

# Marine Safety Alert



**Alert No: 26** **Date: 24th March 2023**

## The New Merchant Shipping (Watercraft) Order 2023



### Which vessels does the Merchant Shipping (Watercraft) Order 2023 apply to?

- Any type of personal watercraft which is:
  - capable of moving under its own mechanical power including jet skis.
  - used, navigated or situated wholly or partly in or on water, and
  - capable of being used to carry one or more persons.

### When does the Merchant Shipping (Watercraft) Order 2023 come into force?

- Friday 31<sup>st</sup> March 2023

### What does this new law mean for personal watercraft users?

- Currently personal watercraft including jet skis are not covered by wider maritime safety legislation. The new *Merchant Shipping (Watercraft) Order 2023* will mean those found guilty of using their watercraft in a dangerous manner could receive a **fine of up to £5000 and/or imprisonment not exceeding 2 years,**
- Using a personal watercraft in a dangerous manner includes carrying out any act which causes or is likely to cause:
  - the loss or destruction of or serious damage to the watercraft or its machinery, navigational equipment or safety equipment
  - the loss or destruction of or serious damage to any other watercraft or any ship or structure
  - the death of or serious injury to any person. Or an act

which fails to do anything required to:

- preserve the watercraft or its machinery, navigational equipment or safety equipment from being lost, destroyed or seriously damaged
- preserve any person in or on the watercraft from death or serious injury
- prevent the watercraft from causing the loss or destruction of or serious damage to any other watercraft or any ship or structure, or death of or serious injury to any person not on or in the watercraft,

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- Personal and recreational watercraft will also be bound by the '*International Collision regulations for preventing Collisions at sea 1972*' which require users to act safely by maintaining a lookout, proceeding at safe speeds and outlining their responsibilities to other vessels.
  - Any watercraft that is found in an unsafe condition may be detained by a competent authority or relevant inspector
  - For further details see Maritime & Coastguard Agency (MCGA) [MGN 684\(M\) – Safety of powered watercraft](#)
  - You can register watercraft on the UK ship registry – see <https://www.ukshipregister.co.uk/registration/> for details
  - Contact [marine@forthports.co.uk](mailto:marine@forthports.co.uk) if you have any questions.
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