



MSN 1794 (M) Amendment 1

Counting and registration of persons on board passenger ships

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

This notice amends MSN 1794, and should be read with:- The Merchant Shipping (Counting and Registration of Persons on Board Passenger Ships) (Amendment) Regulations 2021;

Summary

This Merchant Shipping Notice ("MSN") gives statutory guidance relating to The Merchant Shipping (Counting and Registration of Persons on Board Passenger Ships) (Amendment) Regulations 2021 ("the 2021 Regulations"). The purpose of this Notice is to update MSN 1794 in regards the changes to the procedures for collecting and reporting details of persons onboard passenger ships.

The two main changes that will become **mandatory from 20 December 2023** are that: -

- for passenger ships to which the 2021 Regulations apply, passenger numbers shall be reported electronically, either in the National Single Window ("the NSW"), or via the ship's Automatic Identification System ("AIS"); and
- for voyages of over 20 nautical miles, seagoing passenger ships will be required to report additional passenger details in the NSW.

Ship owners will also need to ensure that personal data which is collected and reported in accordance with the 2021 Regulations complies with the Data Protection Act 2018.

Introduction

- 1 The requirement of recording and reporting passenger numbers and, where necessary, personal details of passengers onboard so they are available should an incident occur, originated in Chapter III, Regulation 27 of the International Convention on the Safety Of Life At Sea (SOLAS) (Command Paper 7874). This requirement was adopted in 1995, for passenger ships on international voyages.
- 2 This international requirement was implemented for passenger ships operating in EU waters, by Council Directive 98/41/EC of 18 June 1998 ("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. This augmented the international requirements and extended their application to seagoing domestic passenger ships.



- 3 The Merchant Shipping (Counting and Registration of Persons on Board Passenger Ships) Regulations 1999 (“the 1999 Regulations”) implemented Directive 98/41 EC. The 1999 Regulations applies to all United Kingdom passenger ships wherever they may be, and to all other passenger ships whilst in United Kingdom waters. Passenger ships which make voyages to which the regulations apply need to collect and report passenger numbers. Passenger ships sailing on voyages of over 20 nautical miles at sea need to collect additional information and transmit this to a designated passenger registrar. Passenger registrars are appointed by ship operators and are responsible for logging the passenger information. There is currently no set standard to report or hold this information resulting in numerous formats (paper, digital etc). This information is kept on hand for use in search and rescue activities carried out by HM Coastguard. This means that in practice, when an incident occurs, HM Coastguard will contact the shore side passenger registrars for such information to help in their rescue operations.
- 4 The Merchant Shipping (Counting and Registration of Persons on Board Passenger Ships) (Amendment) Regulations 2021 (“the 2021 Regulations”) makes amendments to the 1999 Regulations. The 2021 Regulations will change the way in which information collected on persons on board passenger ships is to be reported.
- 5 Passenger ships exempt from certain requirements of the 1999 Regulations (as amended by the 2021 Regulations) will be covered in the “Application for exemptions from reporting requirements” section of this MSN.
- 6 The 2021 Regulations amend the procedures for reporting relevant details of persons onboard. The main changes are that from 20 December 2023, passenger ships to which the regulations apply must communicate passenger numbers to the master of the ship and the passenger registrar and report the same in the National Single Window (“NSW”) or via the ship’s Automatic Identification System (“AIS”). Seagoing passenger ships (on voyages of more than 20 nautical miles) must also report additional passenger details in the NSW and, when volunteered, information concerning special care or assistance that might be needed in an emergency must be communicated to the master of the ship and reported in the NSW.
- 7 In addition to the changes in reporting procedures referred to above, there are also some minor changes to the passenger details that are to be collected. Following the coming into force of the 2021 Regulations, the owner of a seagoing passenger ship on a voyage of more than 20 nautical miles will be required to collect and report a passenger’s, surname, forename, gender, nationality and date of birth. It should be noted that the 1999 Regulations did not require a passenger’s date of birth or nationality, however did require surname, forename, gender and an indication of category of age.
- 8 A transitional period will be in place with regard to the transmission of passenger details in the NSW or via AIS (in respect of passenger numbers only). Effectively therefore, the change in reporting requirements as explained in this MSN will become mandatory from 20 December 2023. Up until that date, the personal details of persons onboard may continue be reported to the ship company’s shore-based passenger registrar, as at present.

Definitions

- 9 “**Automatic Identification System**” (AIS) is the equipment fitted on board ships in accordance with the technical and performance standards in paragraph 2.4.5 of regulation 19 of Chapter V of the International Convention for the Safety of Life at Sea, 1974 and is used for the automatic exchange of safety related information from the ship to facilitate ship tracking;

The UK “Consolidated European Reporting System” (**CERS**) is an information management system which has been developed by the MCA to comply with, amongst other things, the UK reporting obligations under the provisions in Directive 2002/59/EC of the European Parliament and of the Council. These obligations are based on the technical content, method and format of messages contained within the EU “SafeSeaNet” system. CERS is the UK’s designated method of electronic reporting.

“**class A**” shall mean passenger ships as defined in The Merchant Shipping (Safety Standards for Passenger Ships on Domestic Voyages) (Miscellaneous Amendments) Regulations 2020;



A “**seagoing passenger ship**” is a vessel that carries more than 12 passengers and goes to sea;

“**Categorised Waters**” shall mean the categorised waters designated in MSN 1837 (M) Amendment 2 which can be found at the following link:
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/855605/msn_1837_-_amendment2_june_2017.pdf

“**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 responsible for search and rescue or concerned with the aftermath of an accident, having access to the information required. In the UK, the search and rescue authority will normally be HM Coastguard;

“**High Speed Craft**” means a ship capable of a maximum speed, in metres per second (m/s), equal to or exceeding: $3.7\nabla^{0.1667}$ where ∇ = volume of displacement corresponding to the design waterline (m³), excluding any craft the hull of which is supported completely clear above the water surface in non-displacement mode by aerodynamic forces generated by ground effect;

“**National Single Window**” (the NSW) is the technical platform used for receiving, exchanging and forwarding information electronically. The concept of the ‘single window’ derives from the International Maritime Organisation’s FAL Convention which promotes the electronic communication of diverse ship related information so that relevant agencies and authorities are involved in the exchange of data via a single point of contact. The NSW was established in the UK in 2015 as a pilot and is currently hosted by HM Border Force, see link here:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/915933/national-maritime-single-window-guidelines-document.pdf. The NSW is currently being used in the UK to report certain information specific to the FAL Convention and will be developed further so that passenger information submitted can automatically made available to authorities entitled to have access, such as HM Coastguard. There is currently no means of reporting passenger numbers or information into the NSW however this MSN will be updated once the NSW has been developed for the purposes of reporting passenger information.

“**passenger registrar**” means the person designated by a company to transmit information on persons who have embarked on the company passenger ship to the appropriate search and rescue services in the event of an emergency or in the aftermath of an accident involving the ship, and where applicable, the reporting of this information to the NSW;

“**passenger ship**” means any ship carrying more than 12 passengers;

“**person**” refers to all people on board a passenger ship whether passengers or crew, and irrespective of age.

“**regular service**” shall mean either a series of ship crossings operated so as to serve traffic between the same two or more ports, or a series of voyages from and to the same port without intermediate calls either- (a) according to a published timetable; or (b) with crossings so regular or frequent that they constitute a recognisable systematic series;

“**SafeSeaNet**” is the vessel traffic monitoring and information system that was established to support and enhance: maritime safety; port and maritime security; marine environment protection; and, efficiency of maritime traffic and maritime transport. SafeSeaNet is run by the European Maritime Safety Agency (EMSA).

“**Sea area**” means Area A, B, C or D as defined in The Merchant Shipping (Safety Standards for Passenger Ships on Domestic Voyages) (Miscellaneous Amendments) Regulations 2020. A full list of UK designated sea areas can be found in MSN 1747 (M).

“**Search and rescue facilities**” means, in relation to a ship involved in an incident/emergency, the search and rescue services for the area in which the ship is located. In the majority of locations, this will be HM Coastguard.



Passenger ships – Classification

- 10 Passenger-carrying ships are classified primarily on whether they operate inshore or on short or long international voyages. The classes of passenger ships are as follows:
- Class I - ships engaged on voyages any of which are long international voyages.
 - Class II - ships engaged only on voyages any of which are short international voyages.
 - Class II(A) - ships engaged on voyages of any kind other than international voyages, which are not ships of Classes III to VI(A).
 - Class III - ships engaged only on voyages in the course of which they are at no time more than 70 miles by sea from their point of departure and not more than 18 miles from the coast of the UK and which are at sea only in favourable weather and during restricted periods.
 - Class IV – ships engaged only on voyages in Category A, B, C or D waters
 - Class V – Ships engaged only on voyages in Category A, B or C waters
 - Class VI - ships engaged only on voyages with not more than 250 passengers on board. In favourable weather and during restricted periods, in the course of which the ships are at no time more than 15 miles from their point of departure, nor more than 3 miles from land.
 - Class VI (A) - ships carrying not more than 50 passengers for a distance of not more than 6 miles. Voyages to or from isolated communities on the islands or coast of the UK and which do not proceed for a distance of more than 3 miles from land - this is subject to any conditions which the Secretary of State may impose.

Reporting of information about persons onboard – including additional revised procedure (mandatory from 20 December 2023)

- 11 The owner of any passenger ship shall ensure that, when it leaves any landing point in the United Kingdom, there is a system capable of counting all persons on board. For passenger ships on voyages of up to 20 nautical miles, **only** the number of persons on board is to be recorded and communicated to the master of the ship and the passenger registrar. After 20 December 2023, the passenger numbers will also have to be reported in the NSW or via the AIS.
- 12 For sea going passenger ships on voyages of more than 20 nautical miles, the following details of each person on board shall be recorded and reported in the NSW:
- their family name/s
 - their forenames;
 - their gender;
 - their nationality;
 - their dates of birth;
 - when volunteered by a passenger, information concerning special care or assistance that might be needed in an emergency; and,
 - when volunteered by the passenger, a contact number in case of an emergency.

For circular voyages the 20 nautical miles refers to the maximum distance from the point of departure rather than logged voyage length back to the point of departure.

- 13 Prior to 20 December 2023, ship operators may continue to allow the above information to be communicated to the company's passenger registrar or to the shore-based company system that performs the same function. However, from 20 December 2023, ship owners will be required to report the passenger information above in the NSW.
- 14 Passenger registrars appointed by a passenger ship company or operator will (in addition to their existing responsibilities) be responsible for reporting the information listed at paragraphs 11-12 in the NSW from 20 December 2023.
- 15 The information regarding persons onboard listed in paragraph 12 is to be collected before the ship's departure and reported to the passenger registrar (and the NSW when applicable) no later than 15 minutes after that departure. The number of persons on board shall be communicated to the master of the ship and passenger registrar immediately before the passenger ship leaves any landing point and after 20 December 2023, reported either via the ship's automatic identification system or in the NSW.



- 16 Currently, the UK's designated method for reporting information to the European Union's "SafeSeaNet" is via CERS. Further guidance on the transmission of such information can be found in MSN 1899 (Vessel traffic monitoring notification and reporting requirements for ships and ports), which can be accessed via the following link: <https://www.gov.uk/government/publications/msn-1899-mf-vessel-traffic-monitoring-notification-and-reporting-requirements-for-ships-and-ports>.
- 17 CERS is an information management system which has been developed by the MCA to provide reporting formalities to relevant Member State authorities. These obligations are based on the technical content, method and format of messages contained within the EU SafeSeaNet system. CERS is the UK's designated method of electronic reporting to SafeSeaNet. CERS provides information reporting at the national level for notification of: vessel arrivals, border checks, dangerous and polluting goods (hazmat), waste and residues, security information, customs information, and health information. CERS has fulfilled these requirements since its implementation in 2015 and is now a useful data hub that provides statistical information for various government departments and Agencies.
- 18 Personal data which is collected in accordance with regulation 6(2) of the 1999 Regulations (as amended by the 2021 Regulations) shall be kept by the owner of a passenger ship:
- (a) for no longer than is necessary for the purpose of the Regulations; and
 - (b) in any event, no later than the moment the ship's voyage has been safely completed and the data has been reported in the National Single Window or, as the case may be, to the passenger registrar after which it shall be automatically erased without undue delay.
- 19 For passenger ships to which the regulations apply but are exempt from the requirements to report passenger details to the NSW or via AIS (such as ships operating exclusively on Category A, B, C or D waters), passenger numbers can continue to be reported to the master of the ship and passenger registrar.
- 20 The counting system established by operators to comply with these requirements must be capable of capturing the relevant information about persons onboard in a timely manner so as to satisfy the requirements set out above and the further points listed below.
- (i) the company shall appoint a "Passenger Registrar" responsible for the upkeep and transmission of this information in accordance with the requirements of the Regulations;
 - (ii) the system shall be applied to all persons boarding, and disembarking from, a passenger ship, in connection with a voyage. The details of each person must be recorded, regardless of whether they have been issued with a ticket or are a member of the crew.
 - (iii) the system must 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.
 - (iv) 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 must be approved by the Maritime and Coastguard Agency (MCA), as per paragraphs 27-28 of this MSN.
- 21 Prior to departure from a landing point, the number of persons recorded on board the passenger ship shall be communicated to the master of the ship and the company's passenger registrar and reported in the NSW or via the AIS. The master shall ensure that the ship does not depart if



the total number of persons on board exceeds the total number that the vessel is certified to carry.

- 22 Information gathered as a part of the registration system shall be recorded prior to departure and communicated within fifteen minutes of the ship's departure.
- 23 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. A multiplicity of data collection on the same or similar routes should also be avoided.

Availability of Information

- 24 It is the responsibility of the ship company/operator to ensure that the information collected in accordance with Regulations 5 and 6 of the 1999 Regulations (as amended by the 2021 Regulations) is readily available from the Master or 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.
- 25 The information that is recorded by the company shall be maintained and made readily available to the emergency services in a format that is uncomplicated and easy to comprehend, especially in emergency situations. The information shall be protected from:
- accidental or unlawful destruction or loss;
 - accidental or unlawful alteration; and
 - unauthorized disclosure or access.

System Failure

- 26 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

- 27 All systems established by operators to comply with these requirements must be approved by the MCA 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 set out in this Notice; and,
 - (ii) where applicable, in certain areas of 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 Office. It will remain the responsibility of the company/operator to ensure the information provided to the appointed passenger registrar remains up to date.
- 28 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 sent at least 28 days before the required implementation of the system to allow for time to make the necessary inquiries and, if necessary, to visit the company to gain further information.

Methods of Counting

- 29 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

- 30 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 11-27.
- 31 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 11-27.
- 32 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 35-37. 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.
- 33 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 fifteen minutes of departure.
- 34 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

- 35 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.
- 36 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.
- 37 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.



Other systems of manual counting may be provided if they:

- (i) conform with the basic objectives set out in paragraphs 37 & 38;
- (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

38 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;
- (iii) what route the passenger takes to the ship;
- (iv) what other controls (for example, immigration control) the passenger passes through;
- (v) how the total count is adjusted if a passenger belatedly decides not to travel;
- (vi) how passengers remaining on board are dealt with; and
- (vii) 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

39 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.

40 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

41 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.

42 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.

43 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.

44 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 35-40. 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.

- 45 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 fifteen minutes of departure.
- 46 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

- 47 Where the systems comply with the regulations and can be shown to be effective, secure and meet the requirements of paragraphs 21-25, 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

- 48 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

- 49 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.
- 50 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.
- 51 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

- 52 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.

Exemptions from reporting requirements

- 53 The following vessels will be exempt from the passenger counting and reporting requirements in the 1999 Regulations (as amended by the 2021 Regulations):

- (a) ship of war;
- (b) troop ship;
- (c) pleasure vessel;
- (d) passenger ship to which the Merchant Shipping (Passenger Ships) (Safety Code for UK Categorical Waters) Regulations 2010 apply; and



(e) vessel to which the Merchant Shipping (Technical Requirements for Inland Waterway Vessels) Regulations 2010 apply.

Application for exemptions from reporting requirements

- 54 The following passenger ships may apply to the Secretary of State for exemption from the requirements of regulation 5(4) of the 1999 Regulations (as amended by the 2021 Regulations):
- A ship that is not a high-speed craft, which operates regular services of less than one hour between port calls exclusively in Area D, and the proximity of search and rescue facilities is ensured in that area.
- 55 The following passenger ships may apply for an exemption from the requirements of regulation 6(2) of the 1999 Regulations (as amended by the 2021 Regulations):
- a ship that operates exclusively in Area D between two landing points, or from and to the same landing point without intermediate calls where the proximity of search and rescue facilities is ensured in that area; or
 - a ship engaged on a regular community service.
- 56 An application for an exemption (wholly or partly) from the requirements of the regulations should be made to the MCA by the shipping company if it is considered impracticable for this information to be reported. 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.

Data Protection guidance and principles

- 57 Personal information which is collected and reported in accordance with regulation 6 of the 1999 Regulations (as amended by the 2021 Regulations) must be kept by the company:
- for no longer than necessary for the purposes of the regulations; and
 - in any event, only until the moment the ship's voyage has been safely completed and the data has been reported to the passenger registrar or the NSW. Once the information is no longer needed for the purpose of the regulations, it must be erased automatically and without undue delay.
- 58 The passenger information collected and reported in accordance with the regulations are personal data and it is important that they are held securely and treated in accordance with the Data Protection Act 2018.
- 59 Ship owners and operators must ensure that only the data gathered and required for the specified purpose of reporting should be collected and shall follow the six data protection principles as stated in Chapter 2 of the Data Protection Act 2018 which can be found in the following link: <https://www.legislation.gov.uk/ukpga/2018/12/contents/enacted>.
- 60 With respect to the information to be collected about persons onboard as specified at paragraph 12 of this MSN, ship owners and operators shall provide clear and comprehensive information about how their personal data will be processed. Guidance on Data protection can be found on the Information Commissioner's Office (ICO) website at the following link: <https://ico.org.uk/for-organisations/guide-to-data-protection/>.
- 61 Ship operators involved in the processing and sharing of passenger details through the NSW or via AIS should adhere to the statutory code of practice as provided by the ICO to ensure good practice around data sharing. A link can be here: https://ico.org.uk/media/for-organisations/documents/1068/data_sharing_code_of_practice.pdf
- 62 With regards to the gathering of data relating to a passenger's gender, ship owners and operators must be aware of the latest guidance and approaches to requesting this information. Such guidance can be found on the Equality and Human Rights Commission website via this link, <https://www.equalityhumanrights.com/en>.



- 63 With respect to the NSW, each company should implement appropriate technical and organisational measures in order to protect personal data processed pursuant to the regulations against accidental or unlawful destruction or accidental loss, alteration, and unauthorised disclosure or access, in line with national legislation on data protection.

More Information

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