



MSN 1869(M) Amendment 1

Safety Management Code For Domestic Passenger Ships

Notice to all Shipowners, Operators, Charterers and Managers; Masters, Officers and Seamen

This notice replaces MSN 1754(M) and should be read in conjunction with MGN 536 (M).

Summary

This notice sets out the instructions regarding safety management of domestic passenger ships.

Key points:

The code is based on general principles and objectives, and expressed in such terms that it can be applied to a wide variety of ships.

Companies are to develop and implement the following safe practices:

- a health, safety and environmental protection policy;
- procedures to ensure the safe operation of ships in compliance with relevant rules;
- lines of communication between personnel, ashore and afloat;
- procedures for reporting accidents; and
- procedures for responding to emergency situations.

Companies are also required to ensure that all persons employed in the operation of the ships receive appropriate training for the duties they are required to fulfil. Please note that the changes relate to paragraphs 14.1 and 14.2.

1. Introduction/ Background

1.1 The Merchant Shipping (Domestic Passenger Ships) (Safety Management Code) Regulations came into force on 1st November 2001. The Regulations apply to all domestic passenger ships, except those domestic operators required to comply with the International Safety Management (ISM) Code.



- 1.2 The purpose of a safety management code is to establish a common standard for the safe operation of passenger ships employed in the domestic trade.
- 1.3 It is recognised that there are a wide variety of passenger ships in the domestic trade, in the Classes III – VIA. The Code is kept brief and simple, so that it can be applied to a wide variety of ships, and developed by each company to meet the needs of that company.
- 1.4 To comply with this Code, each operator should create a safe working environment.
- 1.5 “Operator” means the company, which is defined as the owner or other person assuming responsibility for operating the ship from the owner.
- 1.6 This Notice describes the objectives of developing a safety management system (SMS) and how to implement it effectively. The elements of the DSM Code are detailed in sections 2 – 16.

2. Objectives

- 2.1 The objectives of safety management are to ensure a simple and cost effective means of:
- ensuring safety on board;
 - preventing human injury and loss of life;
 - preventing pollution; and
 - complying with applicable regulations and rules.
- 2.2 Each operator shall develop and implement safe practices through a safety management system which includes the following:
- procedures to ensure safe operation of ships in compliance with relevant rules;
 - lines of communication between personnel, ashore and afloat, with regard to additional requirements and local bye-laws;
 - procedures to prevent pollution;
 - procedures for reporting accidents; and
 - procedures for responding to emergency situations.
- 2.3 To comply with the Code, each operator should create a safe working environment, which should include the following sections 3 - 14:

3. A Health, Safety and Environmental Protection Policy

- 3.1 This must address the issues of health, safety and the environment as they affect the company and its staff, both ashore and afloat. Such a policy might read along the following lines: “The policy of (name of Company) is to conduct its activities taking full account of the health and safety of its employees and of all persons using or connected with the Company. In implementing this policy, (name of Company) will ensure that the [ship] is, at all times, properly maintained and operated by qualified personnel in full compliance with relevant legislation. In particular the [Co.] will carry out an assessment of the risks to the health and safety of workers and others affected by [the undertaking], and will take the necessary measures to minimise the risks identified.”
- 3.2 Each operator of a ship certified to carry 15 persons or more is also required by the Merchant Shipping (Prevention of Pollution by Garbage) Regulations 1998 (S.I. 1998/1337) to carry a Garbage Management Plan.



- 3.3 Every ship of 12 metres or more in overall length shall display placards to notify the crew and passengers of the ship's disposal requirements. MSN 1807(M+F) is relevant and should be consulted.
- 3.4 It is an offence under section 131 of the Merchant Shipping Act 1995 for a ship in U.K. national waters, navigable by sea-going ships, to discharge any oil or oily mixture into those waters. The operator of such a ship is recommended to develop and implement an oil management plan to the same standard as the garbage management plan and to integrate it with the Health and Safety Protection Policy.
- 3.5 The Merchant Shipping and Fishing Vessels (Health and Safety at Work) Regulations 1997, specifically require the appointment of one or more competent persons to take responsibility for health and safety. That person/persons should be identified. It is the responsibility of the owner/operator to ensure that the policy is complied with, and that the responsibilities are understood.
- 3.6 The company should develop a policy on prevention of alcohol and drug abuse, in the light of the very strong comments made in the Thames Safety Inquiry Report by Lord Justice Clarke. Where alcohol is served on board, the policy should also stipulate that no alcohol will be served to persons under 18 years of age.
- 3.7 Under the Health, Safety and Environmental Policy, all personnel both ashore and afloat have a duty to take care of themselves and other persons who may be affected by their acts or omissions.

4. Responsibilities

- 4.1 The Master's responsibility shall be laid down so that there is no misunderstanding. They have the authority to make decisions regarding the safety of the ship and persons on board. To ensure that there is no ambiguity regarding the authority of the Master, there shall be a simple written statement to this effect. Assistance shall be available ashore from the company at all times.
- 4.2 The responsibility and authority of each employee shall be clear. This may be best illustrated in a simple diagram, showing who reports to whom.

5. Designated Person

- 5.1 A company shall, in relation to each ship owned by it or for which it has operational responsibility, designate a person who shall be responsible for monitoring the safe operation of the ship and, so far as it may affect safety, the efficient operation of the ship and may fulfil the requirements of para 3.5.
- 5.2 In particular, the Designated Person shall: a) take such steps as are necessary to ensure compliance with the Safety Management System, and b) ensure that proper provision is made for the ship to be adequately manned, equipped and maintained, relating to safety applicable to the ship.
- 5.3 The Company shall ensure that a Designated Person: a) is provided with sufficient authority and resources, b) has appropriate knowledge and sufficient experience of the operation of ships, and c) shall have access to the highest level of management of that company.



6. Personnel and Training

6.1 All personnel should receive training appropriate to the tasks they undertake. It is the responsibility of the company to ensure that this training is given, and that the personnel have an understanding of the relevant regulations and rules.

6.2 As a minimum, this means:

- for the Master, the relevant qualifications;
- for the crew, training appropriate to their designated duties.

6.3 Prior to the first occasion of working on the ship, each employee must receive appropriate familiarisation training and proper instruction in on-board procedures. This could include but not necessarily be limited to:

- mooring and unmooring;
- launching and recovery of survival craft;
- evacuation from all areas of the ship;
- donning of lifejackets; and
- use and handling of fire-fighting equipment.

6.4 Where the ship uses locks or sluice gates, on the job training in this process is essential.

6.5 Relevant training should also be provided to casual staff – i.e. not regular “crew” – who may be needed to assist in controlling/guiding passengers in the event of evacuation.

7. Procedures to Ensure Safe Operation of Ships in Compliance with the Regulations and Rules

7.1 The regulations and rules which apply to the domestic passenger ships include but are not limited to:

- SI 1998/2515 - The Merchant Shipping (Passenger Ship Construction Ships of Classes III-VI(A)) Regulations;
- SI 1999/2723 - The Merchant Shipping (Life Saving Appliances for Passenger Ships Classes III – VI(A)) Regulations;
- SI 1992/2356 - Categorisation of Waters;
- SI 1996/75 - The Merchant Shipping Distress Signal and Prevention of Collisions Regulations;
- SI 2001/54 - The Merchant Shipping and Fishing Vessels (Health and Safety at Work) Regulations;
- SI 1998/1838 - The Code of Safe Working Practices for Merchant Seamen;
- Merchant Shipping Notices and Marine Guidance Notes

7.2 The company should draw up simple procedures to ensure that safe working practices are carried out in the operation of the ship. These may be in the form of checklists which can be followed by all personnel.

8. On-board Procedures

8.1 Simple procedures should be developed for the operation of the ship. These should include, but not be limited to:

- testing of equipment, including steering gear, prior to commencing a passage;
- navigation and handling of the ship;
- maintenance routines;
- bunkering operations;
- mooring and unmooring
- passenger counting and crowd control



- watertight integrity;
- stability of the ship; and
- conduct of passengers and crew while on board.

8.2 For some ships, it might be appropriate to have permanently exhibited checklists, e.g. in the wheelhouse for navigational items. Alternatively, in a smaller ship, the record could take any suitable form such as a diary as distinct from a specially printed logbook. Whatever form the record takes, such entries should be accepted as evidence of compliance with the on-board procedures requirements.

9. Procedures for Reporting Accidents

9.1 It is a legal requirement under the Merchant Shipping Act to report all accidents which is covered by the Merchant Shipping (Accident Reporting and Investigation) Regulations 2005 (SI 2005 No. 881) and the Master shall inform the Marine Accident Investigation Branch (MAIB) of all reportable accidents in accordance with these regulations.

9.2 All accidents and near accidents shall be recorded and reported to the operator, who shall implement corrective action, with the aim of improving safety. Any incident or defect which affects the safety of the ship is to be reported to the MCA at the earliest opportunity.

9.3 The requirement for reporting accidents should be well understood by all personnel and in so doing improve the safety culture practised on board. The company must therefore have a procedure in place to report any reportable accident to the MAIB and to the MCA.

9.4 It is essential that, in the event of an emergency, there is the ability to communicate with the emergency services either directly or via a shore base. The shore base may be the company office, the local Coastguard, Police or Fire Station, or another office as may be agreed between the ship and the shore base.

10. Procedures for Responding to Emergency Situations

10.1 There should be clearly stated procedures for responding to emergency situations. These may include but not be limited to: collision; fire; abandon ship; flooding; grounding; loss of steering gear, medical emergency; man overboard; aid to other vessels; pollution; enclosed space rescue; violent act; main propulsion failure, etc.

10.2 Checklists may be useful in this regard.

11. Preparation for Emergencies

11.1 The potential emergencies likely to have been encountered by the ship should be considered. Exercises should then be carried out in the handling of these emergencies and evacuation from the ship.

11.2 Where possible, all personnel should be involved in these exercises, both ashore and afloat. (Refer to MSN 1783).

11.3 The roles and responsibilities of all personnel in an emergency situation should be developed in accordance with the principles of the Code.

11.4 The exercises should be recorded. The names of those who participated should also be recorded.



12. Equipment

- 12.1 Maintenance of the ship and equipment is an essential ingredient of safety management. The equipment should be checked and tested daily when in use; in addition to the tests referred to in the on-board procedures section of the Code (paragraph 8.2).
- 12.2 There should be procedures for a more detailed inspection and maintenance programme of the ship and equipment.
- 12.3 The frequency of the inspections should be determined by the owner/operator, but every event should be recorded.
- 12.4 A checklist could be employed as an aide memoire for the inspection of equipment.

13. Review

- 13.1 Every company should undertake a review of the safety management system of all ships at least once in every three years.

14. Certification

- 14.1 An "initial audit", to assess compliance as far as practicable with the Code, shall be carried out by MCA for each ship. Following satisfactory completion of this audit a Domestic Safety Management Certificate shall be issued to each ship. The period of validity of this certificate will normally be for 5 years and is subject to a mid-term audit which will be carried out by the MCA on each ship between the 2nd and 3rd anniversaries.
- 14.2 The on board audit will be conducted by the MCA when the vessel is operational in all aspects and will be carried out at a mutually convenient time. It may be necessary for the vessel to be taken out of service for the duration of the audit including the drill. Some elements such as passenger boarding arrangement, mooring and navigation may be carried out in service.
- 14.3 The validity of the certificate is also subject to annual self-assessments of the company / office and each ship, carried out by the operator to the satisfaction of the MCA. The reports of these self-assessments shall be submitted by the operator to the MCA for review.
- 14.4 An initial audit of the company/office is also to be undertaken prior to the issuance of any certification of the vessel and therefore the owner/operator should ensure that all necessary documentation is available. The scope of the initial company/office audit will include but not be limited to:
- Ñ maintenance of hull and machinery, including agreed protocols for checks and testing;
 - Ñ system for ensuring crew and skippers are adequately certified and trained;
 - Ñ evidence of a robust system of checks and inspections; and
 - Ñ evidence of a closed loop for defect and fault management.
- 14.5 The self-assessments may be conducted either by the owner/operator or an accredited person from outside the company. This audit will be conducted to an agreed format which shall be incorporated in to the safety management system.



14.6 Where any MCA audit is unsuccessful, normal enforcement procedures shall be followed to ensure that deficiencies are rectified. When MCA has grounds to indicate that the annual self-assessments are not in accordance with the SMS, the company will be subject to an additional verification audit. Guidance on carrying out the self-assessments would be made available by the MCA.

15. Fees

15.1 Operators shall be charged at the main hourly rate set for the audits performed by the MCA.

16. Exemptions

16.1 Exemptions to these arrangements shall be considered on a case by case basis. In accordance with Recommendation 27.40 of Lord Justice Clarke's Inquiry, exemptions from the provisions of the Code will be granted only on condition that an equivalent level of safety is achieved.

More Information

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