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## Regulation concerning amendments to Regulations of 1 July 2014 No. 1019 on life-saving appliances on ships and other regulations

This Series R Circular lays down a Regulation amending Regulations of 1 July 2014 No. 1019 on life-saving appliances on ships, Regulations of 1 July 2014 No. 1072 on the construction of ships, Regulations of 1 July 2014 No. 944 on dangerous goods on Norwegian ships, Regulations of 28 March 2000 No. 305 concerning surveys, construction and equipment of passenger ships engaged on domestic voyages and Regulations of 4 September 1987 No. 856 concerning construction of mobile offshore units.

The grounds for the amendments to the regulations are to continue current law.

Regulations of 1 July 2014 No. 1019 on life-saving appliances on ships enter into force on 15 September 2014. By an inadvertence, reference is made to Res. MSC.350(92) in section 2 of the Regulations. Res. MSC.350(92) amends the International Convention for the Safety of Life at Sea, 1974 (SOLAS 1974) chapter III, but the amendments do not enter into force until 1 January 2015. The correct reference is the latest MSC Resolution amending SOLAS 1974 chapter III, i.e. Res. MSC.338(91) with entry into force on 1 July 2014.

Res. MSC.338(91) amends SOLAS 1974 by laying down a new regulation III/17-1 which consists of paragraphs 1 and 2.

17-1.1 requires all ships to have ship-specific plans and procedures for recovery of persons from the water. The plans and procedures shall identify the equipment intended to be used for recovery purposes and measures to be taken to minimize the risk to shipboard personnel involved in recovery operations.

Regulation III/17-1.2 stipulates that ro-ro passenger ships which comply with SOLAS 1974 regulation III/26.4 shall be deemed to comply with regulation 17-1.1.

The new SOLAS 1974 regulation III/17-1 is made applicable from 1 July 2014. Ships constructed before this date shall comply with the requirements by the first periodical or renewal safety equipment survey of the ship carried out after 1 July 2014.

Section 48 third paragraph of the Regulations of 15 September 1992 No. 695 concerning the construction of passenger ships, cargo ships and barges contains provisions which require that wire/chain stoppers shall be capable of being emergency released from the bridge and that emergency release shall also be possible in dead ship situations. In the Regulations of 1 July 2014 No. 1072 on the construction of ships the requirement for emergency release from the bridge was omitted, but this was done unintentionally.

In order to continue current law, it is therefore necessary to add a new seventh paragraph to section 13.

In the same Regulations, section 28 first paragraph is also amended. In the proposed Regulations that were circulated for general review, section 28 first paragraph read: «The probability «s<sub>i</sub>» that a passenger ship pursuant to section 26 will not sink or capsize shall be calculated as follows for each individual case of flooding:»

In the Regulations that were laid down, the reference to section 26 was removed and replaced with the wording «*constructed pursuant to section 4*». The reference to and that the ship is constructed pursuant to [the provisions provided in] section 4 is correct. Nevertheless, it is the Norwegian Maritime Authority's assessment that the removal of the reference to section 26 reduces the readability of the Regulations. Consequently, section 28 first paragraph reads as follows:

«The probability «s<sub>i</sub>» that passenger ships constructed pursuant to section 4, *cf. section 26 second paragraph*, will not sink or capsize shall be calculated as follows for each individual case of flooding:»

The reference to section 26 second paragraph concerns the expression «s<sub>i</sub>», which is a value indicating the probability that the ship will not sink or capsize in the case of flooding being considered, etc.

A new final paragraph, which was unintentionally left out in the consultation, has been added to section 10 of the Regulations of 1 July 2014 No. 944 on dangerous goods on Norwegian ships. The new paragraph is necessary in order to continue current law, *cf.* Regulations of 12 December 2009 No. 1481 Appendix 1 table B remark C. The stowage requirements are not intended to be more stringent for ships engaged on domestic voyages compared to ships engaged on foreign voyages.

This circular also lays down amendments to other regulations as a consequence of the new Regulations on navigation and navigational aids for ships and mobile offshore units. The amendments which are laid down were circulated for general review together with the new Regulations on navigation and navigational aids for ships and mobile offshore units.

### **Economic and administrative consequences**

As stipulated by current law, ships covered by Regulations of 1 July 2014 No. 1019 on life-saving appliances on ships<sup>1</sup> shall be required to carry either a rescue boat or devices that make it possible to recover a helpless person from the water, *cf.* sections 2, 6, 7 and 9 of the Regulations on life-saving appliances on ships. Pursuant to the fifth paragraph of section 9, ships that are not required to carry a rescue boat shall carry out a risk assessment demonstrating the vessel's ability to handle emergencies. The Norwegian Maritime Authority presupposes that the requirements stipulated by section 2, *cf.* Res. MSC.338(91), which lays

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<sup>1</sup> In force on 15 September 2014

down the new SOLAS 1974 regulation III/17-1.1, do not require investments related to new equipment.

The amendments required by SOLAS regulation III/17-1 set out that all ships shall have plans and procedures for recovery of persons in distress. Section 7 of the Ship Safety and Security Act requires that the company shall ensure that a Safety Management System which can be documented and verified is established, implemented and developed. The system shall, *inter alia*, identify and control risks. The Norwegian Maritime Authority presupposes that the Safety Management System required by section 7 of the Ship Safety and Security Act includes plans and procedures for the assistance of persons in distress, including recovering persons in distress from the water.

The amendments to Regulations of 1 July 2014 No. 1072 on the construction of ships concerning the addition of a new paragraph to section 13 do not introduce any new requirements, but provide clarity. The amendments to section 28 of the same Regulations only concern internal references in the Regulations and do not amend current law in any way.

The amendments to Regulations of 1 July 2014 No. 944 on dangerous goods on Norwegian ships continue current law and have no economic or administrative consequences.

It is the Norwegian Maritime Authority's assessment that the amendments which are laid down in this circular have no economic or administrative consequences for the industry or the public.

Olav Akselsen  
Director General of Shipping and Navigation

Bjørn E. Pedersen  
Head of Department

Annex: Regulation concerning amendments to Regulations of 1 July 2014 No. 1019 on life-saving appliances on ships and other regulations

## Regulation concerning amendments to Regulations of 1 July 2014 No. 1019 on life-saving appliances on ships and other regulations

**Legal basis:** Laid down by the Norwegian Maritime Authority on 5 September 2014 under the Act of 16 February 2007 No. 9 relating to Ship Safety and Security (Ship Safety and Security Act) sections 6, 9, 11, 19, 20, 21, 28a, 29, 30, 45, 55, 56, 59 and 60, cf. Formal Delegation of 16 February 2007 No. 171 and Formal Delegation of 31 May 2007 No. 590.

### I

Regulations of 1 July 2014 No. 1019 on life-saving appliances on ships are amended as follows:

Section 3 first paragraph should read:

The International Convention for the Safety of Life at Sea, 1974 (SOLAS) consolidated edition 2009 chapter III, as amended by MSC.317(89), MSC.325(90) and MSC.338(91), shall apply as regulation.

### II

Regulations of 1 July 2014 No. 1072 on the construction of ships are amended as follows:

Section 13 new seventh paragraph should read:

*(7) Offshore support vessels engaged in anchor handling shall be fitted with a remote-controlled wire/chain stopper capable of being emergency released from the bridge or a control station from which there is communication to the bridge. Emergency release shall be possible in dead ship situations and without manual handling close to the stopper.*

Section 28 first paragraph should read:

The probability "s<sub>i</sub>" that passenger ships constructed pursuant to section 4, *cf. section 26 second paragraph*, will not sink or *capsize shall* be calculated as follows for each individual case of flooding:

### III

Section 10 ninth paragraph of the Regulations of 1 July 2014 No. 944 on dangerous goods on Norwegian ships should read:

*If the stowage plan in Appendix 1 B prohibits stowage that is permitted under the provisions of the IMDG Code, the stowage criteria in the IMDG Code may be applied instead.*

### IV

Regulations of 28 March 2000 No. 305 concerning surveys, construction and equipment of passenger ships engaged on domestic voyages are amended as follows:

Section 8, first paragraph, subparagraph (c) should read:

The provisions of chapter IV, including the 1988 GMDSS amendments *and* SOLAS 1974 chapter VI.

Section 8 first paragraph subparagraph d) is repealed.

Existing section 8 first paragraph subparagraphs e) and f) become new subparagraphs d) and e).

Section 8 fourth paragraph is repealed.

### V

Regulations of 4 September 1987 No. 856 concerning construction of mobile offshore units are amended as follows:

Section 13 fourth paragraph is repealed.

Existing section 13 fifth paragraph becomes new fourth paragraph.

## VI

These amendments enter into force on 15 September 2014.