
STATUTORY INSTRUMENTS

2007 No. 3075

**The Merchant Shipping and Fishing Vessels
(Control of Noise at Work) Regulations 2007**

Interpretation

2.—(1) In these Regulations—

“the Act” means the Merchant Shipping Act 1995;

“daily noise exposure level” is the time weighted average of the noise exposure levels for a nominal eight hour working day as defined by international standard ISO 1999: 1990, point 3.6 and it covers all noise at work, including impulsive noise;

“employer” means a person by whom a worker is employed on a ship under a contract of employment;

“exposure limit value” means the level of daily or weekly exposure for any worker which must not be exceeded, save as set out in regulation 13;

“General Duties Regulations” means the Merchant Shipping and Fishing Vessels (Health and Safety at Work) Regulations 1997(1);

“Government ship” has the meaning given in section 308(4) of the Act;

“health and safety” includes the occupational health and safety of persons whilst on board a ship and whilst boarding or leaving the ship;

“health surveillance” means assessment of the state of health of a worker so as to provide early diagnosis of any loss of hearing due to noise and to preserve the hearing function;

“impulsive noise” means a noise event of short duration which occurs as an isolated event or as one of a series of events with a repetition rate of less than 15 per second.

“MCA” means the Maritime and Coastguard Agency, an executive agency of the Department for Transport;

“Merchant Shipping Notice” means a Notice described as such and issued by the MCA;

“noise” means any audible sound;

“the Provision and Use of Work Equipment Regulations” means the Merchant Shipping and Fishing Vessels (Provision and Use of Work Equipment) Regulations 2006(2);

“peak sound pressure” is the maximum value of the “C” – frequency weighted instantaneous noise pressure;

“the risk assessment” means, except where the context otherwise requires, a risk assessment carried out in compliance with regulation 6 of these Regulations;

“surveyor of ships” has the meaning given by section 256(9) of the Act;

“United Kingdom ship” means a ship which—

- (a) is a United Kingdom ship within the meaning of section 85(2) of the Act; or

(1) S.I. 1997/2962 amended by S.I. 1998/2411 and S.I. 2001/54

(2) S.I. 2006/2183

- (b) is a Government ship; or
- (c) is a hovercraft registered under the Hovercraft Act 1968;

“United Kingdom waters” means the sea or other waters within the seaward limits of the territorial sea of the United Kingdom;

“weekly noise exposure level” is the time-weighted average of the daily noise exposure levels of a nominal week of five eight hour working days as defined by international standard ISO 1999:1990, point 3.6 (note 2).

(2) In these Regulations a reference to the provision of music and entertainment on ships is a reference to ships where live or recorded music is played or any other form of entertainment is provided where such music or entertainment is or is likely to expose workers on that ship to noise levels exceeding the lower exposure action values.

(3) In these Regulations any reference to—

- (a) a particular Merchant Shipping Notice includes a reference to any document amending or replacing that Notice; and
- (b) an ISO standard includes a reference to any document amending that publication;

which is considered by the Secretary of State to be relevant from time to time and is specified in a Merchant Shipping Notice.