

Merchant Shipping (Watercraft) Order 2023

Mariners are advised that the Merchant Shipping (Watercraft) Order 2023 ('the 2023 Order') comes into force on the 31st March 2023.

Under the new legislation, "watercraft" means any type of craft which:-

- (a) Is capable of moving under its own mechanical power
- (b) Is used, navigated or situated wholly or partly in or on water, and
- (c) Is capable of being used to carry one or more persons

The 2023 Order applies certain provisions of the Merchant Shipping Act 1995 (and instruments made, or treated as made, under that Act) and the Harbours Act 1964 to watercraft (as defined in Article 3 of the 2023 Order) as they apply in relation to ships, with modifications in some cases.

The applied provisions include sections 58 and 100 of the Merchant Shipping Act. As a result unsafe use of a 'watercraft' could, following a successful prosecution, result in the owner, user or operator being liable on conviction on indictment, to imprisonment of up to two years or an unlimited fine, or both.

Watercraft, as defined above, includes jet skis, fliteboards, e-foils and anything else that is motorised, on the water, and capable of carrying one or more persons.

Please note that the legislation does not directly amend the Merchant Shipping Act 1995 or the Harbours Act 1964

More information regarding the order can be found at:

<https://www.legislation.gov.uk/ukxi/2023/35/introduction/made>

Mariners are reminded that Radar, AIS, CCTV, Telephone and VHF Channels are recorded 24/7

Owners, Agents, Charterers, Marinas, Yacht Clubs and Recreational Water Sport Organisations should ensure that the contents of this Notice are made known to the masters or persons in charge of their vessels or craft.

CAPTAIN BRIAN MURPHY
HARBOUR MASTER

All Local Notices are available on the PHC website:

www.phc.co.uk/leisure/harbour-control/local-notices-to-mariners