
STATUTORY INSTRUMENTS

1992 No. 2358

**MERCHANT SHIPPING
SAFETY**

**The Merchant Shipping (Passenger Ship Construction
and Survey) (Amendment) Regulations 1992**

<i>Made</i>	- - - -	<i>1st October 1992</i>
<i>Laid before Parliament</i>		<i>9th October 1992</i>
<i>Coming into force</i>	- -	<i>31st October 1992</i>

The Secretary of State for Transport, after consulting with the persons referred to in section 22(2) of the Merchant Shipping Act 1979⁽¹⁾, in exercise of the powers conferred on him by sections 21(1) (a), (3) to (6) and 22(1) of that Act and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation, commencement and application

- (a) **1.** (1) (a) These Regulations may be cited as the Merchant Shipping (Passenger Ship Construction and Survey) (Amendment) Regulations 1992 and shall come into force on 31st October 1992, but the amendments made thereby shall not have effect in relation to a vessel whose keel was laid or which was at a similar stage of construction—
- (i) before 1st January 1940, until 1st April 1994;
 - (ii) on or after 1st January 1940 but before 31st December 1962, until 1st April 1995;
 - (iii) on or after 1st January 1963 but before 31st December 1974, until 1st April 1996;
 - (iv) on or after 1st January 1975 but before 31st August 1984, until 1st April 1997; and
 - (v) on or after 1st September 1984 but before 31st October 1992, until 1st April 1998.
- (b) For the purposes of this regulation “similar stage of construction” means the stage at which—
- (i) construction identifiable with a specific ship begins; and
 - (ii) assembly of that ship has commenced comprising at least 50 tonnes or one per cent of the estimated mass of all structural material, whichever is less.
- (2) These Regulations do not apply to ships which are not United Kingdom ships.

(1) 1979 c. 39; section 21(6) was amended by section 49(3) of the Criminal Justice Act 1982 (c. 48).

PART 1

AMENDMENTS TO 1980 REGULATIONS

2. The Merchant Shipping (Passenger Ship Construction and Survey) Regulations 1980(2) shall be amended as follows—

(1) In regulation 1(2) the following definitions shall be inserted in the appropriate alphabetical order:

““Buoyancy test” means a test carried out in accordance with Schedule 6 to these Regulations;

“Heeling test” means a test carried out in accordance with Schedule 5 to these Regulations;

“Open ship” means a ship in which all the passenger accommodation is completely open to the elements and is not fitted with a weathertight or watertight deck or structure above the waterline;

“Merchant Shipping Notice” means a Notice described as such and issued by the Department of Transport; and any reference to a particular Merchant Shipping Notice 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.”.

(2) In regulation 1(2) in the definition of “length” for “regulation 19(8)” there shall be substituted “regulations 19(5)(b)(ii) and 19(5)(c)(iii)”.

(3) In regulation 1(3)(b) for “9L” there shall be substituted “9I”.

(4) In regulation 3(1)—

(a) in the definition of “Class IV” for the words “partially smooth waters, or voyages in smooth and partially smooth waters.” there shall be substituted the words “Category A, B, C and D waters.”;

(b) in the definition of “Class V” for the words “smooth waters” there shall be substituted the words “Category A, B and C waters”;

(c) in the definition of “Class VI”—

(i) for the words “smooth or in partially smooth waters” there shall be substituted the words “Category A, B, C and D waters”; and

(ii) for the words “smooth waters” there shall be substituted the words “Category A, B and C waters”.

(5) In regulation 3(2)—

(a) the definitions of “partially smooth waters” and “smooth waters” shall be omitted.

(b) the following definition shall be inserted in the appropriate alphabetical order—

““Category A, B, C and D waters” means the waters specified as such in Merchant Shipping Notice 1504; and cognate expressions shall be construed accordingly.”;

(c) for the definition of “Sea” there shall be substituted the following:

“Sea” does not include any waters of Category A, B, C or D;

(6) In regulation 5, for the words “every ship to which this Part of these Regulations apply, not being an open or partially decked ship of Class V or a ship of Class VI carrying less than 101 passengers or a ship of Class VI(A)” there shall be substituted the words “ships of Classes I, II and II(A)”.

(7) In each regulations 8(1), 9A(3), 9A(4), 14(1), 14(6), 15(1), 15(7), 16(7)(a), 19(3)(a), 19(3)(b) for “of Class I, II and II(A)” there shall be substituted “to which this Part of the Regulations applies”.

(8) In each of regulations 9A(3), 9F(1), 9G, 9H, 16(1), 16(4), 16(5), 17(1) for “of Class I, II or II(A)” there shall be substituted “to which this Part of the Regulations applies”.

(9) In regulation 9A (3) the words “and every ro/ro ship of Class IV” shall be omitted.

(10) In regulation 9A (4) the words “and every ro/ro ship of Class IV” shall be omitted.

(11) In regulation 9B for the words “9L apply to United Kingdom ships of Classes I, II, II(A) and to United Kingdom ro/ro ships of Class IV” there shall be substituted “9I apply to every ship to which this Part of the Regulations apply”.

(12) In regulation 9E (2) the words “, or in the case of Class IV ships in a book retained on board for that purpose” shall be omitted.

(13) In regulation 9G the words “, or a ro/ro ship of Class IV to which regulation 9L applies,” and the words “, or in the case of Class IV ships in a book retained on board for that purpose” shall be omitted.

(14) In regulation 9H the words “or a ro/ro ship of Class IV to which regulation 9L applies,” shall be omitted.

(15) The title “ **Approval of loading conditions for Class IV ships**” and regulation 9J shall be omitted.

(16) The title “ **Loading of Class IV ships in accordance with approved conditions**” and regulation 9K shall be omitted.

(17) The title “ **Class IV ships which are not loaded in accordance with approved loading conditions**” and regulation 9L shall be omitted.

(18) Regulation 14(7) shall be omitted.

(19) In regulation 19(3)(b) for “of Classes I, II and III” there shall be substituted “to which this Part of the Regulations applies”.

(20) Regulation 19(3)(d) shall be omitted.

(21) In regulation 19(5)(g) the words “and III” shall be omitted.

(22) Regulation 19(6) shall be omitted.

(23) In regulation 23(2) for the words “Classes II(A) and VI inclusive” there shall be substituted the words “Class II(A)”.

(24) For regulation 25 there shall be substituted—

“(1) This Part of these Regulations applies to every ship of Classes III to VI(A).

(2) For the purpose of this Part of these Regulations “subdivided ship” means to ship which has a factor of subdivision of Unity or 0.5, and “every other ship” means a ship which has an entry “Heeling Test” or “Buoyancy Test” in column 4 of the table at paragraph 12 of Part IV of Schedule 1.”.

(25) The following regulations shall be added after regulation 25—

“**25A.**—(1) Regulations 7, 12, 13, 19, 20, 21, 22 and 24 of these Regulations shall apply to ships to which this Part of these Regulations applies.

(2) Regulations 10 and 11 of these Regulations shall apply to subdivided ships to which this Part of these Regulations apply.

(3) Regulation 23 of these Regulations shall apply to subdivided ships to which this Part of these Regulations applies, as it applies to ships of Class II(A).

Openings in watertight bulkheads etc.

25B. In every ship bulkheads required by these Regulations to be watertight shall not be pierced by doorways, ventilation trunks or other similar openings, unless such openings are essential for the proper working of the ship and do not impair the ship's survivability standard."

(26) For the title "Stability Information" and regulation 26 there shall be substituted the following—

"Standard of survivability

26.—(1) Every ship shall comply with a standard of survivability in accordance with column 4 of the table at paragraph 12 of Part IV of Schedule 1, appropriate to a ship falling within columns 1 to 3.

(2) Every subdivided ship shall be subdivided by bulkheads, which shall be watertight up to the bulkhead deck, into compartments the maximum length of which shall be calculated in accordance with paragraph 10 of Part IV of Schedule 1 to these Regulations. Every other portion of the internal structure which affects the efficiency of the subdivision of the ship shall be watertight, and shall be of a design which will maintain the integrity of the subdivision. For subdivided ships, paragraph 11 of Part IV of Schedule 1 shall also apply."

(27) For regulation 27(1) and (2) the following shall be substituted—

(a) "27. (1) In every ship no side scuttle shall be fitted below the margin line such that its sill will be below a line drawn parallel to the freeboard deck at its side and which has its lower point at a distance of either—

(i) 2.5 per cent of the breadth of the ship above the summer load waterline; or

(ii) 500 millimetres above the full load waterline;

whichever is the greater.

(a) (2) Every such side scuttle in ships of Class III shall be of a non-opening type or of an opening type fitted with locking arrangements approved by the Secretary of State and shall be fitted with efficient hinged deadlights permanently attached so that it can be readily and effectively closed and secured watertight.

(b) Every such side scuttle in ships of Classes IV to VI(A) shall be of a non-opening type and shall be fitted with efficient hinged deadlights permanently attached so that it can be readily and effectively closed and secured watertight.

(3) Discharge pipes led through the shell below the margin line of any ship of Class III shall not be fitted in a direct line between the outboard opening and the connection with a deck, water closet or other similar fitting, but shall be arranged with bends or elbows of substantial metal other than cast iron or lead."

(28) The following regulations shall be added after the new regulation 27—

"Inclining and stability information

27A.—(1) This regulation applies to every passenger ship to which this Part of these Regulations applies.

(2) Every subdivided ship shall be inclined and the elements of her stability determined and every other ship shall undergo the heeling test or buoyancy tests specified in Schedules 5 and 6 to these Regulations respectively. The master shall be supplied by the owner with reliable information relating to the stability of the ship in accordance with the following provisions of this Regulation. The information relating to stability shall, before issue to the master, be submitted to the Secretary of State for approval, together with a copy thereof for his retention

and shall incorporate such additions and amendments as the Secretary of State may in any particular case require.

(3) Every subdivided ship shall undergo a lightweight survey, to determine the ship's lightship displacement and longitudinal position of its centre of gravity, and every other ship shall undergo the heeling test or buoyancy tests specified in Schedules 5 and 6 to these Regulations, by the date these Regulations come into force with respect to that ship, unless it has been so inclined or tested in the previous 5 years. Every such lightweight survey or tests shall be subject to the conditions specified in paragraph (4) of this Regulation.

(4) Every subdivided ship shall undergo a lightweight survey, to verify any changes in lightship displacement and longitudinal position of its centre of gravity, and every other ship shall undergo the heeling test or buoyancy tests specified in Schedules 5 and 6 of these Regulations respectively, to verify any changes in the heeling and buoyancy characteristics, in each period of five years. Such periods shall commence on the date of issue of a Passenger Certificate subsequent to a previous inclining or lightweight survey, whichever date is the earliest. The ship shall be re-inclined whenever, in comparison with the ship's approved stability information derived from the previous inclining experiment, a deviation from the lightship displacement exceeding 2% or a deviation of the longitudinal centre of gravity exceeding 1percent; of the ship's length is found or anticipated. Every inclining or lightweight survey or tests made for this purpose or for the purpose of paragraph (3) of this regulation shall be carried out in the presence of a Department of Transport Surveyor. The interval between lightweight surveys or tests of any such ship may be extended by the Secretary of State for a period of not more than one year if he is satisfied, on the production to him of relevant information about the ship, that the lightweight survey or test is not necessary at the required interval.

(5) A report of each inclining or lightweight survey or test carried out in accordance with paragraphs (3) and (4) of this regulation and of the calculation therefrom of the lightship condition, or heeling or buoyancy particulars, as applicable shall be submitted to the Secretary of State for approval, together with a copy for his retention. The approved report shall be placed on board the ship by the owner in the custody of the master and shall incorporate such additions and amendments as the Secretary of State may in any particular case require. The amended lightship condition or heeling or buoyancy particulars so obtained from time to time shall be used by the master in substitution for such previously approved particulars when calculating the ship's stability.

(6) Following any inclining or lightweight survey or test carried out in accordance with the requirements of paragraphs (3) and (4) of this regulation on the basis of which the elements of the ship's stability have been determined the master shall be supplied by the owner with amended stability information if the Secretary of State so requires. The information so supplied shall be submitted to the Secretary of State for approval, together with a copy thereof for his retention and shall incorporate such additions and amendments as the Secretary of State may in any particular case require.

(7) Where any alterations are made to a ship so as materially to affect the stability information supplied to the master, amended stability information shall be provided. The ship shall be re-inclined or tested if the Secretary of State so requires.

(8) Stability information provided pursuant to paragraphs (2), (5), (6) and (7) of this regulation shall be furnished in the form of a book ("the stability information book") which shall be kept on board the ship at all times in the custody of the master. The information shall include particulars appropriate to the ship in respect of the matters specified in Schedule 2 to these Regulations and shall be in the form set out in that Schedule.

(9) Every ship shall have a scale of draughts marked clearly at the bow and stern.

Loading and stability assessment

27B. Regulations 27C to 27L apply to ro/ro passenger ships of Classes IV and V including every ship in respect of which there is in force a Passenger Certificate appropriate to a ship of any of those classes even when it is for the time being engaged on voyages for which a Class III, VI or VI(A) Passenger Certificate is appropriate.

Information on stability during loading

27C.—(1) The owner of every ship to which this regulation applies shall ensure that the master is provided with information relating to its stability during the process of loading and unloading. This information shall be included in the ship's stability information book.

(2) Where any alterations are made or changes occur to the ship so as materially to affect the information supplied to the master in accordance with paragraph (1) of this regulation, amended information shall be provided.

(3) The information provided pursuant to paragraphs (1) and (2) of this regulation shall be kept on board the ship at all times in the custody of the master.

Stability and freeboard during loading and unloading

27D. The master shall use the information provided in accordance with regulation 27C and, when necessary, make calculations or cause calculations to be made in order to ensure that the process of loading and unloading is carried out safely; in particular, he shall ensure that—

- (a) the ship has adequate stability; and
- (b) the freeboard at any door giving access to the hull or to an enclosed superstructure is sufficient to prevent the entry of water.

Recording of draught, trim and freeboard prior to departure

27E.—(1) On completion of the loading of a ro/ro passenger ship of Classes IV or V and before it proceeds on a voyage, the master or an officer appointed for the purpose by the master shall ascertain—

- (a) the ship's draught at the bow and at the stern;
- (b) the trim of the ship by the bow or the stern; and
- (c) the vertical distance from the waterline to the appropriate subdivision load line mark on each side of the ship.

(2) The draughts, trim and the vertical distances ascertained in accordance with paragraph (1) of this Regulation shall be recorded by the master or such officer, as the case may be, in a book retained on board for that purpose.

Permissible standard of stability to be recorded

27F. Before a ro/ro passenger ship of Class IV or V to which regulation 27J applies proceeds on a voyage, the master shall cause the maximum permissible KG, or the minimum permissible GM, whichever is appropriate to the ship, to be determined and recorded in a book retained on board for that purpose.

Condition of loading prior to departure to be satisfactory

27G. Before a ro/ro ship of Class IV or V to which regulation 27J applies, proceeds on a voyage, the master shall ensure that the condition of loading of the ship as recorded in

accordance with regulation 27F is within the permissible standard of stability determined in accordance with regulation 27E(2) and satisfies all the relevant requirements prescribed in the stability information book.

Approval of loading conditions for Classes IV and V ships

27H.—(1) Where a ro/ro passenger ship of Class IV or V plies regularly to and from the same place, in conditions of loading which correspond closely to conditions of loading which are clearly specified in the stability information book, the owner may apply to the Secretary of State for approval of the adoption of the conditions so specified for the purposes of loading in accordance with this regulation.

(2) The Secretary of State may, subject to such conditions as he thinks fit, approve the conditions of loading so specified for the purposes of this Regulation, if he is satisfied that each such specified condition of loading allows a sufficient margin of stability beyond the minimum required for safety purposes, to allow for small variations which might occur between a specified condition of loading and the actual loading of the ship.

Loading of Classes IV and V ships in accordance with approved conditions

27I.—(1) The master of a ro/ro ship of Class IV or V in respect of which the Secretary of State has approved conditions of loading in accordance with regulation 27H(2) of Part II shall, before the ship proceeds on a voyage—

- (a) ensure that the actual condition of loading of the ship corresponds closely to one of the specified conditions of loading so approved; and
- (b) record the specified condition of loading so approved to which the actual condition of loading corresponds, in a book specially retained on board for that purpose.

(2) A copy of the information required by paragraph (1)(b) of this regulation shall be forwarded, as soon as is practicable, to a person nominated by the owner as being responsible, and retained in his custody for a period of at least one calendar month.

Class IV or V ships which are not loaded in accordance with approved loading conditions

27J. Where ro/ro ships of Class IV or V are not loaded in a manner corresponding to specified conditions of loading which have been approved in accordance with regulation 27I, the requirements of regulation 9F above, as it applies in the case of ships of Classes II and II(A) and 27F and 27G shall apply, except that a copy of the record of the stability calculation shall be retained ashore, by a person nominated by the owner as being responsible, for a period of not less than one calendar month.

Freeboard marking

27K. Ships to which this Part of these Regulations apply and which are not required to be subdivided, shall be marked on each side amidships with the freeboard assigned in accordance with Schedule 5(2) to these Regulations. The mark shall consist of a horizontal line 25 millimetres in breadth and 305 millimetres in length. The colour and method of marking shall be in accordance with regulation 23(1).”

- (a) (29) (a) Regulation 29 shall be renumbered 29(1) and for the words from “Except in the case” to “point, every” there shall be substituted the word “Every”.
- (b) A new paragraph shall be added after 29(1)—

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“(2) Sanitary, ballast and general service pumps having a capacity in accordance with regulation 33(3) may be regarded as independent power pumps if fitted with the necessary connections to the bilge system.”.

(30) For regulation 31 there shall be substituted—

“**31.**—(1) Every ship of Class II(A) and III shall be provided with bilge pumps in accordance with the following table:

Number of Passenger ship is certified to carry Main engine pump*	Number of Pumps			
	Independent power pump	Emergency bilge pump	Hand pump [†]	
Up to 50	1	—	—	One for each compartment
Over 50 up to 250	1	1	—	One for each compartment
Over 250	1	1	1	—

* The main engine pump may be replaced by one independent power pump.

† The hand pumps specified in this column may be replaced by an independent pump.

(2) To every such ship for which an emergency bilge pump is specified, or in which a hand pump is replaced by an independent pump regulation 30(2) of these Regulations shall apply as it applies to ships of Classes I and II.”.

(31) For regulation 32 there shall be substituted—

“**32.**—(1) Every ship of Classes IV, V, VI and VI(A) shall be provided with bilge pumps and means of bailing in accordance with the following table:

from each public space or main compartment, one of which shall lead to an open deck area which shall be of sufficient area, having regard to the number of persons which the ship may carry. Such means of escape shall be as widely separated as practicable. Adequate overside means of escape shall be provided by way of escape windows or doors on each side of the vessel. At least two such escapes shall be available on each side of the vessel on each deck and shall be capable of being opened from either side. Where overside means of escape do not open onto deck walkways suitable toe and hand rails shall be provided on the outside of the vessel to permit fore and aft movement. Adequate open deck areas shall be provided close to stowage positions for life-saving appliances. Loose furniture which could cause escape routes to become hazardous shall be securely fastened to the deck.

(4) Where any of the escapes referred to in regulation 128(3) are stairways, they shall provide for safe escape for the number of persons by whom they will be used having regard to the number, width, continuity and accessibility of other escape ways. The minimum clear width of such stairways shall be not less than 50 mm for every 5 persons by whom they will be used or 750 mm whichever is the greater, except that where a minimum clear width of 750 mm is not practicable a clear width of not less than 600 mm is permitted having regard to the number of persons who will use the stairway. Stairways shall, where practicable, be arranged in the fore and aft direction and at an inclination of not less than 45 degrees to the vertical.”.

(38) Regulation 128(5) shall be renumbered 128(5)(a) and the following shall be added—

- “(b) In every ship of Classes III to VI(A) inclusive where appropriate the means of escape shall be provided with either
- (i) inherently luminous escape signs, or
 - (ii) electrically powered signs or lighting which is supplied by a battery or batteries which are continuously charged in normal service.”.

(39) In regulation 129(2) the words “or partially decked” shall be omitted.

(40) In regulation 131(2)(a) the words “or partially decked” shall be omitted.

(41) For regulation 131(2)(e) and (f) shall be substituted the following:—

“(e) Every ship of Class III to VI(A) inclusive which is not an open ship shall be provided with adequate arrangements to enable passengers readily to evacuate the ship in the event of an emergency situation arising. On every deck there shall be at least two means of escape from each public space or main compartment, one of which shall lead to an open deck area which should be of sufficient area, having regard to the number of persons which the ship may carry. Such means of escape shall be as widely separated as practicable. Adequate overside means of escape shall be provided by way of escape windows or doors on each side of the vessel. At least two such escapes shall be available on each side of the vessel on each deck and shall be capable of being opened from either side. Where overside means of escape do not open onto deck walkways suitable toe and hand rails shall be provided on the outside of the vessel to permit fore and aft movement. Adequate open deck areas shall be provided close to stowage positions for life-saving appliances. Loose furniture which could cause escape routes to become hazardous shall be securely fastened to the deck.

(f) Where any of the escapes referred to in regulation 131(2)(e) are stairways, they shall provide for safe escape for the number of persons by whom they will be used having regard to the number, width, continuity and accessibility of other escape ways. The minimum clear width of such stairways shall be not less than 50 mm for every 5 persons by whom they will be used or 750 mm whichever is the greater, except that where a minimum clear width of 750 mm is not practicable a clear width of not less than 600 mm is permitted having regard to the number of persons who will use the stairway. Stairways

shall, where practicable, be arranged in the fore and aft direction and at an inclination of not less than 45 degrees to the vertical.”.

(42) Regulation 131(h) shall be renumbered 131(h)(i) and the following shall be added—

“(ii) In every ship of Classes III to VI(A) inclusive where appropriate, the means of escape shall be provided with either—

- (a) inherently luminous escape signs, or
- (b) electrically powered signs or lighting which is supplied by a battery or batteries which are continuously charged in normal service.”.

(43) Regulation 132 shall be renumbered 132(1) and a new paragraph shall be inserted after 132(1)—

“(2) For the purposes of these Regulations, the results of verifications and tests carried out by the bodies and laboratories of other member States offering suitable and satisfactory guarantees of technical and professional competence and independence shall be accepted.”.

(44) In regulation 133(1) for “9L” there shall be substituted “9I and 27C to 27J”.

(45) In regulation 133(2) for the words “or 9I” there shall be substituted “, 9I, 27C(1), 27C(2)” and for the words “9K(1) or 9L” there shall be substituted “9H, 27D, 27E, 27F, 27G, 27I(1), or 27J”.

(46) In regulation 133(4) the words “or 27I(1)” shall be inserted after 9E(1).

(47) In regulation 133(5) for “9K(2)” there shall be substituted “27I(2)”.

(48) In the title of Schedule 1 Part IV for “VI” there shall be substituted “VI(A)”.

(49) For paragraph 12 of Part IV of Schedule 1 shall be substituted the following—

“Standard of survivability

12. The minimum standard of survivability of ships to which this Part of this Schedule applies shall be as follows:

STANDARD OF SURVIVABILITY FOR SHIPS BUILT BEFORE 31ST OCTOBER 1992

1 Class	2 Number of passengers ship is certified to carry	3 Operating area	4 Standard of survivability	5 Lifesaving appliances requirements
(1) III	up to 250	As specified in regulation 3(1) of these Regulations	Unity factor of subdivision	Lifesaving Appliances in accordance with regulation 5(2)(iii) [†]
(2) III	over 250	As specified in regulation 3(1) of these Regulations	0.5 factor of subdivision	Lifesaving Appliances in accordance with regulation 5(2)(iv) [†]
(3) III	over 250	As specified in regulation 3(1) of these Regulations	Unity factor of subdivision	Lifesaving Appliances in

(3)

[†] A reference to a regulation is a reference to that regulation in the Merchant Shipping (Life-Saving Appliances for Passenger Ships of Classes III to VI(A)) Regulations 1992

1 Class	2 Number of passengers ship is certified to carry	3 Operating area	4 Standard of survivability	5 Lifesaving appliances requirements
				accordance with regulation 5(2)(v) [†]
(4) IV	up to 250	Category D waters	Unity factor of subdivision	Lifesaving Appliances in accordance with regulation 6(2)(iii) [†]
(5) IV	over 250	Category D waters	0.5 factor of subdivision	Lifesaving Appliances in accordance with regulations 6(2)(iv) [†]
(6) IV	over 250	Category D waters	Unity factor of subdivision	Lifesaving Appliances in accordance with regulation 6(2)(v) [†]
(7) V	Any number	Category A waters	Heeling test in accordance with Schedule 5	Lifesaving Appliances in accordance with regulation 7(2) [†]
(8) V	up to 50	Category B waters	Unity factor of subdivision	Lifesaving Appliances in accordance with regulation 7(3)(a)(v) [†]
(9) V	up to 50	Category B waters	Buoyancy test in accordance with Schedule 6	Lifesaving Appliances in accordance with regulation 7(3)(a)(vi) [†]
(10) V	up to 50	Category B waters	Heeling test in accordance with Schedule 5	Lifesaving Appliances in accordance with regulation 7(3)(a)(vii) [†]
(11) V	up to 250	Category B waters	Unity factor of subdivision	Lifesaving Appliances in accordance with regulation 7(3)(a)(viii) [†]

(3)

[†] A reference to a regulation is a reference to that regulation in the Merchant Shipping (Life-Saving Appliances for Passenger Ships of Classes III to VI(A)) Regulations 1992

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1 Class	2 Number of passengers ship is certified to carry	3 Operating area	4 Standard of survivability	5 Lifesaving appliances requirements
(12) V	up to 250	Category B waters	Buoyancy test in accordance with Schedule 6	Lifesaving Appliances in accordance with regulation 7(3)(a)(ix) [†]
(13) V	up to 250	Category B waters	Heeling test in accordance with Schedule 5	Lifesaving Appliances in accordance with regulation 7(3)(a)(x) [†]
(14) V	over 250	Category B waters	0.5 factor of subdivision	Lifesaving Appliances in accordance with regulation 7(3)(a)(xi) [†]
(15) V	over 250	Category B waters	Unity factor of subdivision	Lifesaving Appliances in accordance with regulation 7(3)(a)(xii) [†]
(16) V	over 250	Category B waters	Buoyancy test in accordance with Schedule 6	Lifesaving Appliances in accordance with regulation 7(3)(a)(xiii) [†]
(17) V	up to 50	Category C waters	Unity factor of subdivision	Lifesaving Appliances in accordance with regulation 7(4)(a)(v) [†]
(18) V	up to 50	Category C waters	Buoyancy test in accordance with Schedule 6	Lifesaving Appliances in accordance with regulation 7(4)(a)(vi) [†]
(19) V	up to 50	Category C waters	Heeling test in accordance with Schedule 5	Lifesaving Appliances in accordance with regulation 7(4)(a)(vii) [†]

(3)

[†] A reference to a regulation is a reference to that regulation in the Merchant Shipping (Life-Saving Appliances for Passenger Ships of Classes III to VI(A)) Regulations 1992

(3) S.I. 1992/2359.

1 Class	2 Number of passengers ship is certified to carry	3 Operating area	4 Standard of survivability	5 Lifesaving appliances requirements
(20) V	up to 250	Category C waters	Unity factor of subdivision	Lifesaving Appliances in accordance with regulation 7(4)(a)(viii) [†]
(21) V	up to 250	Category C waters	Buoyancy test in accordance with Schedule 6	Lifesaving Appliances in accordance with regulation 7(4)(a)(ix) [†]
(22) V	up to 250	Category C waters	Heeling test in accordance with Schedule 5	Lifesaving Appliances in accordance with regulation 7(4)(a)(x) [†]
(23) V	over 250	Category C waters	0.5 factor of subdivision	Lifesaving Appliances in accordance with regulation 7(4)(a)(xi) [†]
(24) V	over 250	Category C waters	Unity factor of subdivision	Lifesaving Appliances in accordance with regulation 7(4)(a)(xii) [†]
(25) V	over 250	Category C waters	Buoyancy test in accordance with Schedule 6	Lifesaving Appliances in accordance with regulation 7(4)(a)(xiii) [†]
(26) VI	up to 100	As specified in regulation 3(1) with the exception for 15 miles and 3 miles, 10 miles and 1 mile shall be inserted respectively	Buoyancy test in accordance with Schedule 6 for open ships or Unity factor of subdivision for all other ships	Lifesaving Appliances in accordance with regulation 8(2)(a)(iii) [†]

(3)

[†] A reference to a regulation is a reference to that regulation in the Merchant Shipping (Life-Saving Appliances for Passenger Ships of Classes III to VI(A)) Regulations 1992

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

1 Class	2 Number of passengers ship is certified to carry	3 Operating area	4 Standard of survivability	5 Lifesaving appliances requirements
(27) VI	up to 100	As specified in regulation 3(1) with the exception for 15 miles and 3 miles, 10 miles and 1 mile shall be inserted respectively	Heeling test in accordance with Schedule 5	Lifesaving Appliances in accordance with regulation 8(2)(a) (iv) [†]
(28) VI	up to 250	As specified in regulation 3(1) with the exception for 15 miles and 3 miles, 10 miles and 1 mile shall be inserted respectively	Buoyancy test in accordance with Schedule 6 for open ships or Unity factor of subdivision for all other ships	Lifesaving Appliances in accordance with regulation 8(2)(a) (v) [†]
(29) VI	up to 250	As specified in regulation 3(1) of these Regulations	Buoyancy test in accordance with Schedule 6 for open ships or Unity factor of subdivision for all other ships	Lifesaving Appliances in accordance with regulation 8(3)(a) (ii) [†]
(30) VI	up to 250	As specified in regulation 3(1) of these Regulations	Heeling test in accordance with Schedule 5	Lifesaving Appliances in accordance with regulation 8(3)(a) (iii) [†]
(31) VI(A)	up to 50	As specified in regulation 3(1) of these Regulations	Unity factor of subdivision	Lifesaving Appliances in accordance with regulation 9(2)(a) (ii) [†]
(32) VI(A)	up to 50	As specified in regulation 3(1) of these Regulations	Buoyancy test in accordance with Schedule 6 for open ships	Lifesaving Appliances in accordance with regulation 9(2)(a) (iii) [†]

(3)

[†] A reference to a regulation is a reference to that regulation in the Merchant Shipping (Life-Saving Appliances for Passenger Ships of Classes III to VI(A)) Regulations 1992

(50) In Schedule 3 paragraph 1, after “Part II” in the first line, the words “and Part IIA as applicable” shall be inserted.

(51) In Schedule 4 Part III in the title for “VI” there shall be substituted “VI(A)”.

(52) In Schedule 4 Part III paragraph 9 for “VI” there shall be substituted “VI(A)”.

(53) The following shall be added after Schedule 4—

“SCHEDULE 5

Paragraph 12 Schedule 1

HEELING TEST

(1) Every ship required to comply with heeling test survivability standard, referred to in the table at paragraph 12 of Part IV of Schedule 1, will be required to have its angle of heel determined. Such angle will be calculated with two thirds of the passengers on one side of the ship and one third on the other side, and shall not exceed seven degrees.

(2) The freeboard at the lowest point of the gunwale, with the ship loaded with weights representing the full number of passengers and crew at 75 kg for each person and the fuel and fresh water tanks 95% full, shall be not less than 380mm for ships of 6.0m in length and 760mm for ships of 18.3m in length or over. For length between 6.0m and 18.3m the freeboard shall be calculated by interpolation.

(3) Where it is not possible, due to the design or operating conditions or both of a particular ship, for the above criteria to apply, alternative criteria, which provide a standard of stability at least as effective as that specified in paragraph (1) of this Schedule, shall be applied.”

“SCHEDULE 6

Paragraph 12 Schedule 1

BUOYANCY TEST

Every ship required to comply with the buoyancy test survivability standard, referred to in the table at paragraph 12 of Part IV of Schedule 1, will be required to comply with the following requirements—

(1) the requirements of Schedule 5;

(2) the ship loaded so that its subdivision mark is not submerged shall have sufficient buoyancy to be able to remain afloat and near upright when totally flooded. The ship shall be deemed to have sufficient buoyancy when detailed calculations are presented and confirmed as follows—

(a) in the case of ships for which hull form lines are not available, it will be sufficient to show that the total buoyancy is equal to

$\text{Length} \times \text{Breadth} \times \text{Draught} \times 0.7$ (cubic metres)

the above measurements being taken, at the waterline corresponding to the full load mark;

(b) in the case of ships for which hull form lines are available, it will be sufficient to show that the total buoyancy is equal to

$\text{Displacement} \times 1.1$ (cubic metres)

the displacement being calculated as that corresponding to the full load mark; and

(3) The devices used to guarantee the buoyancy of the vessel in the event of damage shall—

(i) be protected against accidental deterioration or damage,

(ii) be installed in such a way as to offer maximum stability as far as practicable whilst the ship is in intact or damaged state.”

PART II

AMENDMENTS TO 1984 REGULATIONS

3. The Merchant Shipping (Passenger Ship Construction and Survey) Regulations 1984(4) shall be amended as follows—

(1) In regulation 1(2) the following definitions shall be inserted in the appropriate alphabetical order—

““Buoyancy test” means a test carried out in accordance with Schedule 8 to these Regulations;

“Heeling test” means a test carried out in accordance with Schedule 7 to these Regulations;

“Open ship” means a ship in which all the passenger accommodation is completely open to the elements and is not fitted with a weathertight or watertight deck or structure above the waterline;

“Post October 1992 ship” means a passenger ship the keel of which is laid, or which is at a similar stage of construction, on or after 31st October 1992, or a cargo ship which is converted to a passenger ship on or after that date.”.

(2) In regulation 1(3)(a) for “9L” there shall be substituted “9I”.

(3) In regulation 3(1)—

(a) in the definition of “Class IV” for the words “partially smooth waters, or voyages in smooth and partially smooth waters” there shall be substituted the words “Category A, B, C, and D waters”;

(b) in the definition of “Class V” for the words “smooth waters” there shall be substituted the words “Category A, B and C waters”;

(c) in the definition of “Class VI”—

(i) the words “smooth or in partially smooth waters” shall be replaced by the words “Category A, B, C and D waters”; and

(ii) the words, where they secondly appear, “smooth waters” shall be replaced by the words “Category A, B and C waters”.

(4) In regulation 3(2)—

(a) the definitions of “partially smooth waters” and “smooth waters” shall be omitted;

(b) the following definition shall be inserted in the appropriate alphabetical order—

““Category A, B, C and D waters” means the waters specified as such in Merchant Shipping Notice 1504; and cognate expressions shall be construed accordingly.”;

(c) for the definition of “Sea” there shall be substituted the following—

““Sea” does not include any waters of Category A, B, C or D;”.

(5) In regulation 5 for the words “every ship not being an open or partially decked ship of Class V or a ship of Class VI carrying less than 101 passengers or a ship of Class VI(A)” there shall be substituted the words “ships of Classes I, II and II(A)”.

(6) In each of regulations 8(1), 9A(4), 14(1), 15(1), and 16(3)(a), for “of Classes I, II and II(A)” there shall be substituted “to which this Part of the Regulations applies”.

(7) In each of regulations 9A(3), 9F(1), 9G, 9H, 16(1) and 17(1), for “of Class I, II or II(A)” there shall be substituted “to which this Part of the Regulations applies”.

(8) In regulation 9A(3) the words “and every ro/ro ship of Class IV” shall be omitted.

(9) In regulation 9A(4) the words “and every ro/ro ship of Class IV” shall be omitted.

(4) S.I. 1984/1216, amended by S.I. 1985/660, 1986/1075, 1987/1886 and 1988/1693.

(10) In regulation 9B for “9L apply to United Kingdom ships of Classes I, II, II(A) and to United Kingdom ro/ro ships of Class IV” there shall be substituted “9I apply to every ship to which this Part of these Regulations applies”.

(11) In regulation 9E(2) the words “, or in the case of Class IV ships in a book retained on board for that purpose” shall be omitted.

(12) In regulation 9G the words “, or a ro/ro ship of Class IV to which regulation 9L applies,” and “, or in the case of Class IV ships in a book retained on board for that purpose” shall be omitted.

(13) In regulation 9H the words “or a ro/ro ship of Class IV to which regulation 9L applies,” shall be omitted.

(14) The title “ **Approval of loading conditions for Class IV ships**” and regulation 9J shall be omitted.

(15) The title “ **Loading of Class IV ships in accordance with approved conditions**” and regulation 9K shall be omitted.

(16) The title “ **Class IV ships which are not loaded in accordance with approved loading conditions**” and regulation 9L shall be omitted.

(17) Regulation 14(6) shall be omitted.

(18) Regulation 15A(14) shall be omitted.

(19) In regulation 20(3)(b) the words “of Classes I, II, II(A) and III” shall be omitted.

(20) Regulation 20(3)(c) shall be omitted.

(21) In regulation 20(4)(h) for the words “of Classes I, II, II(A) and III” there shall be substituted “to which this Part of these Regulations applies”.

(22) Regulation 20(5) shall be omitted.

(23) In regulation 25(2) the words “to VI inclusive” shall be omitted.

(24) For regulation 27 there shall be substituted—

“**27.**—(1) This Part of these Regulations applies to every ship of Classes III to VI(A).

(2) For the purpose of this Part of these Regulations “subdivided ship” means a ship which has a factor of subdivision of Unity or 0.5, and “every other ship” means a ship which has an entry “Heeling Test” or “Buoyancy Test” in column 4 of tables 1 and 2 at paragraph 12 of Part IV of Schedule 1.”.

(25) The following regulations shall be added after regulation 27—

“**27A.**—(1) Regulations 7, 12, 13, 19, 20, 21, 22 and 24 of these Regulations shall apply to ships to which this Part of these Regulations applies.

(2) Regulations 10, 11A and 11B of these Regulations shall apply to subdivided ships to which this Part of these Regulations apply.

(3) Regulation 23 of these Regulations shall apply to subdivided ships to which this Part of these Regulations applies, as it applies to ships of Class II(A).

Openings in watertight bulkheads etc.

27B. In every ship bulkheads required by these Regulations to be watertight shall not be pierced by doorways, ventilation trunks or other similar openings, unless such openings are essential for the proper working of the ship and do not impair the ship’s survivability standard.”.

(26) For the title “Stability Information” and regulation 28 there shall be substituted—

“Standard of survivability

28.—(1) Every ship shall comply with a standard of survivability in accordance with column 4 of table 1 or table 2 at paragraph 12 of Part IV of Schedule 1, appropriate to a ship falling within columns 1 to 3.

(2) Every subdivided ship shall be subdivided by bulkheads, which shall be watertight up to the bulkhead deck, into compartments the maximum length of which shall be calculated in accordance with paragraph 10 of Part IV of Schedule 1 to these Regulations. Every other portion of the internal structure which affects the efficiency of the subdivision of the ship shall be watertight, and shall be of a design which will maintain the integrity of the subdivision. For subdivided ships, paragraph 11 of Part IV of Schedule 1 shall also apply.”.

(27) For regulations 29(1) and (2) shall be substituted—

- (a) **“29.** (1) Subject to (b) below in every ship no side scuttle shall be fitted below the margin line such that its sill will be below a line drawn parallel to the freeboard deck at its side and which has its lower point at a distance of either—
- (i) 2.5 per cent of the breadth of the ship above the summer load waterline; or
 - (ii) 500 millimetres above the full load waterline;
- whichever is the greater.

(b) In every ship of Classes IV, V and VI no side scuttle shall be fitted such that its sill will be below a line drawn parallel to the bulkhead deck at its side and which has its lowest point at a distance of 150 millimetres above the full load waterline.

(c) Every such side scuttle shall be of a non-opening type and shall be fitted with efficient hinged deadlights permanently attached so that it can be readily and effectively closed and secured watertight.

(2) Discharge pipes led through the shell below the margin line of any ship of Class III shall not be fitted in a direct line between the outboard opening and the connection with a deck, water closet or other similar fitting, but shall be arranged with bends or elbows of substantial metal other than cast iron or lead.”.

(28) The following regulations shall be added after the new regulation 29—

“Inclining and stability information

29A.—(1) This regulation applies to every passenger ship to which this Part of these Regulations applies.

(2) Every subdivided ship shall be inclined and the elements of her stability determined and every other ship shall undergo the heeling test or buoyancy tests specified in Schedules 7 and 8 to these Regulations respectively. The master shall be supplied by the owner with reliable information relating to the stability of the ship in accordance with the following provisions of this Regulation. The information relating to stability shall, before issue to the master, be submitted to the Secretary of State for approval, together with a copy thereof for his retention and shall incorporate such additions and amendments as the Secretary of State may in any particular case require.

(3) Every subdivided ship shall undergo a lightweight survey, to determine the ship’s lightweight displacement and longitudinal position of its centre of gravity, and every other ship shall undergo the heeling test or buoyancy tests specified in Schedules 7 and 8 to these Regulations, by the date these Regulations come into force with respect to that ship, unless it has been so inclined or tested in the previous 5 years. Every such lightweight survey or tests shall be subject to the conditions specified in paragraph (4) of this regulation.

(4) Every subdivided ship shall undergo a lightweight survey, to verify any changes in lightship displacement and longitudinal position of its centre of gravity, and every other ship shall undergo the heeling test or buoyancy tests specified in Schedules 7 and 8 to these Regulations respectively, to verify any changes in the heeling and buoyancy characteristics, in each period of five years. Such periods shall commence on the date of issue of either a Passenger Certificate subsequent to a previous inclining or lightweight survey, whichever date is the earliest. The ship shall be re-inclined whenever, in comparison with the ship's approved stability information derived from the previous inclining experiment, a deviation from the lightship displacement exceeding 2% or a deviation of the longitudinal centre of gravity exceeding 1% of the ship's length is found or anticipated. Every inclining or lightweight survey or tests made for this purpose or for the purpose of paragraph (3) of this regulation shall be carried out in the presence of a Department of Transport Surveyor. The interval between lightweight surveys or tests of any such ship may be extended by the Secretary of State for a period of not more than one year if he is satisfied, on the production to him of relevant information about the ship, that the lightweight survey or test is not necessary at the required interval.

(5) A report of each inclining or lightweight survey or test carried out in accordance with paragraphs (4) and (5) of this regulation and of the calculation therefrom of the lightship condition, or heeling or buoyancy particulars, as applicable shall be submitted to the Secretary of State for approval, together with a copy for his retention. The approved report shall be placed on board the ship by the owner in the custody of the master and shall incorporate such additions and amendments as the Secretary of State may in any particular case require. The amended lightship condition or heeling or buoyancy particulars so obtained from time to time, shall be used by the master in substitution for such previously approved particulars when calculating the ship's stability.

(6) Following any inclining or lightweight survey or test carried out in accordance with the requirements of paragraphs (3) and (4) of this regulation on the basis of which the elements of the ship's stability have been determined, the master shall be supplied by the owner with amended stability information if the Secretary of State so requires. The information so supplied shall be submitted to the Secretary of State for approval, together with a copy thereof for his retention and shall incorporate such additions and amendments as the Secretary of State may in any particular case require.

(7) Where any alterations are made to a ship so as materially to affect the stability information supplied to the master, amended stability information shall be provided. The ship shall be re-inclined or tested if the Secretary of State so requires.

(8) Stability information provided pursuant to paragraphs (2), (5), (6) and (7) of this regulation shall be furnished in the form of a book ("the stability information book") which shall be kept on board the ship at all times in the custody of the master. The information shall include particulars appropriate to the ship in respect of the matters specified in Schedule 2 to these Regulations and shall be in the form set out in that Schedule.

(9) Every ship shall have a scale of draughts marked clearly at the bow and stern.

Loading and stability assessment

29B. Regulations 29C to 29L apply to ro/ro passenger ships of Classes IV and V, including every ship in respect of which there is in force a Passenger Certificate appropriate to a ship of any of those classes, even when it is for the time being engaged on voyages for which a Class III, VI or VI(A) Passenger Certificate is appropriate.

Information on stability during loading

29C.—(1) The owner of every ship to which this Regulation applies shall ensure that the master is provided with information relating to its stability during the process of loading and unloading. This information shall be included in the ship's stability information book.

(2) Where any alterations are made or changes occur to the ship so as materially to affect the information supplied to the master in accordance with paragraph (1) of this regulation, amended information shall be provided.

(3) The information provided pursuant to paragraphs (1) and (2) of this regulation shall be kept on board the ship at all times in the custody of the master.

Stability and freeboard during loading and unloading

29D. The master shall use the information provided in accordance with regulation 29C and, when necessary, make calculations or cause calculations to be made in order to ensure that the process of loading and unloading is carried out safely; in particular, he shall ensure that—

- (a) the ship has adequate stability; and
- (b) the freeboard at any door giving access to the hull or to an enclosed superstructure is sufficient to prevent the entry of water.

Recording of draught, trim and freeboard prior to departure

29E.—(1) On completion of the loading of a ro/ro passenger ship of Classes IV or V and before it proceeds on a voyage, the master or an officer appointed for the purpose by the master shall ascertain—

- (a) the ship's draught at the bow and at the stern;
- (b) the trim of the ship by the bow or the stern; and
- (c) the vertical distance from the waterline to the appropriate subdivision load line mark on each side of the ship.

(2) The draughts, trim and the vertical distances ascertained in accordance with paragraph (1) of this regulation shall be recorded by the master or such officer as the case may be, in a book retained on board for that purpose.

Permissible standard of stability to be recorded

29F. Before a ro/ro passenger ship of Class IV or V to which regulation 29J applies proceeds on a voyage the master shall cause the maximum permissible KG, or the minimum permissible GM, whichever is appropriate to the ship, to be determined and recorded in a book retained on board for that purpose.

Condition of loading prior to departure to be satisfactory

29G. Before a ro/ro passenger ship of Class IV or V to which regulation 29J applies proceeds on a voyage, the master shall ensure that the condition of loading of the ship as recorded in accordance with regulation 29F is within the permissible standard of stability determined in accordance with regulation 29E(2) and satisfies all the relevant requirements prescribed in the stability information book.

Approval of loading conditions for Classes IV and V ships

29H.—(1) Where a ro/ro passenger ship of Class IV or V plies regularly to and from the same place, in conditions of loading which correspond closely to conditions of loading which are clearly specified in the stability information book, the owner may apply to the Secretary of State for approval of the adoption of the conditions so specified for the purposes of loading in accordance with this regulation.

(2) The Secretary of State may, subject to such conditions as he thinks fit, approve the conditions of loading so specified for the purposes of this regulation, if he is satisfied that each such specified condition of loading allows a sufficient margin of stability beyond the minimum required for safety purposes, to allow for small variations which might occur between a specified condition of loading and the actual loading of the ship.

Loading of Classes IV and V ships in accordance with approved conditions

29I.—(1) The master of a ro/ro passenger ship of Class IV or V in respect of which the Secretary of State has approved conditions of loading in accordance with regulation 27H(2) shall, before the ship proceeds on a voyage—

- (a) ensure that the actual condition of loading of the ship corresponds closely to one of the specified conditions of loading so approved; and
- (b) record the specified condition of loading so approved to which the actual condition of loading corresponds, in a book specially retained on board for that purpose.

(2) A copy of the information required by paragraph (1)(b) of this regulation shall be forwarded, as soon as is practicable, to a person nominated by the owner as being responsible and retained in his custody for a period of at least one calendar month.

Class IV or V ships which are not loaded in accordance with approved loading conditions

29J. Where ro/ro passenger ships of Class IV or V are not loaded in a manner corresponding to specified conditions of loading which have been approved in accordance with regulation 29I, the requirements of regulation 9F above, as it applies in the case of ships of Classes II and II(A) and 29F and 29G shall apply, except that a copy of the record of the stability calculation shall be retained ashore, by a person nominated by the owner as being responsible, for a period of not less than one calendar month.

Freeboard marking

29K. New passenger ships of Classes V and VI and existing passenger ships of Classes V, VI and VI(A) which are not required to be subdivided shall be marked on the side of amidships with the freeboard assigned in accordance with Schedule 7(2) to these Regulations. The mark shall consist of a horizontal line 25 millimetres in breadth and 305 millimetres in length. The colour and method of marking shall be in accordance with regulation 25(1).”.

(29) In regulation 31(1) for the words “Except in the case” to the words “ point, every” there shall be substituted the word “Every”.

(30) For regulation 33 there shall be substituted—

“**33.**—(1) Every ship of Classes II(A) and III shall be provided with bilge pumps in accordance with the following table:

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Number of Passengers ship is certified to carry	Number of Pumps			
	Main engine pump*	Independent power pump	Emergency bilge pump	Hand pump†
Up to 50	1	—	—	One for each compartment
Over 50 up to 250	1	1	—	One for each compartment
Over 250	1	1	1	—

* The main engine pump may be replaced by one independent power pump.

† The hand pumps specified in this column may be replaced by an independent pump.

(2) To every such ship for which an emergency bilge pump is specified, or in which a hand pump is replaced by an independent pump regulation 32(2) of these Regulations shall apply as it applies to ships of Classes I and II.”.

(31) For regulation 34 there shall be substituted—

“**34.**—(1) Every ship of Classes IV, V, VI and VI(A) shall be provided with bilge pumps and means of bailing in accordance with the following table:

- (39) Regulation 85 shall be renumbered 85(1) and a new paragraph shall be inserted after 85(1)—
“(2) For the purposes of these Regulations, the results of verifications and tests carried out by the bodies and laboratories of other member States offering suitable and satisfactory guarantees of technical and professional competence and independence shall be accepted.”.
- (40) In regulation 86(1) for “9L” there shall be substituted “9I and 29C to 29J”.
- (41) In regulation 86(2) for the words “or 9L” there shall be substituted “, 9I, 29C(1), 29C(2)” and for “9K(1) or 9L” there shall be substituted “9H, 29D, 29E, 29F, 29G, 29I(1), or 29J”.
- (42) In regulation 86(4) the words “or 29I” shall be inserted after 9E(1).
- (43) In regulation 86(5) “or 9K(2)” there shall be substituted “29I(2)”.
- (44) In the title of Schedule 1 Part IV for “VI” there shall be substituted “VI(A)”.
- (45) For paragraph 12 in Schedule 1 Part IV there shall be substituted the following—

“Standard of survivability

12. The minimum standard of survivability of ships to which this Part of this Schedule applies shall be as follows:

STANDARD OF SURVIVABILITY FOR POST 31ST OCTOBER 1992 SHIPS — TABLE 1

1 class	2 Number of passengers	3 Operating area	4 Standard of survivability	5 Lifesaving Appliances requirements
(1) III	up to 250	As specified in regulation 3(1) of these Regulations	Unity factor of subdivision	Lifesaving Appliances in accordance with regulation 5(2)(i) [†]
(2) III	over 250	As specified in regulation 3(1) of these Regulations	0.5 factor of subdivision	Lifesaving Appliances in accordance with regulation 5(2)(ii) [†]
(3) IV	up to 250	Category D waters	Unity factor of subdivision	Lifesaving Appliances in accordance with regulation 6(2)(i) [†]
(4) IV	over 250	Category D waters	0.5 factor of subdivision	Lifesaving Appliances in accordance with regulation 6(2)(ii) [†]
(5) V	Any Number	Category A waters	Heeling test in accordance with Schedule 7	Lifesaving Appliances in accordance with regulation 7(2) [†]
(6) V	up to 50	Category B waters	Unity factor of subdivision	Lifesaving Appliances in

[†] A reference to a regulation is a reference to that regulation in the Merchant Shipping (Life-Saving Appliances for Passenger Ships of Classes II to VI(A)) Regulations 19925

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

1 class	2 Number of passengers	3 Operating area	4 Standard of survivability	5 Lifesaving Appliances requirements
				accordance with regulation 7(3)(a) (i) [†]
(7) V	up to 50	Category B waters	Buoyancy Test in accordance with Schedule 8	Lifesaving Appliances in accordance with regulation 7(3)(a) (ii) [†]
(8) V	up to 250	Category B waters	Unity factor of subdivision	Lifesaving Appliances in accordance with regulation 7(3)(a) (iii) [†]
(9) V	over 250	Category B waters	0.5 factor of subdivision	Lifesaving Appliances in accordance with regulation 7(3)(a) (iv) [†]
(10) V	up to 50	Category C waters	Unity factor of subdivision	Lifesaving Appliances in accordance with regulation 7(4)(a) (i) [†]
(11) V	up to 50	Category C waters	Buoyancy Test in accordance with Schedule 8	Lifesaving Appliances in accordance with regulation 7(4)(a) (ii) [†]
(12) V	up to 250	Category C waters	Unity factor of subdivision	Lifesaving Appliances in accordance with regulation 7(4)(a) (iii) [†]
(13) V	over 250	Category C waters	0.5 factor of subdivision	Lifesaving Appliances in accordance with regulation 7(4)(a) (iv) [†]
(14) VI	up to 100	As specified in regulation 3(1) with the exception for 15 miles and 3 miles,	Buoyancy Test in accordance with Schedule 8 for open ships or Unity factor	Lifesaving Appliances in accordance with

[†] A reference to a regulation is a reference to that regulation in the Merchant Shipping (Life-Saving Appliances for Passenger Ships of Classes II to VI(A)) Regulations 19925

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

1 class	2 Number of passengers	3 Operating area	4 Standard of survivability	5 Lifesaving Appliances requirements
		10 miles and 1 mile shall be inserted respectively	of subdivision for all other ships	regulation 8(2)(a) (i) [†]
(15) VI	up to 250	As specified in regulation 3(1) with the exception for 15 miles and 3 miles, 10 miles and 1 mile shall be inserted respectively	Unity factor of subdivision	Lifesaving Appliances in accordance with regulation 8(2)(a) (ii) [†]
(16) VI	up to 250	As specified in regulation 3(1) of these Regulations	Unity factor of subdivison	Lifesaving Appliances in accordance with regulation 8(3)(a) (i) [†]
(17) VI(A)	up to 50	As specified in regulation 3(1) of these Regulations	Unity factor of subdivision	Lifesaving Appliances in accordance with regulation 9(2)(a) (i) [†]

[†] A reference to a regulation is a reference to that regulation in the Merchant Shipping (Life-Saving Appliances for Passenger Ships of Classes II to VI(A)) Regulations 19925

STANDARD OF SURVIVABILITY FOR SHIPS
BUILT BEFORE 31ST OCTOBER 1992 — TABLE 2

1 Class	2 Number of passengers ship is certified to carry	3 Operating area	4 Standard of survivability	5 Lifesaving Appliances requirements
(1) III	up to 250	As specified in regulation 3(1) of these Regulations	Unity factor of subdivision	Lifesaving Appliances in accordance with regulation 5(2) (iii) [†]
(2) III	over 250	As specified in regulation 3(1) of these Regulations	0.5 factor of subdivision	Lifesaving Appliances in accordance with regulation 5(2) (iv) [†]

[†] A reference to a regulation is a reference to that regulation in the Merchant Shipping (Life-Saving Appliances for Passenger Ships of Classes III to VI(A)) Regulations 19926

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

1 Class	2 Number of passengers ship is certified to carry	3 Operating area	4 Standard of survivability	5 Lifesaving Appliances requirements
(3) III	over 250	As specified in regulation 3(1) of these Regulations	Unity factor of subdivision	Lifesaving Appliances in accordance with regulation 5(2) (v) [†]
(4) IV	up to 250	Category D waters	Unity factor of subdivision	Lifesaving Appliances in accordance with regulation 6(2) (iii) [†]
(5) IV	over 250	Category D waters	0.5 factor of subdivision	Lifesaving Appliances in accordance with regulations 6(2) (iv) [†]
(6) IV	over 250	Category D waters	Unity factor of subdivision	Lifesaving Appliances in accordance with regulation 6(2) (v) [†]
(7) V	Any number	Category A waters	Heeling test in accordance with Schedule 7	Lifesaving Appliances in accordance with regulation 7(2) [†]
(8) V	up to 50	Category B waters	Unity factor of subdivision	Lifesaving Appliances in accordance with regulation 7(3)(a) (v) [†]
(9) V	up to 50	Category B waters	Buoyancy test in accordance with Schedule 8	Lifesaving Appliances in accordance with regulation 7(3)(a) (vi) [†]
(10) V	up to 50	Category B waters	Heeling test in accordance with Schedule 7	Lifesaving Appliances in accordance with regulation 7(3)(a) (vii) [†]

[†] A reference to a regulation is a reference to that regulation in the Merchant Shipping (Life-Saving Appliances for Passenger Ships of Classes III to VI(A)) Regulations 19926

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

1 Class	2 Number of passengers ship is certified to carry	3 Operating area	4 Standard of survivability	5 Lifesaving Appliances requirements
(11) V	up to 250	Category B waters	Unity factor of subdivision	Lifesaving Appliances in accordance with regulation 7(3)(a)(viii) [†]
(12) V	up to 250	Category B waters	Buoyancy test in accordance with Schedule 8	Lifesaving Appliances in accordance with regulation 7(3)(a)(ix) [†]
(13) V	up to 250	Category B waters	Heeling test in accordance with Schedule 7	Lifesaving Appliances in accordance with regulation 7(3)(a)(x) [†]
(14) V	over 250	Category B waters	0.5 factor of subdivision	Lifesaving Appliances in accordance with regulation 7(3)(a)(xi) [†]
(15) V	over 250	Category B waters	Unity factor of subdivision	Lifesaving Appliances in accordance with regulation 7(3)(a)(xii) [†]
(16) V	over 250	Category B waters	Buoyancy test in accordance with Schedule 8	Lifesaving Appliances in accordance with regulation 7(3)(a)(xiii) [†]
(17) V	up to 50	Category C waters	Unity factor of subdivision	Lifesaving Appliances in accordance with regulation 7(4)(a)(v) [†]
(18) V	up to 50	Category C waters	Buoyancy test in accordance with Schedule 8	Lifesaving Appliances in accordance with regulation 7(4)(a)(vi) [†]

[†] A reference to a regulation is a reference to that regulation in the Merchant Shipping (Life-Saving Appliances for Passenger Ships of Classes III to VI(A)) Regulations 19926

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1 Class	2 Number of passengers ship is certified to carry	3 Operating area	4 Standard of survivability	5 Lifesaving Appliances requirements
(19) V	up to 50	Category C waters	Heeling test in accordance with Schedule 7	Lifesaving Appliances in accordance with regulation 7(4)(a)(vii) [†]
(20) V	up to 250	Category C waters	Unity factor of subdivision	Lifesaving Appliances in accordance with regulation 7(4)(a)(viii) [†]
(21) V	up to 250	Category C waters	Buoyancy test in accordance with Schedule 8	Lifesaving Appliances in accordance with regulation 7(4)(a)(ix) [†]
(22) V	up to 250	Category C waters	Heeling test in accordance with Schedule 7	Lifesaving Appliances in accordance with regulation 7(4)(a)(x) [†]
(23) V	over 250	Category C waters	0.5 factor of subdivision	Lifesaving Appliances in accordance with regulation 7(4)(a)(xi) [†]
(24) V	over 250	Category C waters	Unity factor of subdivision	Lifesaving Appliances in accordance with regulation 7(4)(a)(xii) [†]
(25) V	over 250	Category C waters	Buoyancy test in accordance with Schedule 8 Lifesaving Appliances in accordance with regulation 7(4)(a)(xiii) [†]	
(26) VI	up to 100	As specified in regulation 3(1) with the exception for	Buoyancy test in accordance with Schedule 8 for open ships or	Lifesaving Appliances in accordance with

[†] A reference to a regulation is a reference to that regulation in the Merchant Shipping (Life-Saving Appliances for Passenger Ships of Classes III to VI(A)) Regulations 19926

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1 Class	2 Number of passengers ship is certified to carry	3 Operating area	4 Standard of survivability	5 Lifesaving Appliances requirements
		15 miles and 3 miles, 10 miles and 1 mile shall be inserted respectively	Unity factor of subdivision for all other ships	regulation 8(2)(a) (iii) [†]
(27) VI	up to 100	As specified in regulation 3(1) with the exception for 15 miles and 3 miles, 10 miles and 1 mile shall be inserted respectively	Heeling test in accordance with Schedule 7	Lifesaving Appliances in accordance with regulation 8(2)(a) (iv) [†]
(28) VI	up to 250	As specified in regulation 3(1) with the exception for 15 miles and 3 miles, 10 miles and 1 mile shall be inserted respectively	Buoyancy test in accordance with Schedule 8 for open ships or Unity factor of subdivision for all other ships	Lifesaving Appliances in accordance with regulation 8(2)(a) (v) [†]
(29) VI	up to 250	As specified in regulation 3(1) of these Regulations	Buoyancy test in accordance with Schedule 8 for open ships or Unity factor of subdivision for all other ships	Lifesaving Appliances in accordance with regulation 8(3)(a) (ii) [†]
(30) VI	up to 250	As specified in regulation 3(1) of these Regulations	Heeling test in accordance with Schedule 7	Lifesaving Appliances in accordance with regulation 8(3)(a) (iii) [†]
(31) VI(A)	up to 50	As specified in regulation 3(1) of these Regulations	Unity factor of subdivision	Lifesaving Appliances in accordance with regulation 9(2)(a) (ii) [†]

[†] A reference to a regulation is a reference to that regulation in the Merchant Shipping (Life-Saving Appliances for Passenger Ships of Classes III to VI(A)) Regulations 19926

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1 Class	2 Number of passengers ship is certified to carry	3 Operating area	4 Standard of survivability	5 Lifesaving Appliances requirements
(32) VI(A)	up to 50	As specified in regulation 3(1) of these Regulations	Buoyancy test in accordance with Schedule 8 for open ships	Lifesaving Appliances in accordance with regulation 9(2)(a)(iii) [†]
[†] A reference to a regulation is a reference to that regulation in the Merchant Shipping (Life-Saving Appliances for Passenger Ships of Classes III to VI(A)) Regulations 19926				

(46) In Schedule 3 paragraph 1 after the words “Part IIA” in the first line, the words “and Part IIB as applicable” shall be inserted.

(47) In Schedule 4 in the title for “VI” there shall be substituted “VI(A)”.

(48) In Schedule 6 paragraph 5—

- (a) in the title the words “or partially decked” shall be omitted;
- (b) the word “partial” in the first paragraph shall be omitted;
- (c) the words “the open parts of partially decked ships, and in” in the second paragraph shall be omitted.

(49) The following shall be added after Schedule 6—

“SCHEDULE 7

Paragraph 12 Schedule 1

HEELING TEST

(1) Every ship required to comply with heeling test survivability standard, referred to in tables 1 and 2 at paragraph 12 of Part IV of Schedule 1, will be required to have its angle of heel determined. Such angle will be calculated with two thirds of the passengers on one side of the ship and one third on the other side, and shall not exceed seven degrees.

(2) The freeboard at the lowest point of the gunwale, with the ship loaded with weights representing the full number of passengers and crew at 75kg for each person and the fuel and fresh water tanks 95% full, shall be not less than 380mm for ships of 6.0m in length and 760mm for ships of 18.3m in length or over. For lengths between 6.0m and 18.3m the freeboard shall be calculated by interpolation.

(3) Where it is not possible, due to the design or operating conditions or both of a particular ship, for the above criteria to apply alternative criteria, which provide a standard of stability at least as effective as that specified in paragraph (1) of this Schedule, shall be applied.

SCHEDULE 8

Paragraph 12 Schedule 1

BUOYANCY TEST

Every ship required to comply with the buoyancy test survivability standard, referred to in tables 1 and 2 at paragraph 12 of Schedule 1, will be required to comply with the following requirements—

- (1) The requirements of Schedule 7.

(2) The ship loaded so that its subdivision mark is not submerged shall have sufficient buoyancy to be able to remain afloat and near upright when totally flooded. The ship shall be deemed to have sufficient buoyancy when detailed calculations are presented and confirmed as follows—

- (a) In the case of ships for which hull form lines are not available, it will be sufficient to show that the total buoyancy is equal to

Length × Breadth × Draught × 0.7 (cubic metres)

the above measurements being taken, at the waterline corresponding to the full load mark.

- (b) In the case of ships for which hull form lines are available, it will be sufficient to show that the total buoyancy is equal to

Displacement × 1.1 (cubic metres)

the displacement being calculated as that corresponding to the full load mark.

(3) The devices used to guarantee the buoyancy of the vessel in the event of damage shall—

- (a) be protected against accidental deterioration or damage,
(b) be installed in such a way as to offer maximum stability as far as practicable whilst the ship is in intact or damaged state.”.

Signed by authority of the Secretary of State for Transport

1st October 1992

Caithness
Minister of State, Department of Transport

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EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Merchant Shipping (Passenger Ship Construction) Regulations 1980 and the Merchant Shipping (Passenger Ship Construction and Survey) Regulations 1984.

They principally—

- (a) amend the definitions of Classes IV, V and VI ships;
- (b) provide for minimum required standards of survivability to be applied to ships of Classes III, IV, V, VI and VI(A) according to the number of passengers carried and the area of operation. (These standards are related to the requirements for life-saving appliances as required by the Merchant Shipping (Life-Saving Appliances for Passenger Ships of Classes III to VI(A)) Regulations 1992.);
- (c) provide requirements regarding the provision of stability information, relating to standard of survivability;
- (d) amend the requirements regarding escapes from the passenger accommodation of ships of Classes III to VI(A); and
- (e) amend the requirements regarding bilge pumping arrangements by relating these requirements to Class, type of ship, and number of passengers the ship is certified to carry.