



STATUTORY INSTRUMENTS.

S.I. No. 444 of 2020

EUROPEAN COMMUNITIES (MERCHANT SHIPPING)
(INVESTIGATION OF ACCIDENTS) (AMENDMENT) REGULATIONS
2020

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I, EAMON RYAN, Minister for Transport, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) and for the purpose of giving further effect to Directive 2009/18/EC of the European Parliament and of the Council of 23 April 2009¹, hereby make the following regulations:

1. These Regulations may be cited as the European Communities (Merchant Shipping) (Investigation of Accidents) (Amendment) Regulations 2020.

2. The European Communities (Merchant Shipping) (Investigation of Accidents) Regulations 2011 (S.I. No. 276 of 2011) are amended -

(a) by the substitution of the following Regulation for Regulation 4:
“Investigative body

4. (1) Subject to paragraph (2), the Marine Casualty Investigation Board is designated as the investigative body in the State referred to in Article 8 of the Directive.

(2) Notwithstanding section 9(1) of the Act, the persons mentioned in paragraphs (b) and (c) of that subsection shall not be members of the Board when it is performing a function under these Regulations.

(3) Notwithstanding section 14(1) of the Act, when the Board is performing a function under these Regulations the quorum for a meeting shall be 2 of the members of the Board appointed under section 9(1)(a) of the Act.”,

and

(b) in Regulation 5 –

(i) by the substitution of “Sections 2, 7, 8, 16, 17, 18, 23 to 33, 37, 41 and 42” for “Sections 2, 7, 8, 18, 23 to 33, 37, 41 and 42”,

and

¹ OJ No. L 131, 28.5.2009, p114

(ii) by the insertion of the following paragraph after paragraph (d):

“(dd) in section 16(1), the deletion of “(including investigators nominated by the Chief Surveyor from the Marine Survey Office of the Department of the Marine and Natural Resources)” and “(other than an investigator from the Marine Survey Office)”,.”.



GIVEN under my Official Seal,
16 October, 2020.

EAMON RYAN,
Minister for Transport.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

These Regulations amend the European Communities (Merchant Shipping) (Investigation of Accidents) Regulations 2011 (S.I. No. 276 of 2011) to give further effect to Directive 2009/18/EC of the European Parliament and of the Council of 23 April 2009 establishing the fundamental principles governing the investigation of accidents in the maritime transport sector and amending Council Directive 1999/35/EC and Directive 2002/59/EC of the European Parliament and of the Council.

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