

## **Part A – General**

### **Regulation 1 – Application**

- 1.1 *Unless expressly provided otherwise, this chapter shall apply to ships constructed on or after 1 July 2002.*
- 1.2 *For the purpose of this chapter:*
- 1.2.1 *the expression ships constructed means ships the keels of which are laid or which are at a similar stage of construction;*
- 1.2.2 *the expression all ships means ships, irrespective of type, constructed before, on or after 1 July 2002; and*
- 1.2.3 *a cargo ship, whenever built, which is converted to a passenger ship shall be treated as a passenger ship constructed on the date on which such a conversion commences.*
- 1.3 *For the purpose of this chapter, the expression a similar stage of construction means the stage at which:*
- 1.3.1 *construction identifiable with a specific ship begins; and*
- 1.3.2 *assembly of that ship has commenced comprising at least 50 tonnes or 1% of the estimated mass of all structural material, whichever is less.*

### **2 Applicable requirements to existing ships**

- 2.1 *Unless expressly provided otherwise, for ships constructed before 1 July 2002 the Administration shall ensure that the requirements which are applicable under chapter II-2 of the International Convention for the Safety of Life at Sea, 1974, as amended by resolutions MSC.1(XLV), MSC.6(48), MSC.13(57), MSC.22(59), MSC.24(60), MSC.27(61), MSC.31(63) and MSC.57(67), are complied with.*
- 2.2 *Ships constructed before 1 July 2002 shall also comply with:*
- 2.2.1 *paragraphs 3, 6.5 and 6.7 as appropriate;*
- 2.2.2 *regulations 13.3.4.2 to 13.3.4.5, 13.4.3 and Part E, except regulations 16.3.2.2 and 16.3.2.3 thereof, as appropriate, not later than the date of the first survey after 1 July 2002;*
- 2.2.3 *regulations 10.4.1.3 and 10.6.4 for new installations only; and*
- 2.2.4 *regulation 10.5.6 not later than 1 October 2005 for passenger ships of 2,000 gross tonnage and above.*

### **3 Repairs, alterations, modifications and outfitting**

- 3.1 *All ships which undergo repairs, alterations, modifications and outfitting related thereto shall continue to comply with at least the requirements previously applicable to these ships. Such ships, if constructed before 1 July 2002, shall, as a rule, comply with the requirements for ships constructed on or after that date to at least the same extent as they did before undergoing such repairs, alterations, modifications or outfitting.*

3.2 Repairs, alterations and modifications which substantially alter the dimensions of a ship or the passenger accommodation spaces, or substantially increase a ship's service life and outfitting related thereto, shall meet the requirements for ships constructed on or after 1 July 2002 in so far as the Administration deems reasonable and practicable.

#### **4 Exemptions**

4.1 The Administration may, if it considers that the sheltered nature and conditions of the voyage are such as to render the application of any specific requirements of this chapter unreasonable or unnecessary, exempt\* from those requirements individual ships or classes of ships entitled to fly the flag of its State, provided that such ships, in the course of their voyage, do not sail at distances of more than 20 miles from the nearest land.

\* Refer to Port State concurrence with SOLAS exemptions (MSC/Circ.606).

4.2 In the case of passenger ships which are employed in special trades for the carriage of large numbers of special trade passengers, such as the pilgrim trade, the Administration, if satisfied that it is impracticable to enforce compliance with the requirements of this chapter, may exempt such ships from those requirements, provided that they comply fully with the provisions of:

4.2.1 the rules annexed to the Special Trade Passenger Ships Agreement, 1971; and

4.2.2 the rules annexed to the Protocol on Space Requirements for Special Trade Passenger Ships, 1973.

#### **5 Applicable requirements depending on ship type**

Unless expressly provided otherwise:

5.1 requirements not referring to a specific ship type shall apply to ships of all types; and

5.2 requirements referring to "tankers" shall apply to tankers subject to the requirements specified in paragraph 6 below.

#### **6 Application of requirements for tankers**

6.1 Requirements for tankers in this chapter shall apply to tankers carrying crude oil or petroleum products having a flashpoint not exceeding 60°C (closed cup test), as determined by an approved flashpoint apparatus, and a Reid vapour pressure which is below the atmospheric pressure or other liquid products having a similar fire hazard.

6.2 Where liquid cargoes other than those referred to in paragraph 6.1 or liquefied gases which introduce additional fire hazards are intended to be carried, additional safety measures shall be required, having due regard to the provisions of the International Bulk Chemical Code, as defined in regulation VII/8.1, the Bulk Chemical Code, the International Gas Carrier Code, as defined in regulation VII/11.1, and the Gas Carrier Code, as appropriate.

6.2.1 A liquid cargo with a flashpoint of less than 60°C for which a regular foam fire-fighting system complying with the Fire Safety Systems Code is not effective, is considered to be a cargo introducing additional fire hazards in this context. The following additional measures are required:

6.2.1.1 the foam shall be of alcohol-resistant type;

6.2.1.2 the type of foam concentrates for use in chemical tankers shall be to the satisfaction of the Administration, taking into account the guidelines developed by the Organization\*; and

\* Refer to the Guidelines for performance and testing criteria and surveys of expansion foam concentrates for fire-extinguishing systems for chemical tankers (MSC/Circ.799).

6.2.1.3 the capacity and application rates of the foam extinguishing system shall comply with chapter 11 of the International Bulk Chemical Code, except that lower application rates may be accepted based on performance tests. For tankers fitted with inert gas systems, a quantity of foam concentrate sufficient for 20 min of foam generation may be accepted.†

† Refer to the Information on flashpoint and recommended fire-fighting media for chemicals to which neither the IBC nor BCH Codes apply (MSC/Circ.553).

6.2.2 For the purpose of this regulation, a liquid cargo with a vapour pressure greater than 1.013 bar absolute at 37.8 C is considered to be a cargo introducing additional fire hazards. Ships carrying such substances shall comply with paragraph 15.14 of the International Bulk Chemical Code. When ships operate in restricted areas and at restricted times, the Administration concerned may agree to waive the requirements for refrigeration systems in accordance with paragraph 15.14.3 of the International Bulk Chemical Code.

6.3 Liquid cargoes with a flashpoint exceeding 60°C other than oil products or liquid cargoes subject to the requirements of the International Bulk Chemical Code are considered to constitute a low fire risk, not requiring the protection of a fixed foam extinguishing system.

6.4 Tankers carrying petroleum products with a flashpoint exceeding 60°C (closed cup test), as determined by an approved flashpoint apparatus, shall comply with the requirements provided in regulations 10.2.1.4.4 and 10.10.2.3 and the requirements for cargo ships other than tankers, except that, in lieu of the fixed fire-extinguishing system required in regulation 10.7, they shall be fitted with a fixed deck foam system which shall comply with the provisions of the Fire Safety Systems Code.

6.5 Combination carriers constructed before, on or after 1 July 2002 shall not carry cargoes other than oil unless all cargo spaces are empty of oil and gas-freed or unless the arrangements provided in each case have been approved by the Administration taking into account the guidelines developed by the Organization.\*\*

\*\* Refer to the Guidelines for inert gas systems (MSC/Circ.353), as amended by MSC/Circ.387.

6.6 Chemical tankers and gas carriers shall comply with the requirements for tankers, except where alternative and supplementary arrangements are provided to the satisfaction of the Administration, having due regard to the provisions of the International Bulk Chemical Code and the International Gas Carrier Code, as appropriate.

6.7 The requirements of regulations 4.5.10.1.1 and 4.5.10.1.4 and a system for continuous monitoring of the concentration of hydrocarbon gases shall be fitted on all tankers constructed before 1 July 2002 by the date of the first scheduled dry-docking after 1 July 2002, but not later than 1 July 2005. Sampling points or detector heads shall be located in suitable positions in order that potentially dangerous leakages are readily detected. When the hydrocarbon gas concentration reaches a pre-set level which shall not be higher than

*10% of the lower flammable limit, a continuous audible and visual alarm signal shall be automatically effected in the pump-room and cargo control room to alert personnel to the potential hazard. However, existing monitoring systems already fitted having a pre-set level not greater than 30% of the lower flammable limit may be accepted.*

## **MCA Guidance**

### G1 Major repairs, alterations and modifications

G1.1 Paragraphs 3.1 and 3.2 are required to apply to ships undergoing repairs, alterations and modifications only within the parts of the ship in which the repairs alterations and modifications are made. However, the Regulations should not apply to existing bulkheads, decks and ceilings, linings, materials or fittings within such parts provided they are unaffected by the repairs, alterations and modifications.

G2 The International Bulk Chemical Code, the Bulk Chemical Code, the International Gas Carrier Code and the Gas Carrier Code are implemented in the United Kingdom by the following Regulations:

- The Merchant Shipping (Gas Carriers) Regulations 1994 (SI 2464 - as amended)
- The Merchant Shipping (Dangerous or Noxious Liquid Substances in Bulk) Regulations 1996 (SI 3010 - as amended)
- The Merchant Shipping (Dangerous Goods and Marine Pollutants) Regulations 1997 (SI 2367 - as amended)
- The Merchant Shipping (Carriage of Cargoes) Regulations 1999 (SI 336)

### G3 Application of Bulk Chemical and Gas Carrier Codes.

G3.1 The referenced Bulk Chemical and Gas Carrier Codes, as applicable, apply only to ships built prior to 1st July 1986. The International Bulk Chemical Code and International Gas Carrier Codes, as applicable, apply to ships built on or after that date.

G4 References to “the administration” in this document, as regards ships to which the Merchant Shipping (Fire Protection) Regulations 2002 apply, may be construed as references to the Secretary of State.”