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DRAFT STATUTORY INSTRUMENTS

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**2023 No.**

**The Merchant Shipping (Fire Protection) Regulations 2023**

**PART 2**

**Fire protection requirements for ships constructed before 1st July 2002**

**Application**

**12.** This Part applies to ships of Classes—

- (a) I, II, VII, VII(A), VII(T), VIII, VIII(T) and IX and engaged on international voyages; and
- (b) II(A), VII(A), VIII(A), VIII(A)(T), IX, IX(A) and IX(A)(T) and engaged on non-international voyages,

the keels of which were laid, or which were at a similar stage of construction, before 1st July 2002.

**Compliance by ships constructed before 1st July 2002**

**13.—**(1) A ship must comply with each requirement in—

- (a) Merchant Shipping Notice 1900 (M); and
- (b) the relevant Merchant Shipping Notices,

that applies to it.

(2) For the purposes of paragraph (1), a ship constructed before 26th May 1965 must comply with—

- (a) each condition specified in Schedule 1 to Merchant Shipping Notice 1670 (M) Amendment 2;
- (b) each provision of Merchant Shipping Notice 1900 (M) listed in the Annex to Schedule 1 to Merchant Shipping Notice 1670 (M) Amendment 2;
- (c) in the case of a passenger ship carrying 36 or fewer passengers, each provision of Schedule 2 to Merchant Shipping Notice 1670 (M) Amendment 2; and
- (d) in the case of a passenger ship carrying more than 36 passengers, each of the following requirements of Merchant Shipping Notice 1900 (M)—
  - (i) paragraph 3.24 (fixed fire-extinguishing systems in machinery spaces of category A);
  - (ii) paragraph 3.40 (general emergency alarm to be provided in every Class I ship);
  - (iii) paragraph 3.41 (public address system in every Class I ship); and
  - (iv) paragraphs 7.3 to 7.76 (structural fire protection for passenger ships),

that applies to it.

(3) A ship to which regulation 12(a) (ships constructed before 1st July 2002 and engaged on international voyages) applies must comply with—

- (a) each requirement listed in regulation 1.2 of Part A of Chapter II-2 (applicable requirements to existing ships); and
  - (b) each requirement of—
    - (i) regulation 1.6 of Part A of Chapter II-2 (application of requirements to tankers); and
    - (ii) Parts B, C, D, E and G of Chapter II-2 (fire protection requirements)(1),that applies to it(2).
- (4) For the purposes of this regulation, where there is a conflict between the requirements of—
- (a) the Merchant Shipping Notices described in paragraphs (1) and (2); and
  - (b) the provisions of Chapter II-2 described in paragraph (3),
- the provisions of Chapter II-2 take precedence.

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(1) Part B of Chapter II-2 relates to prevention of fire and explosion; Part C relates to suppression of fire; Part D relates to escape; Part E relates to operational requirements; and Part G relates to special requirements.

(2) Ships constructed before 1st July 2002 are subject to certain specified requirements in Chapter II-2, including all provisions that apply to “all ships”. The expression “all ships” is defined in regulation 1.1.2.2 of Chapter II-2 and includes references to all ships, irrespective of type, constructed before, on or after 1st July 2002.