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STATUTORY INSTRUMENTS

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**1992 No. 2360**

**MERCHANT SHIPPING  
SAFETY**

**The Merchant Shipping (Fire Protection)  
(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), and (4) 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 (Fire Protection) (Amendment) Regulations 1992 and shall come into force on 31st October 1992, but the amendments made by regulation 2(5), 2(6) and 2(7) shall not have effect in relation to a vessel whose keel was laid or which was at a similar stage of construction on or after 1st September 1984 but before 31st October 1992 until 1st April 1998.
- (b) For the purpose of this regulation, “a similar stage of construction” means the stage at which construction identifiable with a specific ship begins and assembly of that ship has commenced comprising at least 50 tonnes or one per cent of the estimated mass of all structural materials whichever is less.

(2) These Regulations do not apply to ships which are not United Kingdom ships.

**Amendments to 1984 Fire Protection Regulations**

2. The Merchant Shipping (Fire Protection) Regulations 1984(2) shall be amended in accordance with the following:—

- (1) In regulation 1(2):

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(1) 1979 c. 39, Section 21(6) of it was amended by section 49(3) of the Criminal Justice Act 1982 (c. 48).  
(2) S. I. 1984/1218, amended by S. I. 1985/1193, 1986/1070 and 1986/1248.

- (a) In the definition of “New ship” the words after “1st September 1984;” shall be omitted; and  
 (b) The following definitions shall be inserted in the appropriate alphabetical order:—

““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;

“Similar stage of construction” means the stage at which construction identifiable with a specific ship begins and assembly of that ship has commenced comprising at least 50 tonnes or one per cent of the estimated mass of all structural materials whichever is less;”.

- (2) In regulation 2(1) for the definitions of Class IV, Class V and Class VI there shall be substituted:—

“Class IV. Passenger ships in respect of which there is or should be in force a certificate entitled “Passenger Certificate Class IV” being a certificate for ships engaged only on voyages in Category A, B, C and D waters:

Class V. Passenger ships in respect of which there is or should be in force a certificate entitled “Passenger Certificate Class V” being a certificate for ships engaged only on voyages in Category A, B and C waters:

Class VI. Passenger ships in respect of which there is or should be in force a certificate entitled “Passenger Certificate Class VI” being a certificate for ships engaged only on voyages with not more than 250 passengers on board, to sea, or in Category A, B, C and D waters, in all cases in favourable weather and during restricted periods, in the course of which the ships are at no time more than 15 miles, exclusive of any category A, B and C waters, from their point of departure nor more than 3 miles from land;”.

- (3) In regulation 2(2):

- (a) the following definitions shall be inserted in the appropriate alphabetical order—

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

“Favourable weather” means fine, clear, settled weather with a sea state such as to cause only moderate rolling and/or pitching;”

- (b) the definition of “Smooth Waters” shall be omitted;  
 (c) the definition of “Partially Smooth Waters” shall be omitted;  
 (d) for the definition of “Sea” there shall be substituted:

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

- (4) The following shall be inserted after regulation 108:—

**“Structural Fire Protection**

**108A.** In every ship whose keel is laid or which is at a similar stage of construction on or after 31st October 1992 of Class III, Class IV, Class V carrying 250 passengers or more operating in category B waters, Class V carrying 50 passengers or more operating in category C waters, Class VI carrying 50 passengers or more and Class VI(A) all accommodation bulkheads, linings, ceilings and their associated grounds shall be constructed of non-combustible materials and the exposed surfaces shall be such that a surface spread of flame of Class 2 will not be exceeded.”

- (5) In regulation 110(1) “or partially decked” shall be omitted.  
 (6) Regulations 110(3) and 110(4) shall be replaced by the following:—

“(3) Every ship of Classes 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. 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 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 outside 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 outside 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. Furniture which if loose could cause escape routes to become hazardous shall be securely fastened to the deck.

(4) Where any of the escapes referred to in regulation 110(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.”

(7) Regulation 110(5) shall be re-numbered as regulation 110(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:

- (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.”

Signed by authority of the Secretary of State for Transport

1st October 1992

*Caithness*  
Minister of State,  
Department of Transport

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

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Merchant Shipping (Fire Protection) Regulations 1984 to maintain consistency with modified definitions in the Merchant Shipping (Passenger Ship Construction and Survey) Regulations 1984, to introduce a requirement for accommodation bulkheads, linings and ceilings and their associated grounds to be of non-combustible material with exposed surfaces having a low surface spread of flame rating on ships whose keels are laid on or after 31st October 1992, and to clarify the escape requirements. All of the amendments are primarily relevant to ships of Classes III to VI(A) inclusive, i. e. the smaller passenger ships which operate on the canals, lakes and rivers of the United Kingdom and for limited distances to sea therefrom.

The amendments apply only to United Kingdom ships.