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## **Counting and registration of persons on board passenger ships**

Notice to all Shipowners, Masters, and crew of passenger ships

*This notice supersedes MSN 1408, MSN 1537 and MSN 1729*

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### **Summary**

This Merchant Shipping Notice forms an integral part of the Merchant Shipping (Counting and Registration of Persons on Board Passenger Ships) Regulations 1999. This M Notice does not introduce changes to the Regulations. The purpose of the M Notice is to update MSN 1729 in order to;

- reflect changes in administrative procedures which now require all applications for approval of passenger counting and registration systems to be sent to the company/operators local MCA Customer Service Manager/Local Marine Office;
- update references to accurately reflect current Department for Transport and Maritime and Coastguard Agency structure; and
- update the reference to vessel classes to include EC Classes as defined in Directive 98/18/EC of 17 March 1998 on safety rules and standards for passenger ships

1. The Merchant Shipping (Counting and Registration of Persons on Board Passenger Ships) Regulations 1999 came into force on 22 July 1999 as did the revised requirements for passenger counting. Requirements for Passenger Registration contained in the Regulation applied from 1 January 2000.
2. The regulations apply to all United Kingdom passenger ships wherever they may be, and to all other passenger ships whilst in United Kingdom waters and carrying more than 12 passengers. This Merchant Shipping Notice provides further advice in support of the Regulation.
3. In this Merchant Shipping Notice, unless the context otherwise requires:-

a reference to a numbered regulation is a reference to a regulation of that number in the Merchant Shipping (Counting and Registration of Persons on Board Passenger Ships) Regulations 1999;

Category of age:

“adult” means any person who is not an infant or a child;

“child” means any person who has reached his/her fourth birthday but has not reached adult age as defined by the company’s booking conditions and advised to the Maritime and Coastguard Agency (MCA);

“infant” means any person who has not yet reached his/her fourth birthday;

Class of vessels:

“class I” means passenger ships engaged on voyages (not being short international voyages) any of which are long international voyages;

“class II” means passenger ships engaged on voyages (not being long international voyages) any of which are short international voyages;

“class II(A)” means passenger ships engaged on voyages of any kind other than international voyages, which are not ships of Classes III to VI(A) as defined in the Merchant Shipping (Passenger Ships Construction: Ships of Classes III to VI(A)) Regulations 1998 or of Classes A to D as defined in EC Directive 98/18/EC as amended;

“class A” shall mean passenger ships defined as such in EC Directive 98/18/EC;

“company” shall mean the owner of a passenger ship or any other organisation or person such as the manager or bareboat charterer, who has assumed the responsibility for operating the passenger ship;

“designated authority” means the competent authority of the state responsible for search and rescue or concerned with the aftermath of an accident;

“the Directive” means Council Directive 98/41/EC on the registration of persons sailing on board passenger ships operating to or from ports of the member States of the Community;

“high speed craft” means a high speed craft as defined in Regulation 1 of Chapter X of the 1974 SOLAS Convention;

“landing point” means any berth, excursion point, floating pier or stage, link span, pier, port, stop or anchorage point from or to where passengers are embarked and disembarked;

“Maritime and Coastguard Agency” is an executive agency of the Department for Transport;

“person” shall mean all people on board the vessel irrespective of age;

“passenger ship” means a ship carrying more than 12 passengers:

“passenger registrar” means a shore-based person designated by the company/owner for the keeping of information on persons who have embarked on a voyage on a company passenger ship to which the Regulations apply (this may be the Designated Person as required by the ISM Code if the company feels appropriate); and

“voyage” means a journey from one place to another where passengers can embark/disembark.

4. This notice outlines alternative systems for determining the number of persons and the registration of passengers on board and advises how to obtain approval for the introduction of the system. It is not intended that once the system is chosen the same system has to be applied throughout a company’s fleet or, in the case of a particular ship, applied when it operates from different ports, or on alternative routes. Nevertheless for any one particular voyage the counting and recording of passengers must be undertaken by the same system.

### **Capture of Information (Regulations 5 & 6)**

5. In accordance with the requirements of the individual regulations for counting and registration of persons on passenger ships
  - (i) the counting and registration system implemented by the company is required to maintain the necessary information to comply with the Regulations;
  - (ii) the company shall appoint an onshore "Passenger Registrar" responsible for the upkeep and transmission of this information in accordance with the requirements of the Regulations;
  - (iii) the system shall be applied to all persons boarding and disembarking from a vessel for a voyage. A record shall be made of each person regardless of whether that person has been issued with a ticket or is a member of the crew;
  - (iv) the system shall be able to take account of any changes to personnel embarking or disembarking during a voyage including those who remain on board from a previous voyage. The system shall account for all persons on board the vessel at all times. Each person on board the vessel must have their relevant details recorded irrespective of whether they are a fee paying passenger or not;
  - (v) the information is to be updated at each landing/stopping point where persons may embark or disembark the vessel;
  - (vi) the system shall ensure that information concerning persons who have declared a need for special assistance or care in emergency situations is properly recorded and handed to the Master prior to departure; and
  - (vii) the system shall be approved by the Maritime and Coastguard Agency (MCA).
6. Prior to departure from a landing point the number of persons recorded on board shall be communicated to the Master of the vessel and to the company's passenger registrar or the shore based company system that performs the same function. The Master shall ensure that the vessel does not depart if the total number of persons on board exceeds the total number that the vessel is certified to carry.
7.
  - (i) Information gathered as a part of the registration system shall be recorded prior to departure and communicated within thirty minutes of the ships departure to the company system; and
  - (ii) ship owners and operators should ensure that the information required for the registration of persons is collected in a manner that causes minimum disruption and delay to those boarding the vessel.

### **Availability of Information**

8. It is the responsibility of the company/operator to ensure that the information collected in line with Regulations 5 and 6 is readily available from the nominated passenger registrar for transmission to the emergency services in the event of an emergency or in the follow up to an accident. The name and contact point for the nominated passenger registrar must be provided to the relevant local designated authorities which in the United Kingdom are the Police, and the MCA Marine Office which granted the approval.
9. The information that is recorded by the company shall be maintained and:-
  - (i) be readily available to the emergency services in a format that is uncomplicated and easy to comprehend, especially in emergency situations; and

- (ii) the information shall be protected from;
  - (a) accidental or unlawful destruction or loss;
  - (b) accidental or unlawful alteration; and
  - (c) unauthorised disclosure or access.

### **System Failure**

- 10. It is essential that a suitable back up system is available in the event of a breakdown of the main systems which can provide the necessary facilities to meet the regulations without causing undue delays.

### **Approval of System by the Maritime and Coastguard Agency**

- 11. All systems shall be approved by the MCA on behalf of the Secretary of State and will be subject to inspection to ensure the correct functioning of the system. In order to gain approval it shall be for the company to satisfy the MCA that:-
  - (i) the system at least, meets the requirements of the Regulation, and this Notice; and
  - (ii) where applicable in the in the United Kingdom, the name and contact point for the nominated passenger registrar has been provided to the local Police and the local MCA Marine. It will remain the responsibility of the company/operator to ensure the information provided on the nominated passenger registrar remains up to date.
- 12. The written application should contain details of the proposed system and include examples of tickets/prints wherever possible. Applications should be sent to the company/operator's MCA Customer Service Manager or local Marine Office for approval. These should be at least 28 days before the required implementation of the system to allow them time to make the necessary inquiries and if necessary, to visit the company to gain further information.

### **Exemptions**

- 13. Applications for exemption should be made in writing giving a full explanation to the local MCA Marine Office. Such applications will be considered where:-
  - (i) passenger ships which operate exclusively in protected sea areas, with regular services of less than one hour between port calls, maybe exempted from part of the obligation laid down in Regulation 5 to communicate the number of persons on board to the passenger registrar or to a shore-based company system that performs the same function; or
  - (ii) passenger ships which operate exclusively in protected sea areas and between two ports from and to the same port without intermediate calls, may be exempted from the obligations laid down in Regulation 6.
- 14. For regular services where passenger ships are sailing on domestic voyages or between two EC Member States, in an area where the annual probability of the significant wave height exceeding 2.0 metres is less than 10% and:
  - (i) the voyage does not exceed about thirty miles from the point of departure; or
  - (ii) where the primary purpose of the service is to provide regular links to outlying communities for customary purposes.
- 15. An application for an exemption (wholly or partly) from the requirements of Regulation 6 should be made by the shipping company if it is considered impracticable for this information to be

recorded. Evidence of such impracticability should be provided. In addition, it should be demonstrated that in the area where such ships operate, shore-based navigational guidance and reliable weather forecasts are provided and that adequate and sufficient search and rescue facilities are available.

### **Methods of Counting**

16. Companies may use the following methods of counting as applicable, or a similar approved system which meets the requirements of the Regulations.

### **Class I Passenger Ships**

#### **Landing Card System**

17. Passenger ships operating on Class I passenger certificates shall ensure there is a system by which all persons boarding will be counted prior to departure in line with paragraphs 5-11.
18. Due to the nature of the journeys generally undertaken by these vessels the collection of the registration information will normally be readily available prior to departure and should be recorded in line with paragraphs 5-11.
19. Persons who disembark at each landing point shall be counted by means of landing cards or similar. Landing cards may be issued in the same way that boarding cards are issued in paragraphs 22-24. A running tally shall be kept of those boarding for the first time and those re-embarking so that the total number of persons on board for the voyage is always known prior to departure, in line with Regulation 5.
20. Where any change of persons on board occurs it is the responsibility of the Master to ensure that the Passenger Registrar is informed and the registration detail is updated within thirty minutes of departure.
21. Landing cards, if used, should be made of a material such as plastic or card and wherever possible shall be used to draw the passenger's attention to safety information.

### **EC Class A, United Kingdom Class II, and II(A) Passenger Ships and Seagoing High Speed Craft**

- (a) Manual boarding card system
22. Passenger Ships operating on EC Class A, United Kingdom Class II, and II(A) passenger certificates should ensure that there is a manual boarding card system for all passengers boarding on a particular voyage. There shall be one boarding card per passenger regardless of whether passengers have individual tickets, unless an appropriate exemption has been granted under Regulation 9. Special Arrangements must be made for passengers who remain on board from a previous voyage, crew and other persons on board the vessel.
23. A boarding card system shall conform with one of the following descriptions:
  - (i) there shall be for each voyage, a book or books of numbered boarding cards. If more than one book is used the books shall be consecutively numbered. To facilitate counting, each card shall have an individually numbered counterfoil. One card shall be issued to each passenger at, or shortly before, the time of boarding. However when a number of passengers travel together in one vehicle a card for each passenger may be issued in a set to the driver or to a responsible person in the vehicle, provided that such a procedure will not affect the accuracy of the total passenger count. The total number of cards issued for a particular voyage will be determined from the number of cards remaining in the book or books, and from the numbered counterfoils; or

- (ii) each passenger shall be issued, before arriving at the embarkation point, with a boarding card which may have a detachable portion. The detachable portion (or the complete card) shall be collected by a representative of the Master at, or shortly before, the time of boarding and the number so collected will determine the number of passengers boarding. However as in paragraph (i) above, when a number of passengers travel together a card for each passenger may be issued in a set to the driver or to a responsible person in the vehicle; provided that such a procedure will not affect the accuracy of the total passenger count.

When large numbers of passengers are involved, such as on ships certified to carry more than 200 passengers, the detachable portions (or the complete cards) may be counted by automatic passenger counting machines.

24. Other systems of manual counting may be provided if they:

- (i) conform with the basic objectives set out in paragraphs 22 & 23;
- (ii) are straightforward, secure and effective; and
- (iii) can be easily checked and enforced without the necessity of arranging a full passenger count as passengers leave the ship.

b) Computerised boarding card system

25. A computerised boarding card system should be capable of recording all information on persons required by regulations 5 & 6, provided that the following have taken into account in the counting, boarding and registration procedures governing the system:

- (i) where the passenger checks in;
- (ii) where the boarding card is issued
- (iii) how the issue of the computerised boarding card corresponds to the aggregation of the count;
- (iv) what route the passenger takes to the ship;
- (v) what other controls (for example, immigration control) the passenger passes through;
- (vi) how the total count is adjusted if a passenger belatedly decides not to travel;
- (vii) how passengers remaining on board are dealt with; and
- (viii) what contingency plans have been made in the event of the computerised system malfunction:
  - (a) prior to boarding; or
  - (b) during the course of boarding

26. In a computerised boarding card system passengers travelling together in parties may be issued with one card only on which is indicated the total number of passengers in the party. In that case however, a physical check shall be built into the counting procedures to ensure the accuracy of the total passenger count.

27. Boarding cards should be made of a material such as plastic or card and wherever possible shall be used to draw the passenger's attention to safety information

### Passengers remaining on board from a previous voyage

28. The design of manual and computerised systems shall take into account the counting of passengers remaining on board from a previous voyage or part of that voyage.
29. Passengers remaining on board at the end of a voyage shall be given a card for the return voyage which may be the boarding card for the return voyages. The passenger shall be required to have the return boarding card marked or recorded whilst the vessel is docked to confirm the return journey.
30. Where a computerised boarding card system is used it shall include an effective method for counting those staying on board to meet the above criteria.
31. Passengers who disembark at each landing point shall be counted by means of landing cards. Landing cards may be issued in the same way that boarding cards are issued in paragraphs 22-27. A running tally is to be kept of those boarding for the first time and those re-embarking shall be maintained so that the total number of passengers on board for the voyage is always known prior to departure.
32. Where any change of persons on board occurs it is the responsibility of the Master to ensure that the Passenger Registrar is informed and the Registration detail is updated within thirty minutes of departure.
33. Landing cards should be made of a material such as plastic or card and wherever possible shall be used to draw the passenger's attention to safety information.

### Dual Systems

34. Where the systems comply with the regulations and can be shown to be effective, secure and meet the requirements of paragraphs 5-7, two discrete boarding systems may be deployed. For example, manual boarding cards for freight drivers, and a computerised system for the rest of the passenger load may be considered providing it fully satisfies the requirements of the Regulations.

### **Other Passenger Ships**

#### Boarding card systems

35. The boarding card system shall conform to the requirements for vessels of EC Class A and United Kingdom Class II and II(A) and Seagoing High Speed Craft.

#### Clicker system

36. The Master or a member of the crew shall count each passenger boarding using a consecutively numbering (hand-held) counting device and note their number. When ships call at a number of landing points to land and take on passengers/crew etc., the persons disembarking at each landing point shall be similarly counted and recorded. New passengers shall then be boarded, and counted again using the clicker. The total number of passengers on board shall be calculated before sailing using these figures as a basis. If the clicker can also subtract figures it can be used directly on passengers embarking and disembarking to maintain a running total of passengers on board.
37. The Master or a member of crew shall, before departure, advise the passenger registrar ashore of the revised information together with the vessel's name, the landing point, the date, and the time of the transmission.
38. When a passenger ship plies to and from unmanned landing points the information of persons on board, the date and time of sailing and the name of the vessel shall be recorded in writing and the record placed in a suitable secure location ashore.

## Electronic System

39. The Master or a member of the crew shall count each passenger boarding using electronic equipment at least as effective as the systems described above. The system shall include the counting of any passenger remaining on board at the end of the voyage. Passengers who do not physically disembark may be given a card for the journey ahead. It is the responsibility of the shipowner to ensure that the system works and is effective.

Further information on the contents of this Notice can be obtained from the address at the end of this Notice.

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