



Mandatory Inspections of Ro-Ro and High Speed Passenger Craft

Notice to all Shipowners, Operators, Masters, Officers, Maritime Administrations and Recognised Organisations

This notice should be read with The Merchant Shipping (Inspections of Ro-Ro passenger ships and High Speed Passenger Craft) Regulations 2021 and replaces MGN 171 (M).

Summary

These Regulations relate to ro-ro passenger ships and high-speed passenger craft operating a regular service out of a UK port. The provisions require:

- A pre-commencement inspection to be carried out before a Ro-Ro passenger ship or High-Speed Passenger Craft begins operating on a regular service to or from a United Kingdom port;
- Regular inspections to be carried out in every 12 month period (the intervals between the in-port and in-service inspections not to be less than 4 months or more than 8 months), or where the circumstances of the ships change (repairs, alterations, modifications, change of management or change of class);
- Prohibition of Departure (Detention) Notices to be issued to ships which are found to have deficiencies which are clearly hazardous to health and safety or pose an immediate danger to health or life, or to the safety of the ship, its crew or passengers;
- The Prohibition of Departure (Detention) Notice is not to be lifted until the deficiencies have been rectified to the satisfaction of the inspector and full payment of costs has been made.

1. Introduction

1.1 The Merchant Shipping (Inspections of Ro-Ro Passenger Ships and High-Speed Passenger Craft) Regulations 2021 apply a specific inspection regime to all ro-ro passenger ships and high speed passenger craft (HSC) operating a regular service out of a UK port to another UK port or to a port in a country other than an EU Member State. A copy of the Regulations is contained as an Annex to this Notice.



- 1.2 The Regulations simplify the existing inspection regime for ro-ro passenger ships and high-speed craft and ensure that there is a harmonised inspection framework that ensures a high level of safety. They take account of the progress made in the implementation of the Port State Control regime under the Paris Memorandum of Understanding for Port State Control.
- 1.3 The Regulations introduce a system of inspections, whereby every ro-ro passenger ferry and high-speed passenger craft is subjected to a pre-commencement inspection before being permitted to operate a regular service. This consists of verification of compliance with the requirements of Schedule 2 and an inspection in accordance with Schedule 2 of the Regulations.
- 1.4 The ships will also be subject to two regular inspections in every 12-month period. One of these inspections will be carried out in port in accordance with Schedule 2. The other will be an inspection during a regular service covering the items listed in Schedule 3 and what, in the professional judgement of the inspector constitutes a sufficient number of the items listed in Schedule 2 of the Regulations to ensure that the vessel continues to fulfil all the necessary requirements for safe operation. The interval between these two annual inspections should not be less than 4 months and should not exceed 8 months from the previous inspection.

2. Scope

- 2.1 These Regulations apply to all ro-ro passenger ferries or high-speed passenger craft which operate a regular service to or from a port in the United Kingdom either on an international voyage to a non-EU port or to another UK port in sea areas designated Class A in accordance with the Merchant Shipping (Passenger Ships on Domestic Voyages) Regulations 2000. Inspections of foreign flagged ro-ro passenger ferries or high speed passenger craft on a regular service to or from a port in the United Kingdom will be carried out under the port state control regime in accordance with Merchant Shipping (Ports State Control) Regulations 2011.

3. Co-operation with other member states and flag states

- 3.1 Where the flag of the vessel is that of an EU member state, the MCA shall, upon request, invite a representative of the flag state to accompany the inspection as an observer.

4. Changes from the present inspection regime

- 4.1 Although the inspection regime remains the same in substance, the following changes are noteworthy:
 - 4.1.1 The concept of “host state” has been removed. Hence inspections are carried out by EU member states on their own. EU member states or other flag states may attend the inspection as observers
 - 4.1.2 The regular specific surveys are now called regular inspections and the interval between the regular inspections has now been defined (refer para 1.4)
 - 4.1.3 The term “survey” has been replaced by the term “inspection”
 - 4.1.4 UK flagged ships operating to non-EU ports and those operating between UK ports will be inspected by the MCA under these Regulations
 - 4.1.5 UK flagged ships operating to an EU member state will be inspected by the EU member state under the Port State Control Directive
 - 4.1.6 Foreign flagged ships operating between UK ports will be inspected by the MCA under the these Regulations
 - 4.1.7 Foreign flagged ships operating between a UK port and an EU port will be inspected by the MCA under the Port State Control Regulations and the other EU member state under the Ferry Directive.



5. Practice in terms of inspection deficiencies

- 5.1 The Schedules to the Regulations set out the requirements to be fulfilled by companies and ships and guidelines for inspectors undertaking inspections.
- 5.2 Where deficiencies which do not pose an immediate danger to the ship are detected the current Port State Control approach will be used and a specified time period for rectification set as per regulation 9 of the Merchant Shipping (Port State Control) Regulations 2011.
- 5.3 Where deficiencies that pose an immediate danger to the ship are detected or other deficiencies are not rectified within the specified time period for rectification, a Prohibition of Departure (Detention) Notice will be served. All procedures in relation to detentions under the Merchant Shipping Act 1995 would then be applicable

6. MCA policy on exceptions

- 6.1 Exception provisions to the pre-commencement inspection obligations are contained in regulation 6 of the 2021 Regulations. Any such applications will be taken forward on a case-by-case basis.

7. Appeal Process

Where a Prohibition of Departure (Detention) Notice is served, the appeal process will be the same as those that apply for detentions under the Merchant Shipping Act 1995.

8. Fees

Where serious deficiencies are revealed during an inspection which has the effect of stopping the service through the issue of a Prohibition of Departure (Detention) Notice, all MCA costs relating to that inspection shall be paid by the company. Fees will be charged at the rate currently in force. A deposit will be required before further inspection. The MCA will require that the rectification of deficiencies has been carried out to its full satisfaction before the Prohibition of Departure Notice is lifted.

9. Contact details

- 9.1 Issues related to inspections of specific ships should be directed to the local Marine Office normally dealing with the ship.
- 9.2 Questions of a general nature should be directed to the contact point below.

Annex

- Merchant Shipping (Inspections of Ro-Ro Passenger Ships and High-Speed Passenger Craft) Regulations 2021

More Information

Inspection Operations Branch
Maritime and Coastguard Agency
Bay 2/20
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Annex

TO BE ADDED BEFORE PUBLICATION

