

Regulations of 6 August 2009 No. 1032

on the use of prison cells on board Norwegian ships

Legal basis: Laid down by the Norwegian Maritime Authority on 6 August 2009 under the Act of 16 February 2007 No. 9 relating to ship safety and security (Ship Safety and Security Act) sections 9, 15 and 40 fourth paragraph, cf. Formal Delegation of 16 February 2007 No. 171 and Formal Delegation of 31 May 2007 No. 590, and the Act of 21 June 2013 No. 102 relating to employment protection etc. for employees on board ships (Ship Labour Act) section 9-3, third paragraph, cf. Formal Delegation of 3 July 2013 No. 974.

Amendments: Amended by Regulation of 19 August 2013 No. 1012.

Section 1

Scope of application

These Regulations shall apply to Norwegian ships with at least one compartment intended for the detention of persons (prison cell).

Section 2

Use of prison cells on board ships

(1) The master may decide to put any person on board in custody when the conditions in section 9-3 second paragraph of the Ship Labour Act or section 40 first or second paragraph of the Ship Safety and Security Act are met.

(2) The officer in charge of the navigational watch shall be notified immediately when the prison cell is used.

(3) The company shall ensure that procedures for the use of prison cells are prepared, including procedures for the evacuation of the prisoner in an emergency.

Amended by Regulation of 19 August 2013 No. 1012 (in force on 20 August 2013).

Section 3

Equipment, etc.

(1) Prison cells shall be marked on the ship's fire control plans, have reasonable proximity to an emergency exit, and as far as possible be designed and equipped in such a way that prisoner are unable to hurt themselves.

(2) Prison cells on board ships may be provided with technical equipment to the extent necessary to protect communication and safety. Technical equipment in the prison cell shall only be used to protect the health of the prisoner. Such surveillance shall be notified by placing clearly visible notices at the entrance to the prison cell.

Section 4

Requirements for records

(1) An individual custody report shall be kept for all persons detained in custody on board. The custody report shall always contain the following information:

- a) The name and date of birth of the prisoner.
- b) The date and time of detention and release.
- c) The grounds for the detention.
- c) Registration of removed items.

- d) Information to be entered pursuant to section 5.
- (2) The name and date of birth of the inmate and the date and time of detention and release shall also be entered in the deck log book.
- (3) The prisoner shall, upon release, receive a copy of the custody report.

Section 5

Supervision of the prisoner

(1) Before any person is put in custody on board, the need for medical treatment shall be considered. The date and time for any medical examination and action as a result of this shall be noted in the custody report.

(2) The prisoner shall be asked whether any persons on board should be informed about where the person concerned is located. If practically possible, notification shall be given. Such notification shall be given in a considerate manner to the person(s) being notified, and in a manner that does not constitute a nuisance to other passengers.

(3) The prisoner shall be put in custody in such a way that the person concerned is not injured or subjected to unnecessary suffering, and so that others can not be injured. Items that prisoners can use to harm themselves or others shall be removed.

(4) A clean mattress and blankets or equivalent shall be made available. If consideration for the individual prisoner so indicates, blankets or equivalent can be placed in the cell at a later time for safety reasons. Any postponement shall be marked in the custody report.

(5) The prisoner shall be offered the necessary food and drink.

(6) The prisoner shall be supervised every hour, unless the circumstances indicate more frequent supervision. The person who conducts the supervision shall by personal observation inspect the prisoners situation, and sign with the date and signature on the custody report.

Section 6

Entry into force

These Regulations enter into force on 1 September 2009.