

1985 No. 1193**MERCHANT SHIPPING****SAFETY****The Merchant Shipping (Fire Protection) (Amendment)
Regulations 1985***Laid before Parliament in draft**Made - - - - - 29th July 1985**Coming into Operation 12th August 1985*

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

1. These Regulations may be cited as the Merchant Shipping (Fire Protection) (Amendment) Regulations 1985 and shall come into operation two weeks after they are made.

2. The Merchant Shipping (Fire Protection) Regulations 1984(b) shall be amended as follows:

(1) in regulation 1(2) (interpretation):

(a) there shall be inserted the following definition after the definition of "Cargo area":

““Cargo ship” means any ship which is not a passenger ship;”;

(b) the following shall be substituted for the definition of "Fishing vessel":

““Fishing vessel” means a vessel used for catching fish, whales, seals, walrus or other living resources of the sea;”;

(c) in the definition of "Main vertical zones" for "91" there shall be substituted "92";

(2) for regulation 1(4) (application) there shall be substituted:

“(4)(a) Subject to sub-paragraph (b) below these Regulations shall apply to United Kingdom ships wherever they may be and to other ships while

(a) 1979 c. 39; section 21(6) was amended by section 49(3) of the Criminal Justice Act 1982 (c. 48).

(b) S.I. 1984/1218.

they are within the United Kingdom or the territorial waters thereof which are:

- (i) new ships;
- (ii) newly converted passenger ships;

and to the extent that the Secretary of State deems reasonable and practicable to any major repairs, alterations and modifications to existing ships commencing on or after 1st September 1984; provided that any such repairs, alterations and modifications carried out pursuant to a contract entered into before 1st September 1984 shall be deemed to have commenced before that date;

(b) these Regulations shall not apply to:

- (i) fishing vessels;
- (ii) pleasure craft which are not passenger ships and are of less than 13.7 metres in length;
- (iii) the following non-United Kingdom ships:
 - (A) cargo ships of less than 500 tons;
 - (B) troopships;
 - (C) ships not propelled by mechanical means;
 - (D) pleasure craft of 13.7 metres in length or more, which are not passenger ships;
 - (E) a ship by reason of her being within the United Kingdom or the territorial waters thereof if she would not have been therein but for stress of weather or any other circumstances that neither the master nor the owner nor the charterer (if any) could have prevented.”;

(3) in regulation 2(1) (Classification of ships):

- (a) in the descriptions of Classes VII, VIII and VIII(A) the figure “X” shall be deleted;
- (b) in the description of Class VIII, for the figure “I” there shall be substituted the figure “II”;
- (c) the entry for Class X shall be deleted; and
- (d) in the description of Class XI the words “fishing boats and” shall be deleted;

(4) in regulation 6(3) for “53(5)” there shall be substituted “53(4)”;

(5) for regulation 40 the following shall be substituted:

“40.—(1) Regulations 29 to 38 inclusive of these Regulations shall apply to every ship of Class VII(A) of 500 tons or over as they apply to ships of Class VII of 500 tons or over.

(2) Every ship of Class VII(A) of less than 500 tons shall, if not subject to the Fishing Vessels (Safety Provisions) Rules 1975(a), carry the fire appliances appropriate to its length which are required to be carried by vessels of that length which are subject to those Rules.”;

(6) regulation 45 shall be deleted;

(a) S.I. 1975/330, to which there are amendments not relevant to these Regulations.

(7) in regulation 50(3)(b) for “Schedule 2” there shall be substituted “Schedule 1”;

(8) in regulation 53 there shall be added at the end “In addition one such outfit carried in any such ship shall include a breathing apparatus of the air-hose type and the remainder shall include breathing apparatus of the self-contained type: provided that where the air-hose type breathing apparatus has, in order to comply with paragraph (1) of Schedule 5 to these Regulations, to exceed 36 metres in length a self-contained breathing apparatus shall be provided either in addition to or as a substitute for that air-hose breathing apparatus.”;

(9) in regulation 60(4) for “of Class VII” there shall be substituted “other than passenger ships”;

(10) in regulation 62(3) for “Classes X and XII” there shall be substituted “Class XII”;

(11) in regulation 71 there shall be added at the end “or regulation 80 of the Merchant Shipping (Passenger Ship Construction and Survey) Regulations 1984” (a);

(12) in regulation 72(1) for “paragraph 70” there shall be substituted “regulation 70”;

(13) in regulation 78 in table 2 row (11) “special category spaces” shall be deleted and in table 4 row (8) column (14) superscript “b” shall be deleted;

(14) in regulation 82(7) for the words from sub-paragraph (b)(ii) to the end there shall be substituted the following:

“(ii) insulated to “A-60” standard throughout the accommodation spaces, service spaces or control stations;

except that penetrations of main zone bulkheads and decks shall comply with the requirements of paragraph (2) of this regulation.”;

(15) in regulation 98(7) for “regulation 96 of these Regulations” there shall be substituted “paragraph (2) of this regulation”;

(16) in regulation 98(8) for the words from sub-paragraph (b)(ii) to the end there shall be substituted the following:

“(ii) the ducts are insulated to “A-60” standard within the machinery space, galley, ro-ro cargo space, or special category space;

except that penetrations of main zone bulkheads and decks shall comply with paragraph (2) of this regulation.”;

(17) for regulation 111 the following shall be substituted:

“111. Regulations 112 to 125 inclusive shall apply to ships of Classes VII, VII(A), VIII, VIII(A), IX and IX(A) of 500 tons or over and tankers of Classes VII(T), VIII(T), VIII(A)(T) and XI(A)(T) of 500 tons or over other than tankers to which Part VIII applies.”;

(18) in regulation 122(8) “deck” shall be substituted for “desk”;

(19) in regulation 125(1)(c) “of” shall be substituted for “if”;

(a) S.I. 1984/1216, to which there is an amendment not relevant to these Regulations.

- (20) regulation 126 shall be deleted;
- (21) in regulation 132(2)(g)(i) "see" shall be deleted before the words "regulation 133";
- (22) in regulation 143(6)(l) for "68" there shall be substituted "67";
- (23) in Schedule 10 paragraph (1)(l) for "93, 111 and 129" there shall be substituted "94, 115 and 132";
- (24) in Schedule 11 paragraph (1)(k) after "Flame" in the third sentence, there shall be inserted "detectors";
- (25) in Schedule 14:
- (a) in paragraph (10)(f) for "dry" there shall be substituted "drain";
 - (b) in paragraph (13)(d)(ii) after "cargo main" there shall be inserted "and which is on the cargo main side; and";
 - (c) in paragraph (19)(a)(iv) there shall be inserted after "failure of" the words "any of";
 - (d) in paragraph (19)(a)(v) after "per cent" there shall be inserted "by"; and
 - (e) in paragraph (19)(b) before "(19)(a)(v)" there shall be inserted "and", and after it there shall be substituted "to" for "and".

Nicholas Ridley,
Secretary of State for Transport.

29th July 1985.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations apply to non-United Kingdom ships built or converted on or after 1st September 1984 the requirements (which already apply to such United Kingdom ships) governing fire protection in the Amendments to the International Convention for the Safety of Life at Sea, 1974 (SOLAS) adopted on 20th November 1981 by the Maritime Safety Committee of the International Maritime Organization at its 45th Session.

They apply the Merchant Shipping (Fire Protection) Regulations 1984 to non-United Kingdom ships (other than those ships to which SOLAS does not apply) built, converted or undergoing major repairs on or after 1st September 1984 while they are within the United Kingdom or the territorial waters thereof (regulation 2(2)). They also correct certain errors in these 1984 Regulations.

The IMO Amendments are contained in the IMO Publication "Amendments to the International Convention for the Safety of Life at Sea, 1974" (Sales number 092 82.01.E) which can be obtained from IMO, 4 Albert Embankment, London SE1 7SR.

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