



MGN 535 (M) Amendment 1

Small Seagoing Passenger Ship Code

Notice to all Shipowners, Operators and Surveyors of new and existing Small Seagoing Passenger Vessels

This notice should be read with The Small Seagoing Passenger Ship Code and the referenced Statutory Instruments.

Summary

This MGN re-introduces the Maritime and Coastguard Agency's (MCA) Small Seagoing Passenger Ship (SSPS) Code. Ships that comply with the Code are permitted to operate at night and in winter, and to operate longer distances to sea, than they can as UK passenger ships of Classes VI or VI(A).

Amendment 1 updates the original version of the MGN to reflect the fact that:

- a) the UK has left the European Union (EU); and
- b) Directive 2017/2108/EU, which removed vessels of under 24 metres in length from the scope of the Domestic Passenger Ships Directive 2009/45/EC, took effect prior to the UK leaving the EU, and was therefore implemented into UK law by the Merchant Shipping (Safety Standards for Passenger Ships on Domestic Voyages) (Miscellaneous Amendments) Regulations 2020 (SI 2020/1222).

1. Introduction

1.1 The Small Seagoing Passenger Ship Code (SSPS Code) enables vessels that meet its standards to operate at the limits set down for EU Class C or D vessels, rather than being limited to the traditional daylight and summer limits of United Kingdom (UK) Class VI or VI(A) vessels. It also introduces the concept of Class B (Restricted) vessels. These vessels can operate, in favourable weather only, up to 15 miles from a place of refuge, and 5 miles from land, provided that they also meet any significant wave height, seasonal, daylight, geographical or other limitations which may be applied by the local MCA marine office. The significant wave height must be limited to less than 2.5 metres.

1.2 This means that a vessel can operate on longer coastal voyages provided that at any point it is within 5 miles of the coast and 15 miles from a place of refuge as defined in the Code. Any vessel, if compliant with the SSPS Code, may be authorised to operate in winter or at night. Compliance with the SSPS Code demonstrates that a sufficient level of safety is



achieved to allow the vessel to be exempted from the UK regulations, listed in the Schedule, which otherwise apply. To benefit from these exemptions the vessel must comply fully with the Code and any lapse in Code certification or non-compliance with the Code will invalidate the exemption.

2. Application

2.1 The SSPS Code may be voluntarily applied, from the date of entry into force on 1 June 2015, to small UK sea-going passenger ships. The Code applies to ships operating in EU sea areas B (restricted), C or D with not more than 250 passengers, which are not covered by the Directive 2009/45/EC on safety rules and standards for passenger ships, as amended (“the Directive”). For the purposes of certification, a vessel complying with the SSPS Code is treated as a Passenger Ship of UK Class II(A) with operating restrictions.

2.2 A small passenger ship is one that is of less than 24m in load line length, or of less than 150grt if the ship's keel was laid or was at a similar stage of construction before 21 July 1968, according to the tonnage measurement regulations in force on 20 July 1968.

2.3 The Directive covers ships built of steel or equivalent material, so the Code applies mainly to ships built of GRP or wood, but was amended by Directive 2017/2108/EU such that ships of less than 24 metres in length were removed from its scope with effect from 21 December 2019. Because the 2017 Directive took effect before the UK's exit from the EU, and also because the UK favoured this amendment, the UK implemented the change by means of the Merchant Shipping (Safety Standards for Passenger Ships on Domestic Voyages) (Miscellaneous Amendments) Regulations 2020 (SI 2020/1222) (“the 2020 Regulations”) which amended the Merchant Shipping (Passenger Ships on Domestic Voyages) Regulations 2000 (SI 2000/2687) (“the 2000 Regulations”). The 2020 Regulations took effect from 1 January 2021. Arrangements during the interim period between the 21 December 2019 and 1 January 2021 were set out in MGN 622(M).

2.4 Options available to operators of UK seagoing passenger ships of under 24 metres removed from the scope of the Directive were:

- a) continued compliance with the 2000 Regulations, which implement Directive 2009/45/EC as amended up to EU exit; or
- b) the Small Seagoing Passenger Ships (SSPS) Code; or
- c) the Class III to VI(A) suite of Regulations.

2.5 The Directive also covers High Speed Craft of any material capable of speeds of over 20 knots, but vessels operating at speeds of up to 20 knots may be certificated under the Code.

2.6 Existing ships built of steel may comply with the Directive standards as implemented by the 2020 Regulations in full, instead of or in addition to complying with UK Class III, VI or VIA requirements in accordance with MSN 1811(M). This would give the same enhanced operating limits and very similar technical requirements.

2.7 The new Merchant Shipping (Boat Masters' Qualifications, Crew and Hours of Work) Regulations 2015 permit extended voyages within the “limited coastal area” of 5 miles from the coast and 15 miles from point of departure or of arrival. MSN1853 paragraph 2.5 confirms that a Boat Master's Licence is a suitable qualification for masters of ships operating under the SSPS Code, and regulation 7(2) of the regulations must be interpreted accordingly.

2.8 A seagoing passenger ship certified under the Code may also operate, under the same operating restrictions (if any), in categorised waters.

2.9 The SSPS Code may be found at –



<https://www.gov.uk/government/publications/small-seagoing-passenger-ship-code>

More Information

UK Maritime Services
Ship Safety Branch
Maritime and Coastguard Agency
Bay 2/23
Spring Place
105 Commercial Road
Southampton
SO15 1EG

Tel: +44 (0) 203 8172000

e-mail: dvp@mcga.gov.uk

Website Address: www.gov.uk/government/organisations/maritime-and-coastguard-agency

General Enquiries: infoline@mcga.gov.uk

Published: August 2021
Please note that all addresses and
telephone numbers are correct at time of publishing

© Crown Copyright 2021

Safer Lives, Safer Ships, Cleaner Seas



Spring Place
105 Commercial Road
Southampton SO151EG
United Kingdom

GENERAL EXEMPTION

The Secretary of State, in exercise of his powers under the regulations listed in Column 2 of the Schedule, exempts

Small Seagoing Passenger Ships

from the requirements of such regulations listed in Column 3 of the Schedule as are applicable to them. This exemption is subject to the following conditions -

- a) that the vessel is surveyed and certified as a passenger vessel in compliance with, and the vessel complies in full with, the Small Seagoing Passenger Ship Code, issued by the Maritime and Coastguard Agency, an executive agency of the United Kingdom Department of Transport.
- b) that the vessel operates only within -
 - i) categorised waters as defined in Merchant Shipping Notice MSN 1837;
 - ii) sea areas C or D as defined in MSN1747; or
 - iii) when specifically certified to do so, sea area B as defined in MSN1747 subject to the restrictions of wave height stated in the Passenger Certificate.
- c) that the vessel operates within any restricted periods defined in the Passenger Certificate.

This General Exemption revokes any preceding General Exemption issued under MGN 535 and has effect from 23 August 2021 and, subject to consultation and reasonable notice, shall remain effective until amended or revoked.

Dated this 19th day of August 2021



Katy Ware
UK Maritime Services Director



SCHEDULE

Column 1 Name of Regulation	Column 2 Power to Exempt	Column 3 Regulations Exempted	Column 4 Regulations not exempted
The Merchant Shipping (Passenger Ship Construction: Ships of Classes I, II and II(A)) Regulations 1998 (SI 1998/2514), as amended	Reg 4	Parts II to IX (Regs 6 to 84)	Parts I, X and XI (Regs 1 to 5 and 85 to 93)
The Merchant Shipping (Load Lines) Regulations 1998 (SI 1998/2241) as amended	Reg 5(2)	Parts II to VI (Regs 7 to 33)	Parts I and VII (Regs 1 to 6 and 34 to 37)
Merchant Shipping (Life-Saving Appliances and Arrangements) Regulations 2020 (SI 2020/501)	Regs 7 & 8	Parts 2, 3, 4, 5 (Regs 9 to 19)	Parts 1 and 6 (Regs 1 to 8 and 20 to 22)
The Merchant Shipping (Radio Installations) Regulations 1998 (SI 1998/2070) as amended	Reg 5(3)	Parts III and III (Regs 7 to 48)	Parts I and IV (Regs 1 to 6 and 49 to 51)
The Merchant Shipping (Emergency Information for Passengers) Regulations 1990 (SI 1990/0660) as amended	Reg 7	Regs 4 to 6	Regs 1, 2, 3, 7 and 8
The Merchant Shipping (Fire Protection: Large Ships) Regulations 1998 (SI 1998/1012) as amended	Reg 1(8)	Part II, V, VI and IX (Regs 3 to 15, 37 to 68, 102, 103)	Part I, III, IV, VII, VIII and X (Regs 1, 2, 16 to 36, 69 to 101, 104 to 106)
The Merchant Shipping (Fire Protection: Small Ships) Regulations 1998 (SI 1998/1011) as amended	Reg 47	Parts II, V to VII (Regs 3 to 16, 30 to 45)	Parts I, III, IV, and VIII (Regs 1, 2, 17 to 29, 46 to 49)
The Merchant Shipping (Fire Protection) Regulations 2003 (SI 2003/2950), as amended	Reg 6	Reg 5	Regs 1 to 4 and 6 to 9
Merchant Shipping (Safety of Navigation) Regulations 2020 (SI 2020/673)	Regs 6 and 7	Regs 5 and 8	Part 1 (Regs 1 to 4), Regs 6 and 7, Part 3 (Regs 9 to 13)
The Merchant Shipping (Bridge Visibility)(Small Passenger Ships) Regulations 2005 (SI 2005/2286) as amended	Reg 9(1)(b)	Regs 4 to 8	Regs 1 to 3 and 9 to 11

