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## **Standards for Non-Passenger Vessels operating solely on Inland Waterways in the United Kingdom**

**Notice to all Ship owners, ship operators, Masters, Navigation Authorities, Harbour Authorities, inland waterway freight shippers and surveyors.**

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### **Summary**

This notice is to remind all interested parties:-

- about the mandatory safety requirements that apply nationally to inland waterway non-passenger vessels that operate solely in the United Kingdom (UK);
- the Alternative MCA Standards that may be used instead of the main statutory requirements, for suitable vessels; and
- other safety and anti-pollution regulations that may apply to inland waterway non-passenger vessels.

### **1. Background**

1.1 Inland waterways means:-

- “categorised waters”, as defined and listed in Merchant Shipping Notice 1837 (as amended or superseded) or,
- other inland waters that have not been formally categorised, but have the same characteristics as set out in the definitions of Category A, B, C and D waters in MSN 1837.

1.2 “Inland waterway non-passenger vessel” means a vessel that does not go to sea<sup>1</sup>, and does not carry more than 12 passengers as part of its normal operations, including but not restricted to:-

- dry freight vessels;
- tanker vessels;
- container vessels;
- workboats, including specialist vessels such as crane barges or dredgers;
- tugs and pushers.

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<sup>1</sup> Except in certain Category D waters where there are different Summer and Winter limits, so that part of the area that is Category D in Summer is actually “at sea” in Winter

## 2 Statutory requirements for safety equipment

2.1 Note that under the UK's vessel classification system:-

- Class IX(A) covers freight vessels and all other non-passenger vessels that do not go to sea; and,
- Class IX(A)(T) covers tanker vessels that do not go to sea.

2.2 It is considered that the majority of inland waterway (IW) non-passenger vessels in the UK carry out low-risk operations, and no substantive evidence has arisen that such vessels present a significant risk to safety or the environment. IW non-passenger vessels in the UK are therefore subject only to limited statutory technical requirements. The main ones are those relating to the carriage of life saving appliances and fire fighting equipment. These respective requirements are set out in the following sets of regulations and guidance, in the sections relating to Class IX(A) and Class IX(A)(T) vessels.

### Life Saving Appliances (LSA)

2.2.1 The Merchant Shipping (Life-Saving Appliances for ships other than Ships of Classes III to VI(A)) Regulations 1999 - *Statutory Instrument (SI) (2721/1999)*, (as amended).

2.2.1.1 The life saving appliances carried under these regulations should meet the standards set out in Merchant Shipping Notice (MSN) 1676 (as amended).

### Fire Fighting Equipment (FFE)

2.2.2 Vessels under 500 GT: The Merchant Shipping (Fire Protection: Small Ships) Regulations 1998 – (*SI 1011/1998*);

2.2.3 Vessels of 500 GT and over: The Merchant Shipping (Fire Protection: Large Ships) Regulations 1998 – (*SI 1012/1998*).

2.2.3.1 The fire fighting equipment carried under the regulations in paragraphs 2.2.2 and 2.2.3 should meet the standards set out in MSN 1665 (as amended).

2.3 Annex 1 provides a summary of the LSA requirements for all Class IX(A) vessels, and the FFE requirements for Class IX(A) vessels of under 500 GT, as set out in the regulations referenced at paragraphs 2.2.1, 2.2.2 and 2.2.3.

2.4 The FFE summary at Annex 1 does not include the requirements for Class IX(A) vessels of 500 GT and over, or those for Class IX(A)(T) vessels regardless of gross tonnage. For these more complex requirements, please see the relevant regulations referenced at paragraphs 2.2.2 and 2.2.3 above.

2.5 IW non-passenger vessels are not subject to any survey or certification by the MCA. A vessel may however be inspected by an MCA surveyor at all reasonable times. Such vessels may be subject to local Harbour or Navigation Authority statutory requirements and standards in this respect.

## 3 The MCA Alternative Standards for safety equipment

3.1 The MCA Alternative Standards cover the carriage life saving appliances and fire fighting equipment. They may be used instead of the statutory requirements for Class IX(A) vessels that are set out in the regulations referred to in paragraph 2.2.

3.2 For some vessels, the MCA Alternative Standards will be found to be more appropriate and practicable than the corresponding statutory requirements. These standards are

reproduced at Annex 2 of this MGN. Vessels equipped in accordance with them will be covered by a General Exemption from the Class IX(A) regulations, which is reproduced at Annex 3.

3.3. Note that the MCA Alternative Standards are not available to Class IX(A)(T) vessels, which must comply with the statutory requirements referred to in paragraph 2.2.

#### **4. Former MCA Fitness For Purpose (FFP) Scheme**

4.1 The MCA FFP scheme was withdrawn from 1 October 2011 generally, and from 31 March 2012 in the sole case of the Canal and River Trust<sup>2</sup> (CRT). The LSA and FFE requirements from the FFP Scheme have been retained as the MCA Alternative Standards, covered in paragraph 3 above.

4.2 Navigation Authorities and Statutory Harbour Authorities are free to adopt the former FFP standards under their own local powers, if and as they see fit.

4.3 Although no FFP inspections are now undertaken by the MCA, such inspections may be available from private surveyors or Certifying Authorities. It must be born in mind that such inspections, and any associated certification, are not underpinned by any MCA (Merchant Shipping) legislation, and have no national legal status. They are therefore undertaken on a purely voluntary basis, except where covered by a formal requirement under the local powers of a Navigation or Harbour Authority.

4.4 Vessels on CRT waters, that held MCA FFP certificates at 31 March 2012, can continue to operate on that basis until those certificates expire.

#### **5. Statutory requirements for health and safety on board vessels**

5.1 In addition to the above regulations, both Class IX(A) and Class IX(A)(T) vessels are covered by health and safety legislation, including those listed in Annex 4 of this MGN, together with the associated guidance documents. Not all of these regulations will be relevant to every vessel. Please note that all of the sets of regulations and guidance in Annex 4 should be referred to "as amended".

#### **6. Other regimes adopted by Navigation or Harbour Authorities, and Local Authorities**

6.1 Freight vessels operating on the tidal Thames, that is below Teddington Lock, need to comply with the Technical and Operational Standards for Commercial Vessels on the Tidal Thames – the "Thames Freight Standard" and the associated Code of Practice for Vessel Operators on the Thames. This is an integrated safety regime that is administered and enforced by the Port of London Authority (PLA). Further details may be obtained from the PLA, from its website <http://www.pla.co.uk>, or by contacting the PLA at:-

Vessel Licensing Dept  
Port of London Authority  
London River House  
Royal Pier Rd  
Gravesend  
Kent  
DA12 2BG  
Tel: 01474 562365 or 562503  
Email: [licensingenquiry@pla.co.uk](mailto:licensingenquiry@pla.co.uk)

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<sup>2</sup> Previously British Waterways.

6.2 Vessels that comply with a recognised Navigation Authority or industry standard recognised by the MCA, such as the “Thames Freight Standard”, will be covered by the General Exemption in Annex 3.

6.3 Local Authorities may enact local byelaws in accordance with the Public Health (Amendment) Act 1907, section 94 to give mandatory effect to MCA Codes such as the Hire Boat Code and the Inland Waters Small Passenger Boat Code (ie for those vessels carrying 12 or less passengers and therefore not defined as passenger vessels). Vessels complying with the requirements in these codes are included in the General Exemption referred to in Annex 3.

## **7 MCA Surveyors’ powers**

7.1 MCA Surveyors have the power to inspect any inland waterway non-passenger vessel at all reasonable times, and to prevent it from operating if they have reason to believe that its condition, or manner of operation, present a serious risk to the safety of those onboard, other waterway users or the environment. MCA surveyors may also inspect a vessel to verify if it complies with the Class IX(A) regulations or the MCA Alternative Standards, as referred to in sections 2 and 3 above.

7.2 A vessel will be inspected by an MCA surveyor if they have reason to believe that:-

- its condition, or manner of operation, poses an unacceptable risk to the safety of the crew or other waterway users; or,
- its condition or manner of operation poses an unacceptable pollution risk to the environment.

## **8 International Regulations for Preventing Collisions at Sea**

8.1 The Merchant Shipping (Distress Signals and Prevention of Collisions) Regulations 1996 (SI 1996/75) implement the Convention on International Regulations for Preventing Collisions at Sea<sup>3</sup> – usually known as the “COLREGS”. These regulations apply to vessels on waters that are navigable by seagoing vessels, which include most Category D inland waters, and some Category C. In practice, most such areas are subject to local rules which modify the COLREGS in the jurisdiction of the relevant navigation or Statutory Harbour Authority. However, if you are operating in a Category C or D area where no Navigation or Harbour authority rules seem to be in place, then the international rules may apply. MSN 1781, as amended, provides further information and advice.

## **9 Safety of Navigation**

9.1 The Merchant Shipping (Safety of Navigation) Regulations 2002 (SI 2002/1473) do not apply to inland waterway vessels to which the Merchant Shipping (Technical Requirements for Inland Waterway Vessels) Regulations 2010 (SI 2010/1075) apply. MSN 1824(M) provides an explanation of a derogation which the UK took advantage of during implementation of Directive 2006/87/EC (as amended) and this is taken into account at Regulation 4 of SI 2010/1075 and is detailed in Annex 3 of MSN 1824(M).

9.2 To comply with the requirements of the derogation, the UK was required to inform the European Commission of the technical requirements that would be applied to vessels operating in UK categorised waters. With respect to safety of navigation, these were the Safety of Navigation Regulations 2002 as they apply to existing passenger ships (as defined in The Merchant Shipping (Passenger Ships) (Safety Code for UK Categorised Waters) Regulations

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<sup>3</sup> These international shipping regulations were developed and adopted by the International Maritime Organization (IMO), the United Nations “Specialized Body” for world shipping, which is situated in London.

2010 (SI 2010/680)) and The Merchant Shipping (Bridge Visibility) (Small Passenger Ships) Regulations 2005 (SI 2005/2286), (both of which are beyond the scope of this MGN).

9.3 The Merchant Shipping (Vessel Traffic Monitoring and Reporting Requirements) Regulations 2004, (SI 2004/2110) do not apply to vessels that operate solely on categorised waters because they are not defined as “ships” in accordance with the Regulations (ie sea-going craft) and which are not operating in waters to the seaward side of Category D.

## **10 Pollution prevention**

10.1 The main Navigation Authorities, such as CRT and the Environment Agency (EA) have their own measures in place preventing pollution from vessels that they licence, as do major Statutory Harbour authorities such as the Port of London Authority. However, the International Convention for the Prevention of Pollution from Ships (“MARPOL”) covers several types of vessel-generated pollution. MARPOL is implemented by several sets of UK legislation, of which the following may apply to vessels on Category C and D (tidal) inland waterways:-

10.2 The Merchant Shipping (Prevention of Oil Pollution) Regulations 1996 (SI 1996/2154) set out requirements for the carriage and completion of an Oil Record Book. This needs to be completed for all ships during ballasting/de-ballasting or cleaning of oil fuel tanks. For oil tankers only, the recording requirements become more extensive and include (for example), the need to record operations taking place involving the cargo tanks such as during loading of oil cargo and ballasting/de-ballasting cargo tanks. More detail can be found in SI 1996/2154 Part II, Regulation 10.

10.3 Vessels over 150 GT operating as oil tankers may be affected by the requirements of the European Single Hull Tanker regime if carrying heavy oils. In these cases operators should contact their local MCA Marine Office for further advice.

10.4 The Merchant Shipping (Prevention of Air Pollution from Ships) Regulations 2008 (SI 2008/2924) applies to vessels operating Category C and D waters. The maximum content of marine fuel used by ships when at berth for more than two hours and for IW vessels is 0.1%. There are certain exceptions to this, such as when a vessel is only in port for a short period of time in accordance with a published timetable.

10.5 The Merchant Shipping (Anti-fouling Systems) Regulations 2009 (SI 2009/2796) implements the IMO International Convention on the Control of Harmful Anti-Fouling Systems on Ships. Anti-fouling systems are used to keep the hulls of ships clean and free from fouling organisms so that they can travel faster through the water and consume less fuel. The IMO Convention introduced control measures on the use of organotin compounds which act as biocides. As an immediate follow up, the European Commission adopted Directive 2002/62/EC. From 1 January 2003, the marketing and use of organostannic (tin-based) compounds was banned in anti-fouling systems for all ships, irrespective of their length and wherever they may be operating, including inland waters.

10.6 The Merchant Shipping (Prevention of Pollution by Sewage and Garbage from Ships) Regulations (2008) (SI 2008/3257) implement Annexes IV and V of MARPOL respectively.

10.7 The requirement for the management of sewage only applies to vessels undertaking international voyages that are either 400 GT or above, or if less than 400 GT, certified to carry more than 15 persons. Therefore, for vessels operating solely on inland waterways, it is advised that where a Navigation or Harbour Authority has responsibility for the relevant water body, that their advice should be sought concerning any local requirements.

10.8 In general however, it is advised that vessels provided with toilet facilities should have a sewage holding tank(s) of sufficient capacity taking into account the number of persons likely to be carried onboard, together with an appropriate means of emptying the tank(s). Tank

venting should be adequate so as not to contaminate the air quality of accommodation spaces or to other vessels when alongside.

10.9 The garbage elements of the Regulations apply to United Kingdom ships wherever they may be. For non-UK flagged vessels, the regulations apply in UK waters and in controlled waters. The requirement for a ship to complete a Garbage Management Plan and Garbage Record Book applies to all ships of 400 GT and above, and every ship which is certified to carry 15 or more persons. Additionally, every ship having an overall length of 12 metres or more, must display placards notifying the crew of the relevant disposal provisions. The requirement to complete the Garbage Record Book on voyages of one hour or less may be waived. More detail can be found in MSN 1807 and MGN 385. However, 2013 amendments to MARPOL Annex V have increased the number of vessels requiring a Garbage Management Plan for vessels down to 100 GT. UK regulations will reflect this change in due course.

10.10 The Merchant Shipping and Fishing Vessels (Port Waste Reception Facilities) Regulations (2003) (SI 2003/1809) require every harbour authority and terminal operator to provide waste reception facilities that are adequate to meet the needs of vessels normally using the harbour or terminal. Such arrangements should be set out in a Port Waste Management Plan.

10.11 Workboats, pilot boats and other similar vessels that operate principally within a harbour authority area fall outside the scope of the requirements to notify, deliver or pay charges on each port of call because they are not “bound” for a port (Regulation 11(1)), and do not “leave” a port (Regulation 12(1)). The Port Waste Management Plan should include the arrangements for the disposal of waste generated by such vessels and operators should acquaint themselves with the local requirements for the delivery of ship generated waste to reception facilities ashore.

## **11 Vessels carrying packaged dangerous goods**

11.1 Vessels that carry goods which are classified as dangerous are subject to The Merchant Shipping (Dangerous Goods and Marine Pollutants) Regulations 1997 (1997/2367). Amongst other measures, these regulations implement the International Maritime Dangerous Goods (IMDG) Code, published by the International Maritime Organization (IMO). These regulations apply to vessels carrying packaged dangerous goods on all inland waterways [categories A to D]. Detailed guidance about the treatment, stowage and transport of specific dangerous goods, as well as any necessary health and personal protection measures, can be found in the IMDG Code.

11.2 MCA will ordinarily only be involved in inspecting for IMDG Code compliance on vessels operating on inland waterways of categories C and D where there is a likelihood of seagoing vessels operating alongside those that do not go to sea (ie beyond category D). For vessels operating only on category A and B waters, whilst the IMDG Code requirements may continue to apply, there is an expectation that compliance will be monitored by the relevant local navigation authority taking into account the safety standards set by the IMDG Code, and any other relevant requirements set by the navigation authority.

11.3 If you own or operate a vessel that carries packaged dangerous goods (solids and/or liquids) as cargo, or if you are having a new vessel built for such operations in the UK, it is recommended that, in the first instance, you seek advice about what standards it needs to comply with, from your local MCA Marine Office or navigation authority. Vessels operating in Category C and D waters and to sea, need to carry a Document of Compliance for Dangerous Goods issued by the MCA. More information can be found in MGN 36.

## **12 Master's qualification requirements**

12.1 The Master of a UK inland waterway non-passenger vessel must hold a valid MCA Boatmaster's Licence, or an equivalent (or higher) qualification. The statutory requirements are set out in: The Merchant Shipping (Inland Waterway and Limited Coastal Operations) (Boatmasters' Qualifications and Hours of Work) Regulations 2006 (SI 2006/3223); - MSN 1808 and MGN 334 give further information and advice. Information can also be found at: <http://www.dft.gov.uk/mca/mcga07-home/workingatsea/mcga-trainingandcert/ds-ss-bml1stop.htm#scvquals>

## **13 Vessels from other EU Member States operating in the UK**

13.1 In order to operate within the UK, an inland waterway non-passenger vessel from another country will be afforded no more favourable treatment than a UK vessel. Therefore, a vessel from overseas that comes to the UK with no certification must satisfy the statutory requirements referred to in paragraphs 2.2 to 2.5. It cannot be compelled to meet higher standards, or a greater number of requirements, than those which apply to equivalent UK vessels.

13.2 A vessel that comes to the UK with a Union Inland Navigation Certificate (UINC) issued under Directive 2006/87/EC<sup>4</sup> (as amended) may operate on UK inland waterways without having to meet other (UK) requirements. This is because such a vessel has to have satisfied many more requirements, in order to obtain a UINC, than are required of equivalent vessels in the UK. The same principle applies to a vessel that comes to the UK with a Rhine Navigation Certificate, issued by the Central Commission for Navigation of the Rhine (CCNR).

## **14 UK vessels wishing to operate on EU waterways in mainland Europe**

14.1 The owner or operator of a UK vessel who wishes to operate the vessel on the "Union" waterways of other EU States within mainland Europe, will need to be inspected and issued with a UINC under Directive 2006/87/EC (as amended). The MCA does not carry out such inspections nor issue UINCs and as such, vessel owners or operators will need to make the necessary arrangements with the appropriate authorities in another EU Member State that has Union waterways. MSN 1824 gives information about the UK implementation of Directive 2006/87/EC and a list of other EU member States' administrations can be found at Annex 2 of that MSN. Union waterways are listed in Annex I of the Directive.

14.2 All commercial vessels (excluding ferries) and pleasure vessels exceeding 20m length operating on non-UK Union waterways will also need a European Identification Number (ENI). This is a permanent number that is allocated to the vessel for life, and relates to the vessel itself and not to the owner or operator. For UK vessels going to mainland Europe, ENI numbers may be obtained from the Royal Yachting Association (RYA) upon formal application. Guidance about this can be found in MGN 461 – European Union Inland Waterways - Issue of European Vessel Identification Numbers (ENIs).

14.3 Directive 2006/87/EC (as amended) does not affect vessels that operate only within the UK provided they comply with the applicable UK national requirements which are referred to elsewhere in this MGN. This Directive is implemented under UK law through The Merchant Shipping (Technical Requirements for Inland Waterway Vessels) Regulations 2010 (SI 2010/1075).

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<sup>4</sup> Directive 2006/87/EC on technical requirements for inland waterway vessels.

## 15 Other UK vessels that come within Class IX(A)

15.1 The regulations for LSA and FFE listed in paragraph 2.2 above, also apply to vessels that carry no more than 12 passengers<sup>5</sup> and do not go to sea, such as small trip vessels. The best source of guidance for these vessels is the Inland Waters Small Passenger Boat Code, available through the following link:- [http://www.dft.gov.uk/mca/final\\_brochure-2.pdf](http://www.dft.gov.uk/mca/final_brochure-2.pdf). Vessels that are equipped and operated in accordance with that Code are covered by a General Exemption from the regulations listed in paragraph 2.2.

15.2 The regulations listed in paragraph 2.2 also apply to self-drive hire boats although they would in many cases be difficult, impractical or even impossible to comply with. It is recommended that the owners of such vessels follow the advice given in the Hire Boat Code, in which case they will also be covered by the General Exemption mentioned in paragraph 15.1. Please note that the Hire Boat Code is maintained by the Association of Inland Navigation Authorities (AINA), and may be obtained from its website: <http://www.aina.org.uk/home.aspx> or from the MCA website: [http://www.dft.gov.uk/mca/hbc\\_issue\\_1\\_v1.pdf](http://www.dft.gov.uk/mca/hbc_issue_1_v1.pdf)

### More Information

Vessel Policy Branch  
Maritime and Coastguard Agency  
Bay 2/25  
Spring Place  
105 Commercial Road  
Southampton  
SO15 1EG

Tel : +44 (0) 23 8032 9120  
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e-mail: [Shipping.Safety@mcga.gov.uk](mailto:Shipping.Safety@mcga.gov.uk)

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<sup>5</sup> Any vessel that carries more than 12 passengers is a “passenger ship”, and must comply with the applicable statutory requirements including survey and certification.



## Annex 1

### Class IX(A) requirements for Life Saving Appliances, and Fire Fighting Equipment

#### 1. Life Saving Appliances (LSA)

| Equipment   | Category ABC                                  |   |   | Category D                              |                        |                        |
|---|---|---|---|---|------------------------|------------------------|
|   | <12.2m  | 12.2m to <21.3m                               | 21.3m and over                          | <12.2m                                  | 12.2m to <21.3m        | 21.3m and over         |
| <b>Vessels constructed before 1 July 1986</b>                             |   |   |   |   |                        |                        |
| Liferaft or boat  | -   | 1   | 1                                       | -                                       | 1                      | 1                      |
| Lifebuoy  | persons on board/2 <sup>1</sup>               | persons on board/2 <sup>1&amp;2</sup> (min 2) | persons on board/2 <sup>3</sup> (min 4) | -                                       | 2                      | 4                      |
| Life Jacket   | -   | 1 per persons on board                        | 1 per persons on board                  | -                                       | 1 per persons on board | 1 per persons on board |
| Rocket flares   | 6   | 6   | 6                                       | 6                                       | 6                      | 6                      |
| <b>Vessels constructed on or after 1 July 1986 and before 1 July 1998</b> |   |   |   |   |                        |                        |
| Liferaft  | -   | -   | -                                       | -                                       | 1 <sup>5</sup>         | 1 <sup>5</sup>         |
| Lifebuoy  | persons on board/2 <sup>1&amp;2</sup> (min 2) | persons on board/2 <sup>2</sup> (min 2)       | persons on board/2 <sup>3</sup> (min 4) | persons on board/2 <sup>2</sup> (min 2) | 2 <sup>2</sup>         | 4 <sup>3</sup>         |
| Lifejacket 32kg +   | -   | 1 per persons on board                        | 1 per persons on board                  | -                                       | 1 per persons on board | 1 per persons on board |
| Lifejacket <32kg  | -   | 1 per persons on board                        | 1 per persons on board                  | -                                       | 1 per persons on board | 1 per persons on board |
| Rocket flares   | -   | -   | -                                       | 6                                       | 6                      | 6                      |
| <b>Vessels constructed on or after 1 July 1998</b>                        |   |   |   |   |                        |                        |
| Liferaft  | -   | -   | -                                       | -                                       | 1 <sup>5</sup>         | 1 <sup>5</sup>         |
| Lifebuoy  | persons on board/2 <sup>1&amp;2</sup> (min 2) | persons on board/2 <sup>2</sup> (min 2)       | persons on board/2 <sup>3</sup> (min 4) | persons on board/2 <sup>2</sup> (min 2) | 2 <sup>2</sup>         | 4 <sup>3</sup>         |
| Lifejacket <sup>4</sup> 32kg +  | -   | 1 per persons on board                        | 1 per persons on board                  | -                                       | 1 per persons on board | 1 per persons on board |
| Lifejacket <sup>4</sup> <32kg   | -   | 1 per persons on board                        | 1 per persons on board                  | -                                       | 1 per persons on board | 1 per persons on board |
| Rocket flares   | -   | -   | -                                       | 6                                       | 6                      | 6                      |

#### Notes

Also, in addition to the above, every tug and tender shall carry buoyant apparatus sufficient to support the total of persons on board.

1. Unless non SOLAS type used then one per persons on board member.
2. One with buoyant line (18m) and one with smoke signal and light (on tankers light to be battery type).
3. Two with buoyant line (18m) and two with smoke signal and light (on tankers light to be battery type); one of each on each side.
4. With light.
5. With associated lighting, posters and training manual.

## 2. Fire Fighting Equipment for Class IX(A) vessels of up to 500 GT

| Equipment   | <150 GT               |                  | 150 GT to <500 GT   |
|---|-----------------------|------------------|---|
|   | < 21.34 m             | ≥ 21.34 m        | -   |
| Fire Pump (power)   |                       | yes <sup>5</sup> | yes   |
| Fire Main – to provide a jet of water anywhere              | -                     | yes              | yes   |
| Fire pump – outside engine room                             | Yes <sup>7</sup>      | yes <sup>1</sup> | yes <sup>1</sup>  |
| Hoses and nozzles   | Yes <sup>8</sup>      | 3                | 3   |
| Portable fire extinguisher – accommodation & service spaces | 2 <sup>9</sup>        | 3 <sup>9</sup>   | 3   |
| Fireman's Outfit and BA                                     | -                     | -                | Yes <sup>3</sup>  |
| Fireman's axe   | -                     | yes              | See note 3  |
| <b>Boiler room (&amp; room with oil fuel installation):</b> |                       |                  |   |
| Fixed system  | See note 10           | See note 10      | Yes   |
| Portable fire extinguisher                                  | -                     | -                | 2 <sup>2</sup>  |
| Sand box  | -                     | -                | 1 <sup>6</sup>  |
| <b>Engine room:</b>   |                       |                  |   |
| Portable fire extinguisher (suitable for oil fires)         | 1 (< 6 m) or 2 (≥ 6m) | 2                | 1 per 74.6 kW <sup>4</sup> or 2 plus a 45 litre foam (or 16kg CO <sub>2</sub> ) |

### Notes

1. Can be manually operated.
2. Two in each space containing any part of any oil fuel installation.
3. As per reg. 37 of SI 1998/1011, i.e. including fire axe, torch etc.
4. Up to a max of seven.
5. Power may be off main engine.
6. Alternatively an additional portable extinguisher suitable for oil fires.
7. May be power or hand operated.
8. Able to produce a jet 6m of water which can be directed at any part of the ship, with a 10mm and spray nozzle. Although in any ship <9m and any open ship less <21.34m this requirement may be substituted with two fire buckets, one of which must have a lanyard. These fire buckets need not be additional to those mentioned in note 9.
9. May be substituted with buckets, one of which must have a lanyard.
10. With regard to wooden boats see regs. 20 (5) and 21 (2) of SI 1998/1011.

## Annex 2

### MCA Alternative Standards for Life Saving Appliances and Fire Fighting Equipment

**Note: These alternative standards are not available for Class IX(A)(T) tanker vessels**

#### 1. Life Saving Appliances (LSA)

##### 1.1 Lifebuoys, life jackets and liferafts

1. There shall be at least two lifebuoys on vessels of less than 24m in length and four lifebuoys on vessels of 24m or more in length, at least one of which shall be located by the wheelhouse.

2. Lifebuoys and holders shall comply with harmonized standards BS EN 14144:2003 'Lifebuoys Requirements & tests' and BS 14145:2003 'Holders for Lifebuoys'. For category C and D waters, at least one of the lifebuoys shall be fitted with a buoyant line and one with a battery powered light which will not be extinguished in water.

3. Quoits may be used as an alternative to lifebuoys on category A and B waters.

4. In category B, C and D water there shall be one life jacket per persons on board member plus one spare; this requirement is recommended for category A waters. These may be inflatable lifejackets providing they are not orally inflatable. Lifejackets shall comply with BS EN 396 and shall be maintained in accordance with manufacturer's instructions.

5. Vessels operating in Category D waters shall have a liferaft (open reversible inflatable type (ORIL)). Recommended also for category C waters.

##### 1.2 Other equipment

1. The following shall be on board:

(a) A heaving line;

(b) A radar reflector, for non-metallic hulls on category B, C and D waters.

(c) A first aid kit

(d) Two red hand flares and two smoke signals shall be provided for operation on category C & D waters; rocket flares are recommended for category D waters and may be required on the advice of the navigation authority.

#### **2. Fire Fighting Equipment**

##### Fire extinguishers

2.1. There shall be on board at least:

- |     |  |                               |
|-----|--|-------------------------------|
| (a) | In the wheelhouse:   | 1 portable fire extinguisher; |
| (b) | Close to each means of access to the deck and accommodation;   | 1 portable fire extinguisher; |
| (c) | Close to each means of access to service premises that are not accessible from the accommodation, and which contain heating, cooking or refrigeration equipment using solid or liquid fuels: | 1 portable fire extinguisher; |
| (d) | At each entrance to the engine room and boiler rooms:  | 1 portable fire extinguisher; |
| (e) | At suitable points in engine rooms and boiler rooms such that no position in the space is more than 10 metres away from an extinguisher, unless this provision is met by (d).                | 1 portable fire extinguisher; |
| (f) | By the galley  | 1 fire blanket.               |

2.2. Portable fire extinguishers shall meet the following conditions:

(a) Portable fire extinguishers required by section 1 shall be of an approved type meeting the requirements of BS EN3 Series: 1996 and have a rating of at least 13a/113b.

(b) The extinguishing substance used in the portable fire extinguishers required by section 1 shall be suitable for at least the fire category that is most likely to occur within the area for which the extinguishers is intended.

The extinguishing substance on board vessels whose electrical systems have a service voltage of more than 50 V shall also be suitable for fighting electrical fires. The instructions for use shall be clearly set out on each portable extinguisher.

(c) The extinguishing substance may be neither halon nor contain a product which is likely to release toxic gases during use, such as carbon tetrachloride. Portable fire extinguishers using CO<sub>2</sub> may only be used to fight fires at specific locations such as control panels, kitchens; the quantity of CO<sub>2</sub> should not constitute a health hazard.

(d) Extinguishers that are sensitive to freezing or to heat shall be installed or protected in such a way that their proper functioning is always guaranteed.

2.3. Fire extinguishers shall be serviced at the manufacturer's recommended service intervals by an approved service agent.

2.4. If extinguishers are installed in such a way that they are out of sight the panel covering them shall be identified by an appropriate symbol accordance with MSN 1763 (M+F).

### **Fuel Tank Shut offs**

2.5 Directly at tank outlets the pipe work for the distribution of liquid fuels shall be fitted with a shutoff device that can be operated from the deck. This requirement shall not apply to tanks mounted directly on the engine.

## Annex 3



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### GENERAL EXEMPTION

The Secretary of State, in exercise of his powers under Section 85(6) of the Merchant Shipping Act 1995 together with the exemption powers<sup>2</sup> in each of the appropriate regulations hereby exempts:

#### Ships of Class IX(A)

from the requirements of such regulations as applicable to it being a ship of Class IX(A). This exemption shall have immediate effect and only until such time as the appropriate parts of the regulations<sup>3</sup> are revoked, or this exemption is either amended or revoked.

This is on condition that:

(a) the vessel does not proceed to sea<sup>4</sup>

AND

(b) the vessel meets the requirements for carriage of life saving appliances and fire fighting equipment, as laid down in:-

- the MCA Alternative Standard;
- the Thames Freight Standard; or
- another appropriate and suitable industry standard that is approved by MCA.

AND

(c) when required by the relevant waterway authority, the vessel has been issued with an appropriate Certificate of Inspection pertaining to such an approved standard.

Dated this 14 day of September 2011

A handwritten signature in blue ink, appearing to read 'Philip Naylor', is written over a horizontal line.

**Philip Naylor**

Director of Maritime Services  
for the Secretary of State

<sup>2</sup> SI 1999 No. 2721 – The Merchant Shipping (Life Saving Appliances For Ships other than Ships of Classes III to VI(A)) Regulations 1999, Regulation 85;  
SI 1998 No. 1011 – The Merchant Shipping (Fire Protection: Small Ships) Regulations 1998: Regulation 47

<sup>3</sup> SI 1999 No. 2721; Regulations 1, 2, 3, 4, 5, 18, 40, 46, 62, 67.  
SI 1998 No. 1011; Regulations 1, 2, 21.

<sup>4</sup> Beyond the boundaries of Categorised Waters as defined and listed in Merchant Shipping Notice MSN 1827 (M), as amended.

## Annex 4

### Statutory requirements for health and safety on board vessels

| Legislation  | Guidance and further information   |
|--|--|
| The Merchant Shipping (Means of Access) Regulations 1988<br>(SI 1988/1637)   | MGN 337 "Provision of Safe Means of Access to Fishing and Other Small Vessels"   |
| The Merchant Shipping (Entry into Dangerous Spaces) Regulations 1988<br>(SI 1988/1638)   | MGN 423 "Entry into dangerous spaces"  |
| The Merchant Shipping (Safe Movement on Board Ship) Regulations 1988<br>(SI 1988/1641)   | -  |
| The Merchant Shipping and Fishing Vessels (Health and Safety at Work) Regulations 1997 - Statutory Instrument<br>(SI) 1997/2962        | Marine Guidance Note (MGN) 20 "Implementation of EC Directive 89/391. Merchant Shipping and Fishing Vessels (Health and Safety at Work) Regulations 1997"  |
| The Merchant Shipping (Code of Safe Working Practices for Merchant Seamen) Regulations 1998<br>(SI 1998/1838)                          | The Code of Safe Working Practices for Merchant Seamen   |
| The Merchant Shipping and Fishing Vessels (Health and Safety at Work) (Employment of Young Persons) Regulations 1998<br>(SI 1998/2411) | MGN 88 "Implementation of EC Directive 94/33. Merchant Shipping and Fishing Vessels (Health & Safety at Work) (Employment of Young Persons) Regulations"   |
| The Merchant Shipping and Fishing Vessels (Manual Handling Operations) Regulations 1998<br>(SI 1998/2857)                              | MGN 90 "Implementation of EC Directive 90/269/EC Merchant Shipping and Fishing Vessels (Manual Handling Operations) Regulations 1998"  |
| The Merchant Shipping and Fishing Vessels (Personal Protective Equipment) Regulations 1999.<br>SI 1999/2205)                           | MSN 1731 "The Merchant Shipping and Fishing Vessels (Personal Protective Equipment) Regulations 1999"  |
| The Merchant Shipping (Working Time: Inland Waterways) Regulations 2003<br>(SI 2003/3049)  | Merchant Shipping Notice (MSN) 1778 "Application of the Merchant Shipping (Working Time: Inland Waterways) Regulations 2003"   |
| The Merchant Shipping and Fishing Vessels (Lifting Operations and Lifting Equipment) Regulations 2006 (SI 2006/2184)                   | MGN 332 "The Merchant Shipping and Fishing Vessels (Lifting Operations and Lifting Equipment) Regulations 2006"  |
| The Merchant Shipping (Provision and Use of Work Equipment) Regulations 2006<br>(SI 2006/2183)   | MGN 331 "The Merchant Shipping and Fishing Vessels (Provision and Use Of Work Equipment) Regulations 2006"   |
| The Merchant Shipping and Fishing Vessels (Control of Noise at Work) Regulations 2007<br>(SI 2007/3075)                                | MGN 352 "The Merchant Shipping and Fishing Vessels (Control of Noise at Work) Regulations 2007"  |
| The Merchant Shipping and Fishing Vessels (Control of Vibration at Work) Regulations 2007<br>(SI 2007/3077)                            | MGN 353 "The Merchant Shipping and Fishing Vessels (Control of Vibration at Work) Regulations 2007"<br>MGN 436 "WHOLE-BODY VIBRATION: Guidance on Mitigating Against the Effects of Shocks and Impacts on Small Vessels" |
| The Merchant Shipping and Fishing Vessels (Health and Safety at Work) (Carcinogens and Mutagens) Regulations 2007<br>(SI 2007/3100)    | MGN 356 "The Merchant Shipping and Fishing Vessels (Health and Safety at Work) (Carcinogens and Mutagens) Regulations 2007"  |
| The Merchant Shipping and Fishing Vessels (Health and Safety at Work) (Work at Height) Regulations 2010<br>(SI 2010/332)               | MGN 410 "The Merchant Shipping and Fishing Vessels (Health and Safety at Work) (Work at Height) Regulations 2010"  |
| The Merchant Shipping and Fishing Vessels (Health and Safety at Work) (Biological Agents)  | MGN 408 "The Merchant Shipping and Fishing Vessels (Health and Safety at Work) (Biological   |

|   |   |
|---|---|
| Regulations 2010<br>(SI 2010/323)   | Agents) Regulations 2010”   |
| The Merchant Shipping and Fishing Vessels<br>(Health and Safety at Work) (Chemical Agents)<br>Regulations 2010<br>(SI 2010/330)               | MGN 409 “The Merchant Shipping and Fishing<br>Vessels (Health and Safety at Work) (Chemical<br>Agents) Regulations 2010”              |
| The Merchant Shipping and Fishing Vessels<br>(Health and Safety at Work) (Artificial Optical<br>Radiation) Regulations 2010<br>(SI 2010/2987) | MGN 428 “The Merchant Shipping and Fishing<br>Vessels (Health and Safety at Work) (Artificial<br>Optical Radiation) Regulations 2010” |
| The Merchant Shipping and Fishing Vessels<br>(Health and Safety at Work) (Asbestos)<br>Regulations 2010<br>(SI 2010/2984)                     | MGN 429 “The Merchant Shipping and Fishing<br>Vessels (Health and Safety at Work) (Asbestos)<br>Regulations 2010”                     |

*[Grey shading indicates those items most likely to be relevant to UK IWNP vessels. May be helpful to show the H&S provisions in two sections: those that apply to all vessels; and those that apply only in relation to specific cargoes etc.]*

