

2025 No. XXX

MERCHANT SHIPPING

SAFETY

**The Merchant Shipping (EPIRB and PLB Registration)
(Radiocommunications) (Amendment) Regulations 2025**

Made - - - - *xxx 2025*
Laid before Parliament *xxx 2025*
Coming into force - - *xxx 2025*

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The Secretary of State, after consulting the persons referred to in section 86(4) of the Merchant Shipping Act 1995(a) and the organisations referred to in section 112(7)(c) of the Railways and Transport Safety Act 2003(b), and in exercise of the powers conferred by sections 85(1), (3)(a), (c), (d), (e), (f), (h), (k), (l), (n), (o), (p) and (q) and (5) to (7), 86(1)(a), (b), (c) and (d), 302(1) and 306A of the Merchant Shipping Act 1995, section 112(1)(a) and (c) and (3)(b) of the Railways and Transport Safety Act 2003, and with the consent of the Treasury, makes the following Regulations.

PART 1

General

Citation, commencement and extent

- 1.—(1) These Regulations may be cited as the Merchant Shipping (EPIRB and PLB Registration) (Radiocommunications) (Amendment) Regulations 2025 and come into force on xxx 2025.
- (2) These Regulations extend to England and Wales, Scotland and Northern Ireland.

Amendments and revocation

- 2.—(1) The amendments listed in the Schedule have effect.
- (2) The Merchant Shipping (EPIRB Registration) Regulations 2000(c) are revoked.

Interpretation

- 3.—(1) In these Regulations—

“EPIRB” means an emergency position-indicating radio beacon transmitter operating in the frequency band 406.0-406.1 MHz capable of transmitting a distress alert via satellite to a rescue coordination centre and transmitting signals for on-scene locating;

“hovercraft” has the meaning given in section 4(1) of the Hovercraft Act 1968(d);

“Merchant Shipping Notice” means a notice described as such and issued by the Maritime and Coastguard Agency (an executive agency of the Department for Transport) and includes a reference to any document amending or replacing that notice which is considered by the Secretary of State to be relevant from time to time and is specified in a Merchant Shipping Notice;

“PLB” means a personal locator beacon which is a portable device, manually activated, that transmits a distress signal on 406 MHz, and may have an additional homing signal on a separate frequency.

- (2) In these Regulations, a reference to a ship means a United Kingdom ship or hovercraft registered in the United Kingdom.

(b) 1995 c. 21. Sections 85 and 86 were amended by the Merchant Shipping and Maritime Security Act 1997 (c. 28), sections 8 and 29(2) and Schedule 7. Section 85 was amended by the British Overseas Territories Act 2002 (c. 8), section 2(3). Section 306A was inserted by the Deregulation Act 2015 (c. 20), section 106. There are other amendments but none is relevant. Sections 85 and 86 are applied to hovercraft by the Hovercraft (Application of Enactments) Order 1989 (S.I. 1989/1350), to which there are amendments but none is relevant. The Order was made under sections 21 and 22 of the Merchant Shipping Act 1979 (c. 39) and following the consolidation of those sections, the Order has effect as if made under sections 85 and 86 of the Merchant Shipping Act 1995.

(c) 2003 c. 20, to which there are amendments but none is relevant.

(d) S.I. 2000/1850.

(a) 1968 c. 59. Section 1(1)(h) was amended by the Supreme Court Act 1981 (c. 54), Schedule 5, and the Constitutional Reform Act 2005 (c. 4), section 59(5), Schedule 11, Part 1, paragraph 1(2). There are other amendments to the Act but none is relevant.

Application

4. These Regulations apply to—
- (a) United Kingdom ships; and
 - (b) hovercraft registered in the United Kingdom, wherever they may be.

PART 2

Registration Requirements

Requirements in relation to EPIRB registration

5.—(1) An owner or master of a ship must ensure that every EPIRB carried on that ship is registered with the Secretary of State and that the registered particulars referred to in paragraph (2) are correct.

(2) The registered particulars are specified in paragraph 2.1 of Merchant Shipping Notice xxx (M+F).

(3) An owner or master must, where there is a change in the particulars registered in respect of an EPIRB, give written notice of the change to the Secretary of State as soon as reasonably practicable.

Requirements in relation to PLB registration

6.—(1) Subject to paragraph (2), an owner and master of a ship must ensure that every PLB carried on that ship is registered with the Secretary of State and that the registered particulars referred to in paragraph (3) are correct.

(2) Where—

- (a) a person (“the holder”) carries a PLB on board a ship; and
- (b) the owner and master have not been made aware of that fact,

the holder must ensure that the PLB is registered with the Secretary of State and that the registered particulars referred to in paragraph (3) are correct.

(3) The registered particulars are specified in paragraph 3.1 of Merchant Shipping Notice xxx (M+F).

(4) If there is a change in the particulars of—

- (a) a PLB registered in accordance with paragraph (1) (registration by owner or master); or
- (b) a PLB registered in accordance with regulation (2) (registration by holder),

an owner, master or, as the case may be, holder must give written notice of the change to the Secretary of State as soon as reasonably practicable.

PART 3

Enforcement

Offences and penalties

7.—(1) If the owner or master enables a ship to proceed, or attempt to proceed, to sea or on any voyage, or arrive within United Kingdom waters, in breach of any of the requirements in these Regulations applicable to or in relation to that ship, the owner and the master are each guilty of an offence in respect of each case of non-compliance.

(2) A holder in breach of a requirement in regulation 6(2) or (4)(b) is guilty of an offence.

- (3) An offence under paragraph (1) or (2) is punishable—
- (a) on summary conviction—
 - (i) in England and Wales by a fine; or
 - (ii) in Scotland or Northern Ireland by a fine not exceeding the statutory maximum; or
 - (b) on conviction on indictment by imprisonment for a term not exceeding two years, or a fine, or both.

(4) It is a defence for a person charged with an offence under this regulation to prove that the person charged took all reasonable steps to avoid the commission of the offence.

Detention

8.—(1) For the purposes of this regulation, any reference to “the Act” is a reference to the Merchant Shipping Act 1995.

(2) Any ship which does not comply with the requirements of these Regulations applicable to that ship may be detained.

(3) Section 284 of the Act (enforcing detention of a ship)(a) applies where a ship is liable to be detained under this regulation as if—

- (a) references to detention of a ship under the Act were references to detention of the ship in question under this regulation; and
- (b) subsection (7) were omitted.

(4) Where a ship is liable to be detained under this regulation, the person detaining the ship must serve on the master a detention notice which—

- (a) states the grounds of the detention; and
- (b) requires the terms of the notice to be complied with until the ship is released by any person mentioned in section 284(1) of the Act.

(5) Subject to paragraph (6), section 96 (references of detention notices to arbitration)(b) and section 97 (compensation in connection with invalid detention of a ship) of the Act apply in relation to a detention notice issued pursuant to this regulation as they apply in relation to detention notices issued pursuant to section 95 (power to detain dangerously unsafe ship)(c)

(6) For the purposes of paragraph (5)—

- (a) section 96 of the Act applies as if—
 - (i) subsection (3) were omitted;
 - (ii) the words “as a dangerously unsafe ship” in subsection (5) were omitted;
 - (iii) subsection (11) were omitted; and
- (b) sections 96 and 97 of the Act apply as if “the relevant inspector” means a person issuing the detention notice pursuant to this regulation.

(7) Subject to paragraph (8), where a ship other than a United Kingdom ship is detained, the Secretary of State must immediately inform the ship’s flag administration in writing.

(8) If it is not possible to inform the ship’s flag administration in accordance with paragraph (7), the Secretary of State must inform the Consul of the State of the flag administration, or in the absence of a Consul, the nearest diplomatic representative of the State of the flag administration.

(9) For the purposes of paragraphs (7) and (8), “flag administration” in relation to a ship means the administration of the State whose flag the ship is entitled to fly.

(b) Section 284 was amended by Schedule 1 to the Merchant Shipping and Maritime Security Act 1997 (c. 28) and S.I. 2015/664.

(c) Section 96(7) was amended by Part 1 of Schedule 10 to the Tribunals, Courts and Enforcement Act 2007 (c. 15) and by Schedule 11 to the Constitutional Reform Act 2005 (c. 4). Section 96(10) was repealed by Schedule 4 to the Arbitration Act 1996 (c. 23).

(a) Section 95 was amended by Schedule 1, paragraph 2 to the Merchant Shipping and Maritime Security Act 1997 (c. 28).

PART 4

Review

Review of these Regulations

- 9.—(1) The Secretary of State must from time to time—
- (a) carry out a review of the regulatory provision contained in Part 2 of these Regulations; and
 - (b) publish a report setting out the conclusions of the review.
- (2) The first report must be published before the end of the period of five years beginning with the date on which these Regulations come into force.
- (3) Subsequent reports must be published at intervals not exceeding five years.
- (4) Section 30(4) of the Small Business, Enterprise and Employment Act 2015 requires that a report published under this regulation must, in particular—
- (a) set out the objectives intended to be achieved by the regulatory provision referred to in paragraph (1)(a);
 - (b) assess the extent to which those objectives are achieved;
 - (c) assess whether those objectives remain appropriate; and
 - (d) if those objectives remain appropriate, assess the extent to which they could be achieved in another way which involves less onerous regulatory provision.
- (5) In this regulation “regulatory provision” has the same meaning as in sections 28 to 32 of the Small Business, Enterprise and Employment Act 2015 (see section 32 of that Act).

Signatory text

Address
Date

Name
Parliamentary Under Secretary of State
Department

We consent

Date

Name
Name
Two of the Lords Commissioners of His Majesty’s Treasury

SCHEDULE

Regulation 2(1)

PART 1

Amendments in relation to the Merchant Shipping (Radiocommunications) (Amendment) Regulations 2021

Amendment of the Merchant Shipping (Radio Installations) Regulations 1998

- 1.—(1) The Merchant Shipping (Radio Installations) Regulations 1998(a) are amended as follows.
- (2) In regulation 3(2), omit paragraph (d).

(a) S.I. 1998/2070, amended by S.I. 2000/2687, 2005/2114, 2016/1025, 2018/1221, 2021/1316, 2022/1219 and 2023/246.

(3) In regulation 7, for the definition of “EPIRB” substitute—

““EPIRB” means an emergency position-indicating radio beacon transmitter operating in the frequency band 406.0-406.1 MHz capable of transmitting a distress alert via satellite to a rescue coordination centre and transmitting signals for on-scene locating;”.

Amendment of the Merchant Shipping (Vessels in Commercial Use for Sport or Pleasure) Regulations 1998

2.—(1) The Merchant Shipping (Vessels in Commercial Use for Sport or Pleasure) Regulations 1998(a) are amended as follows.

(2) In Schedule 1 (large vessels)—

- (a) in the row containing the entry in respect of the Merchant Shipping (Radio Installations) Regulations 1998, in the third column, after “2021/1316” insert “2025/xxx”;
- (b) after the row containing the entry in respect of the Merchant Shipping (Safety of Navigation) Regulations 2020, insert—
 - (i) in the first column, “The Merchant Shipping (Radiocommunications) (Amendment) Regulations 2021”;
 - (ii) in the second column, “2021/1316”;
 - (iii) in the third column, “2023/246; 2025/xxx”.

Amendment of the Merchant Shipping (Fees) Regulations 2018

3.—(1) The Merchant Shipping (Fees) Regulations 2018(b) are amended as follows.

(2) In Schedule 1 (fees under the Merchant Shipping Act 1995), in the table in paragraph 5 (fees for inspections, etc) of Part 1 (surveys, inspections and applications for exemption), under heading H (radio and navigational equipment), at the end insert—

- (a) in the first column, “The Merchant Shipping (Radiocommunications) (Amendment) Regulations 2021”;
- (b) in the second column, “2021/1316”;
- (c) in the third column—
 - “2023/246
 - 2025/xxx”.

Amendment of the Merchant Shipping (Radiocommunications) (Amendment) Regulations 2021

4.—(1) The Merchant Shipping (Radiocommunications) (Amendment) Regulations 2021(c) are amended as follows.

(2) In regulation 10 (radio installations and equipment), for paragraphs (d) to (f) substitute—

- “(d) regulation 9 (radio equipment: sea area A2);
- (e) regulation 10 (radio equipment: sea area A3);
- (f) regulation 11 (radio equipment: sea area A4).”.

(b) S.I. 1998/2771, amended by S.I. 2016/353, 2018/242, 2020/673, 2021/1316, 2022/1342, 2023/246 and 2023/568; there are other amending instruments but none is relevant.
(c) S.I. 2018/1104, to which there are amendments not relevant to these Regulations.
(d) S.I. 2021/1316, as amended by S.I. 2022/1219 and 2023/246.

PART 2

Amendment of the Merchant Shipping (Watercraft) Order 2023

Merchant Shipping (Watercraft) Order 2023

1. The Merchant Shipping (Watercraft) Order 2023(a) is amended as follows.

2. In Schedule 2, for paragraph (2) substitute—

“Application of the Merchant Shipping (EPIRB and PLB Registration) (Radiocommunications) (Amendment) Regulations 2025

2.—(1) The following provisions of the Merchant Shipping (EPIRB and PLB Registration) (Radiocommunications) (Amendment) Regulations 2025 apply in relation to watercraft as they apply in relation to ships.

(2) Regulation 3 (interpretation), for the purposes of interpreting an applied shipping provision mentioned in this paragraph.

(3) Regulation 5 (requirement in relation to EPIRB registration), as if—

(a) in paragraph (1), as if—

(i) the reference to an owner or master of a ship was a reference to an owner or operator of a watercraft;

(ii) the reference to a ship was a reference to a watercraft;

(b) for paragraph (2) there were substituted—

“(2) The registered particulars referred to in paragraph (1) are specified in paragraph 2.1 of Merchant Shipping Notice xxx (M+F).”.

(4) Regulation 6 (requirement in relation to PLB registration), as if—

(a) in paragraph (1) as if—

(i) the reference to an owner or master of a ship was a reference to an owner or operator of a watercraft;

(ii) the reference to a ship was a reference to a watercraft;

(b) in paragraph (2) as if—

(i) the reference to a holder is to a person carrying a PLB on a watercraft;

(ii) the reference to an owner or master of a ship was a reference to an owner or operator of a watercraft;

(c) for paragraph (3) there were substituted—

“(3) The registered particulars referred to in paragraph (1) are specified in paragraph 3.1 of Merchant Shipping Notice xxx (M+F).”.

(5) Regulation 7 (offences and penalties), as if—

(a) in paragraph (1), the reference to the owner and master was a reference to the owner or operator of the watercraft;

(b) in paragraph (2), the reference to a holder is to a person carrying a PLB on a watercraft.

(6) Regulation 8 (detention), as if the reference to the master of the ship was a reference to the owner of the watercraft.”.

(h) S.I. 2023/35. These Regulations amend the Order in reliance on section 105(1) of the Deregulation Act 2015 (c. 20).

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe new requirements for the registration of emergency position-indicating radio beacon transmitters (“EPIRBs”) and personal locator beacons (“PLBs”) which are carried on, or carried by persons on board, United Kingdom ships and hovercraft.

These Regulations revoke and replace the Merchant Shipping (EPIRB Registration) Regulations 2000 (S.I. 2000/1850) which prescribed registration requirements for EPIRBs alone, and (in Part 2 of the Schedule) make consequential amendments to the Merchant Shipping (Watercraft) Order 2023 (S.I. 2023/35) so as to apply the new registration requirements to watercraft as well as ships and hovercraft.

Part 1 (regulations 1 to 4) makes general provision including interpretation and application.

Regulation 2 gives effect to a number of amendments and revocations. Part 1 of the Schedule includes provision which amends the Merchant Shipping (Radiocommunications) (Amendment) Regulations 2021 (S.I. 2021/1316) to give effect to discrete amendments to Chapter IV (radiocommunications) of the Annex to the International Convention for the Safety of Life at Sea, 1974 (“the Convention”), and make consequential provision relating to those regulations.

Part 2 (regulations 5 and 6) makes provision for the registration requirements in respect of EPIRBs and PLBs. The information required to be registered is set out in Merchant Shipping Notice xxx (M+F), and this is given effect by regulations 5(2) and 6(3) for EPIRBs and PLBs respectively.

Part 3 (regulations 7 and 8) makes provision for control and enforcement. Regulation 7 makes it an offence by the owner and master for a ship to be used in contravention of any of the requirements of these Regulations, as well as making it an offence by the holder of a PLB to fail to register particulars of the PLB in accordance with regulation 6(2) or (4)(b). Regulation 8 contains power to detain a ship in cases of non-compliance with these Regulations.

Part 4 (regulation 9) requires the Secretary of State to review the operation and effect of these Regulations and publish a report before the end of the period of five years beginning with the date on which these Regulations come into force and at intervals not exceeding five years after that. Following a review, it will fall to the Secretary of State to consider whether the Regulations should remain as they are, or be amended or revoked. A further instrument would be needed to amend or revoke the Regulations.

Merchant Shipping Notice xxx (M+F) is available from the Maritime and Coastguard Agency (MCA) of Spring Place, 105 Commercial Road, Southampton SO15 1EG (telephone 020 3817 2000 and email infoline@mca.gov.uk) and on <https://www.gov.uk/government/collections/merchant-shipping-notices-msns>.

The Convention and its Protocol of 1988 may be obtained in copy from the International Maritime Organization (IMO), 4 Albert Embankment, London SE1 7SR and both are available on the Foreign, Commonwealth and Development Office (FCDO) treaties database (<https://treaties.fcdo.gov.uk/responsive/app/consolidatedSearch/>). The text of the IMO Resolutions amending the Convention and Protocol may be obtained from the IMO, or on the FCDO treaties database (<https://treaties.fcdo.gov.uk/responsive/app/consolidatedSearch/>).

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private or voluntary sector is foreseen.

An Explanatory Memorandum is published alongside the instrument on www.legislation.gov.uk.