Sjøfartsdirektoratet
Norwegian Maritime Authority

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.

Circular recipients: (check box)

- ☐ Sdir: Norwegian Maritime Authority
- ☐ A: 16 specially authorised employment offices
- ☐ U: Selected foreign service missions
- ☐ P: Equipment manufacturers, any subgroups
- ☐ OFF: Offshore companies / OIM / operators
- ☒ Hov: Main organisations
- ☐ H.i. Bodies or agencies for their comments
- ☐ Others:

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Supersedes:

Reference to:

- Regulations of 1 July 2014 No.1072 on the construction of ships (Construction Regulations)
- Regulations of 15 June 1987 No. 507 on safety measures, etc. on passenger ships, cargo ships and barges (Security Regulations)
- Regulations of 1 July 2014 1019 on life on life-saving appliances on ships
- Regulations of 1 July 2014 No. 955 on radiocommunication equipment for Norwegian ships and mobile offshore units.
- Regulations on the construction, equipment and operation of passenger ships in the territorial waters surrounding Svalbard (Svalbard Regulations)

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.

Amendments to various Regulations with legal basis in the Ship Safety and Security Act – cf. resolutions MSC.474(102), MSC482(103), MSC491(104) and MSC.496(105)

The Norwegian Maritime Authority (NMA) has laid down amendments to:

- Regulations of 1 July 2014 No.1072 on the construction of ships (Construction Regulations)
- Regulations of 15 June 1987 No. 507 on safety measures, etc. on passenger ships, cargo ships and barges (Security Regulations)
- Regulations of 1 July 2014 1019 on life on life-saving appliances on ships
- Regulations of 1 July 2014 No. 955 on radiocommunication equipment for Norwegian ships and mobile offshore units.
- Regulations of 7 June 2019 No. 710 on the construction, equipment and operation of passenger ships in the territorial waters surrounding Svalbard (Svalbard Regulations)

Introduction

Necessary amendments have been carried out in the mentioned Regulations to ensure implementation into Norwegian legislation of decisions adopted by the IMO's Maritime Safety Committee MSC.474(102), MSC482(103), MSC491(104) and MSC.496(105).

Consultation

The proposal was circulated for review from 6 June to 14 October 2023. The NMA received eight consultative comments. No comments on the proposal were received from the Norwegian Union of Marine Engineers, the Norwegian Environment Agency, the the Norwegian Coastal Administration, the Ministry of Justice and Public Security or the Norwegian Directorate of Fisheries.

The Norwegian Society for Sea Rescue commented that they generally welcome any measure contributing to clarity in the current legislation, including harmonising with international rules and a complete set of rules that is accessible and easy to navigate. They emphasised that the proposal should not go further than necessary to implement international obligations unless these have been specifically considered based on a purpose and impact assessment in line with the Instructions for Official Studies and Reports. The NMA has carefully considered the proposal from the Norwegian Society for Sea Rescue. As a result of this consideration, the NMA will not require the amendments to MSC.474(102) to apply to non-SOLAS vessels at this point. Read more about the decision below.

Imstec submitted comments after the deadline. Since the comments concerned mandatory and internationally adopted legislation where the objection deadline is passed, we are unable to make any changes. We will, however, keep the comments in mind in our work in the IMO.

Details on the amendments to the relevant Regulations

Decisions MSC.474(102), MSC.482(103), MSC.491(104) and MSC.496(105) were adopted by the IMO Maritime Safety Committee (MSC). When the amendments enter into force, they will change the Safety of Life at Sea Convention (SOLAS) Chapter II-1 Parts A, A-1, B-1, B-2, B-4, D, and Chapter III Part B, Chapter IV and V and the Protocol of 1988 to the Load Line Convention, Annex B, Annex I Chapter II, Regulation 22 and Chapter III Regulation 27.

The rules have been implemented in Norwegian legislation by the Construction Regulations, the Security Regulations, the Regulations on life-saving appliances, the Regulations on radiocommunication equipment for Norwegian ships and mobile offshore units and the Svalbard Regulations. The implementing provisions incorporating SOLAS and the Load Line Convention in Norwegian legislation have been amended to correspond with the revised international legislation. To ensure compliance with Norway's international obligations due to the resolutions, it is also necessary to make several changes to the Security Regulations that transform parts of SOLAS Chapter II-1.

MSC.474(102) – amendments to SOLAS II-1, Parts A, A-1, B-1, B-2, B-4, D

The amendments to SOLAS Chapter II-1 Part A-1 include requirements for mooring. The new requirements come from the amended regulation 3-8 and shall ensure the design of suitable and safe mooring arrangements, including hawsers, to enhance the safety for the crew. The background for the new rules is many serious accidents due to mooring operations that are often caused by manual handling of equipment and broken hawsers. Requirements have also

been made for maintenance and inspections. The following guidelines support the new requirements:

- Guidelines on the design of mooring arrangements and the selection of appropriate mooring equipment and fittings for safe mooring (MSC.1/Circ.1619)
- Guidelines for inspection and maintenance of mooring equipment including lines (MSC.1/Circ.1620)
- Revised guidance on shipboard towing and mooring equipment (MSC.1/Circ.1175/Rev.1)

The requirements apply to cargo and passenger ships of 3000 gross tonnage and upwards constructed on or after 1 January 2024. When the term "constructed" is used, it means that a contract has been entered into on or after 1 January 2024. In the absence of a building contract, the ship is still constructed if the keel is laid or if it is at a similar stage of construction on or after 1 July 2024. The new requirements also apply if the ship is delivered on or after 1 January 2028. The guidelines for inspection and maintenance are retroactive and will apply to all ships.

The rule changes will in principle only apply to SOLAS vessels. Separate national rules in this area have not yet been discussed. The NMA still recommends that ships of less than 3000 gross tonnage comply with the new requirements as far as practicable. SOLAS Regulation II-1/3-8.7, as amended by MSC.474(102) sets out that ships of less than 3000 gross tonnage should comply with the provisions as far as practicable.

SOLAS Chapter II-1 Parts B, B-1, B-2 and B-4 have been amended to ensure that the probabilistic damage stability standard in Parts B and B-1 are reflected in the requirements for watertight integrity in Parts B-2 to B-4. In particular, this applies to the revision of SOLAS Regulation II-1/7-2.5 and 17. The amendments stem from the experiences from the introduction of the probabilistic damage stability standard in 2009.

SOLAS Regulation II-1/12.6 sets out new provisions for valves in collision bulkheads. The new provisions do not mention specific types of valves compared to the current Regulation 12.6.1 which sets out a requirement for screw-down valve for passenger ships and, as an alternative, butterfly valves for cargo ships. New provisions in 12.6.2 set out requirements regarding the location and operation of the valve(s).

SOLAS Regulation II-1/13 has been revised to apply to openings in watertight boundaries in general and is not limited to openings in watertight bulkheads. Regulation 13 has also been updated to acknowledge that the central operating console for watertight doors may also be located in the ship's safety centre, cf. SOLAS Regulation II-2/23.

In SOLAS Regulation II-1/15, the requirements for gangway, cargo and fuelling ports fitted below the bulkhead deck and freeboard deck on passenger and cargo ships respectively have been revised to clarify the requirement to be watertight and structurally strong. The number of this type of ports should be kept at a minimum and as a main rule face the exterior.

In SOLAS Regulation II-1/16.1.1 regarding construction and initial tests of watertight doors, sidescuttles, etc. and Regulation II-1/22.1 on inspection of watertight doors, etc., ash-chutes and rubbish-chutes have been removed from the list.

SOLAS Regulation II-1/17 clarifies requirements for doors in watertight bulkheads above the bulkhead deck that become submerged during intermediate or final flooding stages. According to the explanatory notes (Res.MSC.429(98) Rev.2), doors that become submerged to the extent necessary to achieve positive stability are no longer defined as watertight doors under Regulation 13, but must withstand a water pressure of at least 1 metre. These doors may be sliding or hinged and may remain open during operation provided they can be remotely closed from the bridge.

New SOLAS Regulation II-1/19.5 emphasises that damage control information from ships, as required by SOLAS II-1/8-1, must indicate the chosen method for damage stability support.

Amendments to SOLAS Regulation II-1/22.7 regarding the closure of gangway, cargo and fuel ports in the hull below the bulkhead deck allow the master, under certain conditions, to permit such hatches to be open while the ship is underway.

References in SOLAS Regulation II-1/42.4.2 have been updated to reflect changes in the numbering of Regulation II-1/13. Corresponding updates have been made to the Safety Regulations. These changes ensure consistency with previous amendments to SOLAS.

The above amendments apply exclusively to cargo and passenger ships constructed on or after 1 January 2024.

MSC.482(103) – Amendments to SOLAS II-1 and III

New SOLAS Regulation II-1/25-1 extends the requirement for water level detectors to cargo ships with multiple cargo holds, built on or after 1 January 2024. Previously, this requirement applied only to ships with a single cargo hold (Regulation II-1/25). Now it also applies to cargo ships with multiple cargo holds. Bulk carriers and tankers are exempt from the water level detector requirements under Regulations II-1/25 and 25-1.

According to Regulation II-1/25-1, each dry cargo hold must have a water level detector. Detectors are not required in holds located entirely above the freeboard deck. Sensors in the bilge system may, under certain conditions, meet the water level detector requirements.
The regulation provides details on sensor placement. In connection with the expanded requirements, Resolution MSC.188(79) on functional requirements for such equipment has been revised (MSC.188(79) Rev.1).

SOLAS Regulation III/33.2 has been amended to exclude free-fall lifeboats, now applying only to lifeboats launched by davits.

MSC.491(104) – Amendments to the 1988 Load Line Protocol, Chapter II Regulation 22 and Chapter III Regulation 27

Regulation 22 has a minor editorial change to reflect the content of Table 22.1.

Requirements for watertight doors in Regulation 27 have been amended to harmonise with SOLAS Chapter II-1 Part B-2 for cargo ships.
In addition to remotely operated watertight sliding doors, the following doors may now be submerged at the final waterline after flooding:

- Hinged watertight access door with quick closing and open/closed indicators locally and on the bridge.

- Hinged watertight door that remains permanently closed during navigation.

These changes offer greater design flexibility and apply to all ships, but do not directly affect existing vessels.

MSC.496(105) – Amendments to SOLAS II-1 Part D, III Part B, IV and V

Requirements for the Global Maritime Distress and Safety System (GMDSS) have been modernised with more generic requirements, independent of specific service providers. Obsolete system requirements have been removed. Emergency communication equipment requirements have been moved from SOLAS Chapter III (life-saving appliances) to Chapter IV (radiocommunication). Definitions of sea areas A1 and A2 have been editorially updated. Area A3 has been revised to reflect that geographic coverage may vary depending on the satellite service provider(s) supported by the ship earth station.

Due to the relocation of emergency communication rules from SOLAS Chapter III to SOLAS Chapter IV, regulatory amendments are required in the Regulations on life-saving appliances sections 5, 5a, 6 and 7. Provisions concerning radio requirements have been transferred to the Regulations on radio communication equipment sections 3 and 5. A new section 3a has also been added to the Regulations on radio communication equipment, specifying requirements for SARTs and hand-held VHF-radios on cargo ships.

The relocation of some equipment requirements from the Regulations on life-saving appliances to the Regulations on radiocommunication equipment introduces a change for ships that are covered by the Regulations of 17 June 2014 No. 768 on special rules for protected or historical ships carrying more than 12 passengers. Before the Regulations on special rules for protected ships entered into force, protected ships were subject to the same radar transponder requirements as other vessels, cf. now repealed Regulations of 11 October 2004 No. 1341 on life-saving appliances on passenger ships section 7. When the new Regulations for protected ships were introduced in 2014, the intention was to maintain the existing legal requirements for life-saving appliances and equipment. Nevertheless, the requirement for a radar transponder was mistakenly omitted.
The equipment, which currently includes radar-SART and AIS-SART, is used for search and rescue by marking the position of the rescue craft or vessel in distress and emitting a signal that helps search and rescue resources locate those in need.

The requirement for search and rescue locating equipment currently applies to all passenger ships operating in trade area 2 or greater trade areas, as well as cargo ships of 100 gross tonnage and upwards. The requirement for AIS also applies to cargo ships of less than 100 gross tonnage operating in trade area 3 or greater trade areas. The Norwegian Maritime Authority sees no safety-related reasons why protected vessels should be exempt from the requirement to carry search and rescue locating equipment. The requirement is therefore being reintroduced by incorporating it into the Regulations on radiocommunication equipment, which apply to vessels holding a passenger certificate for protected ships.

It is the NMA's assessment that vessels previously subject to the Regulations on life-saving appliances on passenger ships already have the equipment on board. For vessels certified on or after 15 September 2014 under the Regulations on special rules for protected ships, the requirement may entail a cost. The NMA believes that the safety benefits of the measure outweigh the costs.

The NMA's interpretation of SOLAS Chapter III has been made known and is attached to the Regulations on life-saving appliances. In the mentioned SOLAS Regulation III/29, there was a referencing error. This error has now been corrected by referring to IMO Resolution A.1072(28).

The Svalbard Regulations

Section 3 (c) of the Regulations has been updated to refer to the current consolidated 2020 edition of SOLAS, as amended by the relevant IMO resolutions.

Administrative and financial implications

The NMA does not anticipate that the amendments now being adopted will have significant financial or administrative consequences, since the amendments are mainly technical or involve minor equipment requirements.

For vessels covered by the Regulations on special rules for protected ships, and that do not already have the required search and rescue locating equipment on board, complying with the requirements will entail costs. The price of a radar-SART or AIS-SART is approximately NOK 8,000. Currently, there are 30 active vessels with a valid certificate under this Regulation. According to the NMA's calculations, around six vessels have not reported having a SART. However, it is possible that some of these do have a SART that has not been registered, and that the actual number of affected vessels is lower than six.

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