



Safety Management Code For Domestic Passenger Ships of Classes III to VI(A) and Domestic Passenger High Speed Craft (HSC)

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

This notice should be read with ... and/or replaces ...

This MIN expires Day Month Year [Normally only applies to MINs]

Summary

This notice sets out the instructions regarding safety management of domestic passenger ships of classes III – VI (A).

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 to develop and implement safe practices which include the following:

- a health and safety 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;
- procedures for responding to emergency situations; and
- companies to ensure that all persons employed in the operation of the ships receive appropriate training for the duties they are required to fulfil.

1. Introduction

1.1 The Merchant Shipping (Domestic Passenger Ships) (Safety Management Code) Regulation 2015 came into force on The Regulations apply to passenger ships of Classes III – VI(A) and domestic high speed craft, 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 the 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.
- 1.6 This Notice describes the objectives of developing a safety management system and how to implement it effectively.

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;
 - complying with applicable regulations and rules.
- 2.2 Each operator shall develop and implement safe practices which include the following:
- a health and safety protection policy;
 - procedures to ensure 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.
- 2.3 To comply with the Code, each operator should create a safe working environment, which should include the following:

3. A Health and Safety 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 1720(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 Vessel (Health and Safety at Work) Regulations, 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 and Safety 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.
- 3.8 It is essential that, in the event of an emergency, there is the ability to communicate with the emergency services via a shore base. The shore base may be the company office ashore, the local Coastguard, Police or Fire Station, or another office as may be agreed between the ship and the shore base.

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

- 4.1 The regulations and rules which apply to the domestic passenger ships include but are not limited to:
- The Merchant Shipping (Passenger Ship Construction Ships of Classes III-VI(A) Regulations;
 - The Merchant Shipping (Life Saving Appliances for Passenger Ships Classes III – VIA) Regulations;
 - Categorisation of Waters;
 - The Merchant Shipping Distress Signal and Prevention of Collisions Regulations;
 - Local Navigation Rules;
 - The Merchant Shipping and Fishing Vessels (Health and Safety at Work) Regulations;
 - The Code of Safe Working Practices for Merchant Seamen;
 - Merchant Shipping Notices and Marine Guidance Notes.
- 4.2 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.
- 4.3 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 **ONBOARD PROCEDURES** requirements.

5. Lines of Communication

- 5.1 Responsibility and authority of each employee should be clear. This may be best illustrated in a simple diagram, showing who reports to whom.



6. Procedures for reporting accidents

6.1 The requirement for reporting accidents should be well understood by all personnel and in so doing improve the safety culture practised on board.

7. Procedures for responding to emergency situations

7.1 There should be clearly stated procedures for responding to emergency situations. These may include but not be limited to: fire; collision; grounding; violent act; main propulsion or steering failure; and man overboard.

7.2 Checklists may be useful in this regard

8. Responsibilities

8.1 The Master must have authority at all times, to make decisions with regard to the safety of the ship and the persons on board. To ensure that there is no ambiguity regarding the authority of the Master, there should be a simple written statement to this effect.

9. Personnel and Training

9.1 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.

9.2 As a minimum, this means:

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

9.3 Prior to the first occasion of working on the ship, each employee must receive appropriate familiarisation training and proper instruction in onboard 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

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

9.5 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.

10. Onboard Procedures

10.1 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;
- watertight integrity;
- stability of the ship; and



- conduct of passengers and crew while on board.

11. Preparation for Emergencies

- 11.1 The potential emergencies likely to be countered 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 1761, paragraph 6).
- 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. Reporting of Accidents

- 12.1 It is a legal requirement under the Merchant Shipping Act to report all accidents. The Merchant Shipping Accident Reporting and Investigation Regulations 1994 refer.
- 12.2 The regulations apply to all ships. The company must therefore have a procedure in place to report any accident to the Marine Accident Investigation Branch (MAIB) and/or to an office of the MCA. Additionally, all accidents and near accidents should be recorded and reported to the operator, who should implement corrective action, with the aim of improving safety.

13. Equipment

- 13.1 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 **OVERBOARD PROCEDURES** section of the Code.
- 13.2 There should be procedures for a more detailed inspection and maintenance programme of the ship and equipment.
- 13.3 The frequency of the inspections should be determined by the owner/operator, but every event should be recorded.
- 13.4 A checklist could be employed as an aide memoire for the inspection of equipment.

14. Certification

- 14.1 An "initial audit", to assess compliance with the Code, shall be carried out by MCA for each ship at the same time as the PC survey. 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 at the same time as either the 2nd or 3rd PC survey. The validity of the certificate is also subject to annual self-assessments of the 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 for review by the MCA.
- 14.2 An initial audit of the office is also to be undertaken prior to the issuance of any certification of the vessel. The scope of the initial office audit will include but not be limited to:



- maintenance of hull and machinery, including agreed protocols for checks and testing;
- system for ensuring crew and skippers are adequately certified and trained;
- evidence of a robust system of checks and inspections;
- evidence of a closed loop for defect and fault management.

14.3 The owner/operator should ensure, therefore, that all necessary documentation is available.

14.4 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.

14.5 The on board audits will be carried out when the ship is in service and will be according to an agreed schedule depending upon the number of ships operated by the company.

14.6 The on board audit will be conducted when the vessel is in aspects operational and will be carried out at a mutually convenient time. It will 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.

14.7 Where an annual self-assessment/audit is unsuccessful, normal enforcement procedures shall be followed to ensure that deficiencies are rectified. When MCA has grounds to indicate that the annual internal audits are not in accordance with the SMS, the company will be subject to an additional verification audit. Guidance on carrying out internal audits is contained in Annex A.

15. Review

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

16. Fees

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

17. Exemptions

17.1 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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