

# Statutory Instrument 1995 No. 1803

## **The Merchant Shipping (Ships' Doctors) Regulations 1995**

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STATUTORY INSTRUMENTS

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**1995 No. 1803**

**MERCHANT SHIPPING**

## SAFETY

### The Merchant Shipping (Ships' Doctors) Regulations 1995

*Made* 14th July 1995  
*Laid before Parliament* 17th July 1995  
*Coming into force* 1st August 1995

The Secretary of State for Transport, after consulting with the persons referred to in section 22(2) of the Merchant Shipping Act 1979<sup>[1]</sup>, in exercise of the powers conferred on him by section 21(1)(a) (3) and (6) and section 22(1) of that Act, and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

**1.**—(1) These Regulations may be cited as the Merchant Shipping (Ships' Doctors) Regulations 1995 and shall come into force on 1st August 1995.

(2) The Merchant Shipping (Ships' Doctors) Regulations 1981<sup>[2]</sup> are hereby revoked.

**2.**—(1) In these Regulations—

"owner" in relation to a ship means the registered owner of the ship unless that ship has been chartered by demise or is managed, either wholly or in part, by a person other than the registered owner under the terms of a management agreement; in that case "owner" includes the demise charterer or person managing the ship, as the case may be;

"qualified doctor" means a fully registered person within the meaning of section 55 of the Medical Act 1983<sup>[3]</sup>.

**3.** It shall be the duty of the owner of a United Kingdom ship having more than 100 persons on board and engaged on an international voyage of more than three days or on a voyage during which it is more than one and a half days' sailing time from a port with adequate medical equipment carries a qualified doctor.

**4.**—(1) Any contravention of regulation 3 shall be an offence punishable on summary conviction by a fine not exceeding level 5 on the standard scale.

(2) It shall be a defence for a person charged under this regulation to show that he took all reasonable precautions and exercised due diligence to avoid the commission of the offence.

Signed by authority of the Secretary of State for Transport

*Goschen*

Parliamentary Under Secretary of State, Department of Transport

14th July 1995

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations replace the Merchant Shipping (Ships' Doctors) Regulations 1981. They implement Council Directive 92/29/EEC of 31st March 1992 (O.J. No. L113, 30.4.92, p.19) on the minimum safety and health requirements for improved medical treatment on board vessels, so far as that Directive requires the carrying of doctors. United Kingdom ships are required to have a doctor on board if carrying 100 or more persons on an international voyage of more than three days, or on a voyage during which it is more than one and a half days' sailing time from a port with adequate medical equipment.

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ISBN 0 11 053238 4

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*Notes:*

[1] 1979 c. 39; section 21(6) was amended by section 49(3) of the Criminal Justice Act 1982 (c. 48). [back](#)

[2] S.I. 1981/1065. [back](#)

[3] 1983 c. 54. [back](#)

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Prepared 20th September  
2000