

## Circular - Series R

Circular Series R (Regulations) supersedes previous Series F. In the new Series R, relevant legal amendments and amendments to conventions are also published.

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*The Circular should be entered into a special diagram or as appropriate in the latest editions of relevant NMA publications and kept until the next editions.*

## Regulation concerning amendments to Regulations of 15 June 1987 No. 507 on safety measures, etc. on passenger ships, cargo ships and lighters

The Norwegian Maritime Authority has laid down amendments to Regulations of 15 June 1987 No. 507 concerning safety measures, etc. on passenger ships, cargo ships and lighters (Safety Measures Regulations).

These amendments enter into force on 15 September 2014.

### Consultation

The proposed amendments were circulated for general review from 18 March to 15 June 2014. A total of 13 consultative statements came in, whereof 8 did not include comments to the proposal.

With reference to section 6 first paragraph of the Act of 16 February 2007 No. 9 relating to Ship Safety and Security (Ship Safety and Security Act), the joint secretariat of the seamen's organisations points out the differences in the wording "see to", which concerns the company's overall duties, and the master's independent duty to "ensure" pursuant to the second paragraph. On this basis, the joint secretariat of the seamen's organisations suggests that the wording of sections 14e and 14f of the proposed amendments is amended so that the master's duty to "ensure" is made evident in the provisions. The Norwegian Maritime Authority (NMA) agrees with the comments from the joint secretariat and in the Regulation laid down by this circular, the provisions are amended so that the master's duty to "ensure" is stipulated by sections 14e and 14f.

Both the Norwegian Bar Association (DNA) and the Directorate for Civil Protection and Emergency Planning (DSB) comment that the term "Administration" has in some cases been used to refer to the competence of the Norwegian Maritime Authority. The consultative bodies therefore suggest that the term "Administration" is amended to "Norwegian Maritime

Authority" throughout the Regulations. In the Regulation laid down by this circular, the comments have been taken into account.

DNV GL suggests that section 14 first paragraph b) should also include loading instruments to be used to calculate the ship's stability. Based on the fact that this mirrors current law, the NMA therefore decided to amend the provisions NMA in accordance with the comment from DNV GL.

In the proposed amendment to section 33 third paragraph, a duty to contact DSB and that DSB will instruct the ship in the use of explosives was added. DSB commented that all use of civil explosive goods is regulated in the Regulations of 26 June 2002 No. 922 on the handling of explosive substances. The second paragraph of section 1-2 of the Regulations on the handling of explosive substances regulates the loading and unloading and stationary storage of explosives on Norwegian ships. Since loading, unloading and storage of explosives are not considered normal ship operations, the Regulations on the handling of explosive substances will apply. Conversely, under normal ship operations, the storage and use of explosives on board Norwegian ships shall be regulated by virtue of the provisions of the Ship Safety and Security Act and the regulations laid down under the Act.

The Safety Measures Regulations interface with a number of regulations laid down by the NMA, including the Regulations of 1 January 2005 No. 8 on the working environment, health and safety of workers on board ship. With reference to current law, cf. section 1-2 of the Regulations on the handling of explosive substances, the provisions of section 33 third paragraph of the Safety Measures Regulations are not continued. Furthermore, sections 2-1, 2-2 and 2-3 of the Regulations concerning the working environment, health and safety of persons working on board ship stipulate requirements on measures to prevent and mitigate any risk associated with the storage and use of explosives under normal ship operations. The provisions of sections 2-1, 2-2 and 2-3 of the Regulations concerning the working environment, health and safety of persons working on board ship supplement section 33 second paragraph of the Safety Measures Regulations.

Furthermore, DSB has comments to the proposed eighth paragraph of section 14f and finds the provision unclear. The NMA remarks that the provision implements a latitude ensuing from SOLAS regulation II-1/23.8 and that the wording of the Norwegian translation is close to that of the said SOLAS regulation.

DSB also questions how permission pursuant to section 14f eighth paragraph and section 14g second paragraph shall be granted. The NMA points out that the possibility to break the ship's watertight integrity directly ensues from the provisions in the Regulations. If permission is granted, it follows from the wording that such permission will necessarily be of a general nature, but still subject to certain specific conditions which will be included in the permission.

### **Details of the amendments**

The amendments are partly laid down as a result of the general review of the NMA's rules and partly as a result of the entry into force of new<sup>1</sup> regulations which directly affect material provisions in the Safety Measures Regulations currently in force.

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<sup>1</sup> See the Series R Circulars which lays down 7 new regulations on 1 July 2014 on <http://www.sjofartsdir.no/en/legislation/#directives>

The starting point for the amendments is the adjustments ensuing from the new Regulations on the construction of ships, new Regulations on navigation and navigational aids and new Regulations on life-saving appliances. These regulations enter into force on 15 September 2014 and the material content of these regulations requires amendments to the Safety Measures Regulations.

The Act of 16 February 2007 No. 9 relating to Ship Safety and Security entered into force on 1 July 2007. Regulations that entered into force prior to this date have provisions duplicating requirements stipulated by the Act. The amendments also remove provisions in the Safety Measures Regulations in order to avoid duplication of requirements stipulated by the Ship Safety and Security Act. These provisions are specified below.

### **Comments to the individual provisions**

#### *To section 1 Scope of application*

The scope of application in section 1 first paragraph is amended to positively indicate the ships that are covered by the Safety Measures Regulations.

Pursuant to section 1 first paragraph, the Safety Measures Regulations apply to cargo ships and passenger ships regardless of year of construction and size. In Norwegian law, barges are covered by the term "cargo ship". Barges are therefore covered by the Regulations regardless of the specification in the provision. However, for pedagogical reasons and in order to avoid misunderstandings, barges have been mentioned specifically in the provision on scope of application.

The Safety Measures Regulations currently in force exempt fishing vessels from the Regulations. Since the scope of application, as stipulated by the amendments in the first paragraph, positively and exhaustively indicates the ships that fall within the scope of the Regulations, this means that it is not necessary to exempt fishing vessels, cf. the second paragraph of the current provision regarding scope of application.

The new wording in the second paragraph stipulates that the Regulations in principle only apply to ships of 50 gross tonnage and upwards. Pursuant to current law, however, ships of less than 50 gross tonnage may be covered by the Safety Measures Regulations as provided by the individual sections, cf. section 1 first paragraph. In addition to the delimitation of 50 gross tonnage stipulated by current law, the NMA may on the basis of reasonableness also make the Regulations applicable to smaller ships and barges. The content of and how the term "smaller" should be understood creates doubts about interpretation and thus provides little predictability for the industry. To prevent any interpretation doubts the NMA has therefore positively delimited certain provisions which thus clearly indicate the requirements that will be made applicable to ships of less than 50 gross tonnage.

#### *To section 3 Duties*

Section 3 has been repealed because sections 4, 19, 20, 29, 30, 37, 38, 45, 46 and 47 of the Ship Safety and Security Act contain provisions which adequately regulate the duties of the company, master and other persons working on board.

#### *To section 4 Exemptions*

What is the essence of the amendments to section 4?

In individual cases it will be possible to take advantage of the latitudes on which the drawing up of the regulations are based and to grant exemptions from the specified requirements. It is a condition that an exemption will not compromise on safety and environmental considerations, and that it does not conflict with Norway's international commitments. In the event of ships falling under our international commitments, it will not be possible to grant exemptions beyond the openings provided by international law.

The conditions that must be met before the NMA may grant an exemption are meant to be narrow. The starting point is that the provisions in the Regulations stipulate minimum requirements that must be met. Only in extraordinary cases, where the needs so indicate and the exemption is justifiable in terms of safety, will there be an opening for making a decision to exempt.

The content of the terms "domestic voyages" and "foreign voyages" is connected to the Regulations concerning trade areas<sup>2</sup>. Norwegian ships with a trade area laid down in chapter 2 of the Trade Area Regulations (domestic voyages) and cargo ships of less than 500 gross tonnage with a trade area laid down in chapter 3 of the Trade Area Regulations (foreign voyages) may be granted exemption pursuant to this provision.

It follows from the above premise that ships flying other flags than the Norwegian flag are also not covered by the exemption provisions of section 4 and that the provisions therefore do not provide for the possibility to grant exemption to ships with foreign flags.

It is a condition that the company itself must apply in writing for an exemption. The written application should contain all relevant information and argumentation for an assessment with regard to the criteria that need to be satisfied in order for the NMA to grant such exemption.

The provision stipulates that "the Norwegian Maritime Authority may exempt". In other words, the decision whether to grant an exemption will be to the NMA's discretion. The companies applying for exemption are not legally entitled to have such exemption granted, even if the terms of the provision are satisfied. Only in extraordinary cases, where warranted by valid grounds, will there be an opening for making a decision to exempt. In line with the NMA's current exemption practices, we will have a restrictive approach also in the future.

There are two possibilities for granting exemptions, cf. subparagraphs a) and b).

Pursuant to subparagraph a) the criteria are as follows:

*«it is established that the requirement is not essential and that the exemption is justifiable in terms of safety»*

That the requirement is not essential means that the requirement concerned is considered to be less essential when compared to the extraordinary reasons forming the basis for an exemption. During the processing of such applications, it will be natural to take socioeconomic consequences into account. An exemption pursuant to subparagraph a) may only be granted if a waiver of the requirement concerned will still provide a solution considered overall justifiable in terms of safety.

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<sup>2</sup> Regulations of 4 November 1981 No. 3793.

The exemption pursuant to subparagraph a) will also be relevant in the particular cases where, due to the general wording of the requirement, it is difficult to make the regulatory requirement applicable to the ship in question.

With regard to the term "*justifiable in terms of safety*", assessments must take into account the safety of life and health, environment and material values.

Pursuant to subparagraph b) the criteria are as follows:

*«it is established that compensating measures will maintain the same level of safety as the requirement of these Regulations»*

The term "*compensating measures*" is relatively wide, and may include a number of measures, including innovative measures, as long as they are considered to maintain the same level of safety as the requirements of the Regulations.

*To section 5 Inspection, survey, testing, etc.*

Section 5 is repealed based on the following reasons:

The provisions of section 5 first paragraph ensue from sections 19, 37 and 45 of the Ship Safety and Security Act. It is the NMA's assessment that it is unnecessary to continue section 5 first paragraph.

The second paragraph of section 5 is a provision which gives the NMA the authority to investigate whether the requirements of the Regulations have been complied with. Section 43 first paragraph of the Ship Safety and Security Act specifies necessary surveys and it is therefore not necessary to continue the provisions of section 5 second paragraph.

Section 5 third paragraph repeats requirements ensuing from section 6 of the Ship Safety and Security Act and the provisions relating to obligations referred to above in connection with the repeal of section 5 first paragraph. It is the NMA's assessment that duplicate requirements are not desirable and that the third paragraph is also repealed.

*To section 6 Equipment in general*

Section 6 is repealed based on the following reason:

It is the NMA's assessment that the provision in the current section 6 is covered by the Regulations' new provisions on exemption which replace the provisions of section 4.

*To section 8 Means of access for pilots etc.*

As mentioned in the introduction, the new Regulations on navigation and navigational aids enter into force on 15 September. Chapter 5 of the mentioned Regulations implements SOLAS regulation V/23, which contains provisions on pilot transfer arrangements. In order to avoid duplicate requirements, section 8 has been repealed. Provisions on pilot transfer arrangements are now stipulated by the new Regulations on navigation and navigational aids.

*To section 9 Gangways, accommodation ladders, passenger lifts, etc.*

In the draft Regulations circulated for review, a proposal was made to repeal the eighth paragraph of section 9. When the Regulations now are being laid down, however, the requirement related to maintenance of passenger lift installations is continued as stipulated by section 9 eighth paragraph last sentence. The reference to ISO 8383-1984 is amended to ISO 8383-1985, which is the standard currently in force.

*To section 10 Hatches, hatch covers, etc.*

The amendments laid down in section 10 first paragraph have been made based on the new Regulations on the construction of ships which also contain requirements for means of closure on ships. The material requirements laid down in the current section 10 of the Safety Measures Regulations are already laid down in the Regulations on the construction of ships currently in force<sup>3</sup>. Equivalent requirements have been continued in the new Regulations on the construction of ships<sup>4</sup>. What now remains in section 10 first paragraph are operational requirements, stipulating that hatches and closing appliances shall be remain closed and battened down when the ship is not in port.

*To section 12 Carriage of deck cargo*

The reason why the Norwegian Maritime Authority now repeals section 12 first paragraph subparagraphs a) and b) is that provisions concerning requirements for strength and stability as a condition for the carriage of deck cargo are stipulated by the new Regulations on the construction of ships, which enter into force on 15 September 2014<sup>5</sup>. Furthermore, the information on which such approval is based shall be included on the ship's certificates.

In subparagraph h) of the same paragraph, there is an unnecessary internal reference to section 7 of the Safety Measures Regulations. The requirements pursuant to section 12 first paragraph subparagraph l) will be stipulated by the new Regulations on navigation and navigational aids, which contain i.a. provisions concerning navigation bridge visibility. The requirements of the current section 12 second paragraph are an unnecessary reference.

Section 12 third paragraph has been amended and now includes a provision regarding scope of application which clearly states that the requirements of the third paragraph shall also apply to ships of less than 15 metres in overall length in the same way as for ships of less than 50 gross tonnage.

*To section 14 Stability*

Section 14 has been amended on the basis of i.a. the new Regulations on the carriage of cargoes on Norwegian ships and barges<sup>6</sup>. Minor editorial changes have been made to subparagraphs a) and b) of the first paragraph. Subparagraph c) has been repealed because this

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<sup>3</sup> See, e.g., Regulations of 15 September 1992 No. 695 section 26 third paragraph.

<sup>4</sup> See Note 1 above

<sup>5</sup> See Note 1 above

<sup>6</sup> See Note 1 above

provision can now be found in the new Regulations on the carriage of cargoes on Norwegian ships and barges<sup>7</sup>.

The amendments lay down a new chapter 3a in the Safety Measures Regulations. The background for the new chapter 3a is the new Regulations on the construction of ships, which i.a. implement SOLAS chapter II-1. The new Regulations on the construction of ships shall primarily contain provisions concerning the actual construction of ships, including safety measures which are included as an integrated part of a ship. Part B-4 of SOLAS chapter II-1 contains provisions about how the stability shall be maintained through operational measures on board the ship under normal operations and therefore naturally belongs in regulations which mainly regulate operational safety measures on board the ship.

*To section 14a Scope of application of chapter 3a on damage control information and prevention and control of water ingress, etc.*

It is the NMA's assessment that operational provisions, as far as this is possible and appropriate, should not be included in regulations on the construction of ships, but rather in regulations aimed at normal ship operations. The Regulations on Safety Measures are such regulations. Section 3 second paragraph of the new Regulations on the construction of ships has the following wording: «SOLAS regulations II-1/19 to 22, 23 and 24 do not apply» and supplements the first paragraph of the same section, which incorporates SOLAS chapter II-1 as regulation for cargo ships of 500 gross tonnage and upwards and passenger ships engaged on foreign voyages.

SOLAS regulations II-1/19 to 22, 23 and 24 have been transformed and included in a new chapter 3a of the Safety Measure Regulations. Section 14a in the new chapter narrows the scope of chapter 3a so that the provisions of the chapter are harmonized with the scope of the first and second paragraphs of section 3 of the new Regulations on the construction of ships. Chapter 3a therefore applies to cargo ships of 500 gross tonnage and upwards and passenger ships engaged on foreign voyages.

The provisions of sections 14b to 14g transform the SOLAS regulations mentioned above.

*To section 14b Damage control information (SOLAS regulation II-1/19)*

The provisions of section 14b implement SOLAS regulation II-1/19 and contain requirements concerning information in the form of drawings, instructions, records and other information considered to be necessary to maintain stability under normal ship operations.

*To section 14c Loading of passenger ships (SOLAS regulation II-1/20)*

The first paragraph of section 14c requires the master of a passenger ship to determine the ship's trim and stability prior to its departure. The notoriety requirement refers to the fourth paragraph of section 15 of the Regulations concerning the form and keeping of log books<sup>8</sup>.

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<sup>7</sup> See Note 1 above

<sup>8</sup> Regulations of 15 September 1992 No. 3793 concerning the form and keeping of log books for ships and mobile offshore units

The second paragraph is a conditional prohibition against carrying water ballast in fuel oil tanks. Water ballast may, however, be carried in such tanks if it cannot be practicably avoided. In such cases, tanks used for both water ballast and fuel oil shall be fitted with oily-water separating equipment.

*To section 14d Periodical operation and inspection of watertight doors, etc. in passenger ships (SOLAS regulation II-1/21)*

The provisions of this section are directed at drills, inspections and procedures for the operation of means of closure such as watertight doors, sidescuttles and other valves, scuppers and rubbish-chutes on board.

*To section 14e Prevention and control of water ingress, etc. (SOLAS regulation II-1/22)*

Section 14e contains requirements for how the watertight integrity of bulkhead and hull penetrations shall be maintained through operational measures such as closing and opening of watertight doors when the ship is at sea, systems to keep track of which measures that have been taken and assessments to be made when the watertight integrity is impaired, see, e.g, ninth and tenth paragraphs.

*To section 14f Special requirements for ro-ro passenger ships (SOLAS regulation II-1/23)*

Section 14f supplements the requirements stipulated by section 14e and contains provisions which particularly apply to ro-ro passenger ships. The provisions of section 14f are based on the risk potential associated with flooding of large spaces.

*To section 14g Prevention and control of water ingress, etc., in cargo ships (SOLAS regulation II-1/24)*

Section 14g contains provisions equivalent to the provisions of sections 14e and 14f and applies to cargo ships.

*To section 25 Inspection*

Section 25 is repealed based on the following reason:

Section 25 first paragraph contained duty provisions aimed at those on board the ship. The provisions were imprecise. It is the NMA's assessment that the Ship Safety and Security Act contains necessary and sufficient provisions stipulating that the company, master and other persons working on board are obliged to comply with the Ship Safety and Security Act and regulations laid down pursuant to the Act.

Section 25 second paragraph contained provisions regarding inspections on ships with helicopter deck. This provision duplicates the NMA's authority pursuant to section 43 of the Ship Safety and Security Act. The second paragraph of section 25 is therefore unnecessary and has not been continued.

*To section 30 Special operational conditions for vessels with passenger certificate*

The certification «*restricted carriage of passengers*» is now history and therefore not relevant in the heading of section 30 which is amended so that the provisions are limited to ships with passenger certificates. The second paragraph of section 30 is amended for the same reason.

The NMA has a similar reason for repealing the third paragraph of section 30 as the reason given for repealing section 3 - see above.

#### *To section 31 Safety/evacuation plan for lighters*

Section 31 has been repealed because the requirement for a safety and evacuation plan for manned lighters is provided by section 2 of the new Regulations on life-saving appliances<sup>9</sup>, cf. SOLAS regulation III/8. Section 31 has therefore been repealed to avoid duplicate requirements.

#### *To section 33 Storage and use of fuel and explosives*

The third paragraph of section 33 contains an incorrect reference and has therefore been amended.

The NMA presupposes that the requirements of the current fourth paragraph of section 33 are primarily intended to protect those working on board. Regulations of 1 January 2005 No. 8 concerning the working environment, health and safety of workers on board ship chapters 10, 11, 12 and 13 contain specific provisions concerning precautionary measures to be taken to avoid exposure to and use of noxious and health hazardous substances and protection of workers against exposure to chemical and biological agents.

With the explanation that the current fourth paragraph of section 33 duplicates requirements found in the Regulations concerning the working environment, health and safety of workers on board ship, this paragraph has been repealed because the NMA does not find it expedient to include pedagogical provisions which are primarily aimed at referring to provisions of other regulations. The repeal of the fourth paragraph also removes a possible duplicate requirement and therefore reduces the chances of any doubts about interpretation.

As a result of the fourth paragraph of section 33 being repealed, the section heading has also been amended.

Annex 2 to the current Safety Measures Regulations corresponds to Annex 1 of the Regulations concerning the working environment, health and safety of workers on board ship mentioned above. Annex 2 to the Safety Measures Regulations has been repealed for the same reason as the repeal of section 33 fourth paragraph in the same Regulations.

### **Administrative and financial implications**

It is the NMA's intention that the amendments, with some minor clarifications, continue current law.

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<sup>9</sup> See Note 1 above

The starting point for the amendments is that the Safety Measures Regulations shall become more readily available to the users, and that it shall become easier for the industry to locate applicable requirements. The NMA presupposes that using the amended Regulations will be time-saving for both the industry and others.

If companies and others have in their normative documents referred to an Act or Regulations regulating the same circumstances as the requirements included in the current Safety Measures Regulations, the amendments that remove any possible duplicate requirements will contribute to simplifying the documentation and the maintenance thereof.

It is also the NMA's assessment that the removal of overlapping regulations will make the future maintenance of the legislation less resource-demanding for the authorities.

The NMA presupposes that the overall gain of the amendments will be larger than the associated costs related to their adoption.

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Attachment:  
Regulation of 1 July 2014 concerning amendments to Regulations of 15 June 1987 No. 507 on safety measures, etc. on passenger ships, cargo ships and lighters

## Regulation concerning amendments to Regulations of 15 June 1987 No. 507 on safety measures, etc. on passenger ships, cargo ships and lighters

**Legal basis:** Laid down by the Norwegian Maritime Authority on 5 September 2014 under the Act of 16 February 2007 No. 9 relating to Ship Safety and Security (Ship Safety and Security Act) sections 6, 9, 11, 12, 19, 21, 22, 28a and 43, cf. Formal Delegation of 16 February 2007 No. 171, the Ministry of Trade, Industry and Fisheries' Formal Delegation of 31 May 2007 No. 590 and Formal Delegation of 19 August 2013 No. 1002.

### I

Regulations of 15 June 1987 No. 507 on safety measures, etc. on passenger ships, cargo ships and lighters are amended as follows:

Section 1 first and second paragraphs should read:

- (1) *These Regulations apply to Norwegian cargo ships, passenger ships and lighters.*
- (2) *Unless otherwise provided for in the individual sections, the provisions pursuant to the first paragraph apply to ships of 50 gross tonnage and upwards.*

Section 1 third paragraph is repealed.

Section 3 is repealed.

Section 4 should read:

#### *Section 4 Exemptions*

*The Norwegian Maritime Authority may upon written application permit other solutions than those required by these Regulations when it is established that such solutions are equivalent to the requirements of the Regulations.*

*The Norwegian Maritime Authority may exempt a ship from one or more of the requirements of the Regulations when the company applies for an exemption in writing and one of the following conditions is met:*

- a) it is established that the requirement is not essential and that the exemption is justifiable in terms of safety;*
- b) it is established that compensating measures will maintain the same level of safety as the requirement of these Regulations.*

Sections 5 and 6 are repealed.

Section 8 is repealed.

Section 9 eighth paragraph should read:

*Lifts shall be maintained and inspected in accordance with ISO standard 8383-1985.*

Section 10 first paragraph should read:

- (1) *All hatches and closing appliances shall be securely closed and battened down when the ship is not in port.*

Section 12 first paragraph subparagraphs a), b), h) and l) and second paragraph are repealed.

Section 12 third paragraph should read:

- 3) *Ships of less than 15 metres in overall length or of less than 50 gross tonnage which do not possess stability data for the carriage of deck cargo, shall before departure with deck cargo, if possible, be inclined sufficiently or in other ways examined, so that the ship's master has been assured that the ship has sufficient stability for the voyage to be undertaken. The characteristics of the cargo, as well as conditions which may occur during the voyage shall be taken into consideration.*

Section 14 first paragraph subparagraph c) is repealed. The paragraph should then read:

(1) *All ships shall have the following stability data and other aids which shall be kept on board:*

- a) An approved copy of each of the *drawings and calculations* documenting the stability of the ship, both in the intact and damaged condition.
- b) A calculation example showing the use of KG limit curves and other aids for controlling the stability of the ship for the various *loading conditions*. Aids which are used in addition to – or as a substitute for – KG limit curves for evaluating the stability of the ship, *including loading instruments, shall be approved by the Norwegian Maritime Authority.*

New chapter 3a with sections 14a to 14g which have the following wording should be added after section 14:

*Chapter 3a. Damage control information and prevention and control of water ingress, etc.*

*Section 14a Scope of application of chapter 3a on damage control information and prevention and control of water ingress, etc.*

- (1) Chapter 3a applies to Norwegian
  - a) cargo ships of 500 gross tonnage and upwards engaged on foreign voyages;
  - b) passenger ships engaged on foreign voyages.

*Section 14b Damage control information (SOLAS regulation II-1/19)*

(1) There shall be permanently exhibited, or readily available on the navigation bridge, for the guidance of the officer in charge of the ship, plans showing clearly for each deck and hold the boundaries of the watertight compartments, the openings therein with the means of closure and position of any controls thereof, and the arrangements for the correction of any list due to flooding. In addition, booklets containing the aforementioned information shall be made available to the officers of the ship.

(2) Watertight doors in passenger ships permitted to remain open during navigation shall be clearly indicated in the ship's stability information.

(3) General precautions to be included shall consist of a listing of equipment, conditions, and operational procedures, considered by the Norwegian Maritime Authority to be necessary to maintain watertight integrity under normal ship operations.

(4) Specific precautions to be included shall consist of a listing of elements (i.e. closures, security of cargo, sounding of alarms, etc.) considered by the Norwegian Maritime Authority to be vital to the survival of the ship, passengers and crew.

(5) In case of ships to which damage stability requirements of section 3, cf. SOLAS part B-1, of the Regulations of 1 July 2014 No. 1072 on the construction of ships apply, damage stability information shall provide the master with a simple and easily understandable way of assessing the ship's survivability in all damage cases involving a compartment or group of compartments.

*Section 14c Loading of passenger ships (SOLAS regulation II-1/20)*

(1) On completion of loading of a passenger ship and prior to its departure, the master shall determine the ship's trim and stability and also ascertain and record that the ship is in compliance with stability criteria in relevant regulations. The determination of the ship's stability shall always be made by calculation. The Norwegian Maritime Authority may accept the use of an electronic loading and stability computer or equivalent means for this purpose.

(2) Water ballast should not in general be carried in tanks intended for oil fuel. In ships in which it is not practicable to avoid putting water in oil fuel tanks, oily-water separating equipment to the satisfaction of the Norwegian Maritime Authority shall be fitted, or other alternative means, such as discharge to shore facilities, acceptable to the Norwegian Maritime Authority shall be provided for disposing of the oily-water ballast.

(3) The provisions of this section do not affect the provisions of Regulations of 30 May 2012 No. 488 on environmental safety for ships and mobile offshore units.

*Section 14d Periodical operation and inspection of watertight doors, etc., in passenger ships (SOLAS regulation II-1/21)*

(1) Drills for the operating of watertight doors, sidescuttles, valves and closing mechanisms of scuppers, ash-chutes and rubbish-chutes shall take place weekly. In ships in which the voyage exceeds one week in duration a complete drill shall be held before leaving port, and others thereafter at least once a week during the voyage.

(2) All watertight doors, both hinged and power-operated, in watertight bulkheads, in use at sea, shall be operated daily.

(3) The watertight doors and all mechanisms and indicators connected therewith, all valves the closing of which is necessary to make a compartment watertight, and all valves the operation of which is necessary for damage control cross-connections shall be periodically inspected at sea at least once a week.

(4) A record of all drills and inspections required by this section shall be entered in the log-book with an explicit record of any defects which may be disclosed.

*Section 14e Prevention and control of water ingress, etc. (SOLAS regulation II-1/22)*

(1) All watertight doors shall be kept closed during navigation except that they may be opened during navigation as specified in the third and fourth paragraphs. Watertight doors of a width of more than 1.2 m in machinery spaces as permitted by section 3 of the Regulations on the construction of ships, cf. SOLAS regulation II-1/13.10, may only be opened in the circumstances detailed in that paragraph. Any door which is opened in accordance with this paragraph shall be ready to be immediately closed.

(2) Watertight doors located below the bulkhead deck having a maximum clear opening width of more than 1.2 m shall be kept closed when the ship is at sea, except for limited periods when absolutely necessary as determined by the Norwegian Maritime Authority.

(3) A watertight door may be opened during navigation to permit the passage of passengers or crew, or when work in the immediate vicinity of the door necessitates it being opened. The door must be immediately closed when transit through the door is complete or when the task which necessitated it being open is finished.

(4) Certain watertight doors may be permitted to remain open during navigation only when considered absolutely necessary; that is, being open is determined essential to the safe and effective operation of the ship's machinery or to permit passengers normally unrestricted access throughout the passenger area. Such determination shall be made by the Norwegian Maritime Authority only after careful consideration of the impact on ship operations and survivability. A watertight door permitted to remain thus open shall be clearly indicated in the ship's stability information and shall always be ready to be immediately closed.

(5) Portable plates on bulkheads shall always be in place before the ship leaves port, and shall not be removed during navigation except in case of urgent necessity at the discretion of the master. The necessary precautions shall be taken in replacing them to ensure that the joints are watertight. Power-operated sliding watertight doors permitted in accordance with section 3 of the Regulations on the construction of ships, cf. SOLAS regulation II-1/13.10, shall be closed before the ship leaves port and shall remain closed during navigation except in case of urgent necessity at the discretion of the master.

(6) Watertight doors fitted in watertight bulkheads dividing cargo between deck spaces in accordance with section 3 of the Regulations on the construction of ships, cf. SOLAS regulation II-1/13.9.1, shall be closed before the voyage commences and shall be kept closed during navigation. The time of opening such doors in port and of closing them before the ship leaves port shall be entered in the log-book.

(7) Gangway, cargo and fuelling ports fitted below the bulkhead deck shall be effectively closed and secured watertight before the ship leaves port, and shall be kept closed during navigation.

(8) The following doors, located above the bulkhead deck, shall be closed and locked before the ship proceeds on any voyage and shall remain closed and locked until the ship is at its next berth:

- a) cargo loading doors in the shell or the boundaries of enclosed superstructures;
- b) bow visors fitted in positions as indicated in subparagraph a);
- c) cargo loading doors in the collision bulkhead;

- d) ramps forming an alternative closure to those defined in the eighth paragraph subparagraphs a) to c).

(9) Where a door cannot be opened or closed while the ship is at berth, such a door may be opened or left open while the ship approaches or draws away from berth, but only so far as may be necessary to enable the door to be immediately operated. In any case, the inner bow door must be kept closed.

(10) Notwithstanding the requirements of the eighth paragraph subparagraphs a) and b), the Norwegian Maritime Authority may permit that particular doors can be opened at the discretion of the master, if necessary for the operation of the ship or the embarking and disembarking of passengers when the ship is at safe anchorage and provided that the safety of the ship is not impaired.

(11) The master shall ensure that an effective system of supervision and reporting of the closing and opening of the doors referred to in the eighth paragraph is implemented.

(12) The master shall ensure, before the ship proceeds on any voyage, that an entry in the log-book is made of the time of the last closing of the doors specified in the thirteenth paragraph and the time of any opening of particular doors in accordance with the fourteenth paragraph.

(13) Hinged doors, portable plates, sidescuttles, gangway, cargo and bunkering ports and other openings, which are required by these rules to be kept closed during navigation, shall be closed before the ship leaves port. The time of closing and the time of opening (if permissible under these rules) shall be recorded in such log-book as may be prescribed by the Norwegian Maritime Authority.

(14) Where in a between-decks, the sills of any of the sidescuttles referred to in section 3 of the Regulations on the construction of ships, cf. SOLAS regulation II-1/15.3.2, are below a line drawn parallel to the bulkhead deck at side and having its lowest point 1.4 m plus 2.5% of the breadth of the ship above the water when the ship departs from any port, all the sidescuttles in that between-decks shall be closed watertight and locked before the ship leaves port, and they shall not be opened before the ship arrives at the next port. In the application of this provision the appropriate allowance for fresh water may be made when applicable. The time of opening such sidescuttles in port and of closing and locking them before the ship leaves port shall be entered in such log-book as may be prescribed by the Norwegian Maritime Authority. For any ship that has one or more sidescuttles so placed that the requirements of this paragraph would apply when it was floating at its deepest subdivision draught, the Norwegian Maritime Authority may indicate the limiting mean draught at which these sidescuttles will have their sills above the line drawn parallel to the bulkhead deck at side, and having its lowest point 1.4 m plus 2.5% of the breadth of the ship above the waterline corresponding to the limiting mean draught, and at which it will therefore be permissible to depart from port without previously closing and locking them and to open them at sea on the responsibility of the master during the voyage to the next port. In tropical zones, as defined in the International Convention on Load Lines in force, this limiting draught may be increased by 0.3 m.

(15) Sidescuttles and their deadlights which will not be accessible during navigation shall be closed and secured before the ship leaves port.

(16) If cargo is carried in spaces referred to in section 3 of the Regulations on the construction of ships, cf. SOLAS regulation II-1/15.5.2, the sidescuttles and their deadlights shall be closed watertight and locked before the cargo is shipped and such closing and locking shall be recorded in such log-book as may be prescribed by the Norwegian Maritime Authority.

(17) When a rubbish-chute, etc., is not in use, both the cover and the valve required by section 3 of the Regulations on the construction of ships, cf. SOLAS regulation II-1/15.10.2 shall be kept closed and secured.

#### *Section 14f Special requirements for ro-ro passenger ships (SOLAS regulation II-1/23)*

(1) Special category spaces and ro-ro spaces shall be continuously patrolled or monitored by effective means, such as television surveillance, so that any movement of vehicles in adverse weather conditions and unauthorized access by passengers thereto can be detected whilst the ship is under way.

(2) Documented operating procedures for closing and securing all shell doors, loading doors and other closing appliances which, if left open or not properly secured, could, in the opinion of the Norwegian Maritime Authority, lead to flooding of a special category space or ro-ro space, shall be kept on board and posted at an appropriate place.

(3) All accesses from the ro-ro deck and vehicle ramps that lead to spaces below the bulkhead deck shall be closed before the ship leaves the berth on any voyage and shall remain closed until the ship is at its next berth.

(4) The master shall ensure that an effective system of supervision and reporting of the closing and opening of such accesses referred to in the third paragraph is implemented.

(5) The master shall ensure, before the ship leaves the berth on any voyage, that an entry in the log-book, as required by the thirteenth paragraph of section 14e, is made of the time of the last closing of the accesses referred to in the third paragraph.

(6) Notwithstanding the requirements of the third paragraph, the Norwegian Maritime Authority may permit some accesses to be opened during the voyage, but only for a period sufficient to permit through passage and, if required, for the essential working of the ship.

(7) All transverse or longitudinal bulkheads which are taken into account as effective to confine the seawater accumulated on the ro-ro deck shall be in place and secured before the ship leaves the berth and remain in place and secured until the ship is at its next berth.

(8) Notwithstanding the requirements of the seventh paragraph, the Norwegian Maritime Authority may permit some accesses within such bulkheads to be opened during the voyage but only for a period sufficient to permit through passage and, if required, for the essential working of the ship.

(9) In all ro-ro passenger ships, the master or the designated officer shall ensure that, without the expressed consent of the master or the designated officer, no passengers are allowed access to an enclosed ro-ro deck when the ship is under way.

*Section 14g Prevention and control of water ingress, etc., in cargo ships (SOLAS regulation II-1/24)*

(1) Openings in the shell plating below the deck limiting the vertical extent of damage shall be kept permanently closed while at sea.

(2) Notwithstanding the requirements of the third paragraph, the Norwegian Maritime Authority may permit that particular doors may be opened at the discretion of the master, if necessary for the operation of the ship and provided that the safety of the ship is not impaired.

(3) Watertight doors or ramps fitted internally to subdivide large cargo spaces shall be closed before the voyage commences and shall be kept closed during navigation; the time of opening such doors in port and of closing them before the ship leaves port shall be entered in the log-book.

(4) The use of access doors and hatch covers intended to ensure the watertight integrity of internal openings shall be authorized by the officer of the watch.

Section 25 is repealed.

The heading of section 30 should read:

*Section 30 Special operational conditions for vessels with passenger certificate*

The second and third paragraphs of section 30 are repealed.

Section 31 is repealed.

The heading of section 33 should read:

*Section 33 Storage and use of fuel and explosives*

Section 33 third paragraph is repealed.

Section 33 fourth paragraph is repealed.

Annex 2 is repealed.

## II

This Regulation enters into force on 15 September 2014.