1999 No. 2722.

### 12. CARGO SHIP SAFETY EQUIPMENT SURVEY

- (a). Merchant Shipping (Navigational Warnings) Regulations 1980 No. 534;
- (b). Merchant Shipping (Carriage of Cargoes) Regulations 1999 No. 1581.

### 13. GRAIN

- (a). Merchant Shipping (Grain) Regulations 1985 No. 1217.

### 14. SPECIAL SHIPS

- (a). Merchant Shipping (Diving Operations) Regulations 1975 No. 116;
- (b). Merchant Shipping (Submersible Craft Construction and Survey) Regulations 1981 No. 1098;
- (c). Merchant Shipping (Chemical Tankers) Regulations 1986 No. 1068;
- (d). Merchant Shipping (Gas Carriers) Regulations 1994 No. 2464;
- (e). Merchant Shipping (Registration of Submersible Craft) Regulations 1976 No. 940;
- (f). Merchant Shipping (Submersible Craft Operations) Regulations 1987 No. 311.

### 15. SHIP OPERATIONS

- (a). Merchant Shipping (Weighing of Goods Vehicles and other Cargo) Regulations 1988 No. 1275;
- (b). Merchant Shipping (Masters Discretion) Regulations 1997 No. 2886;
- (c). Merchant Shipping (Code of Safe Working Practice for Merchant Seamen) Regulations 1998 No. 1838;
- (d). Merchant Shipping (Counting and Registration of Persons on Board Passenger Ships) Regulations 1999 No. 1869.

### 16. VESSELS IN COMMERCIAL USE FOR SPORT AND PLEASURE

- (a). Merchant Shipping (Vessels in Commercial Use for Sport and Pleasure) Regulations 1998 No. 2771.

### 17. HIGH SPEED CRAFT

- (a). Merchant Shipping (High Speed Craft) Regulations 1996 No. 3188.

### 18. INSPECTION AND SURVEY ORGANISATIONS

- (a). Merchant Shipping (Ship Inspection and Survey Organisations) Regulations 1996 No. 2908.

### 19. POLLUTION

- (a). Merchant Shipping (Delegation of Type Approval) Regulations 1996 No. 147;
- (b). Merchant Shipping (Control of Pollution) (SOLAS) Order 1998 No. 1500.

### 20. PROTECTIVE EQUIPMENT, ETC.

- (a). Merchant Shipping (Marine Equipment) Regulations 1999 No. 1957;

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(b). Merchant Shipping (Carriage of Nautical Publications) Regulations 1998 No. 2647.”.

[Assent Date: 08 October 2019]

[Operative Date: 08 October 2019]