Sjøfartsdirektoratet
Norwegian Maritime Authority

Circular - Series R

Circular Series R (Regulations) supersedes previous Series F.
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Amendments to the Regulations on the construction of ships and the Regulations on safety measures, etc.

The Norwegian Maritime Authority (NMA) has laid down amendments to the Regulations of 1 July 2014 No. 1072 on the construction of ships and the Regulations of 15 June 1987 No. 507 on safety measures, etc. on passenger ships, cargo ships and barges (Safety Measure Regulations) in order to implement amendments made to SOLAS chapter II-1 and the International Code on Intact Stability. These amendments only apply to ships engaged on international voyages and enter into force on 1 January 2020.

1. Background

IMO's Maritime Safety Committee (MSC) has adopted amendments to the Safety of Life at Sea Convention (SOLAS) by resolutions MSC.409(97), MSC.421(98) and MSC.436(99). In addition, the International Code on Intact Stability (IS Code) is amended by resolutions MSC.413(97), MSC.414(97), MSC.443(99) and MSC.444(99).

SOLAS chapter II-1 has been implemented into Norwegian legislation by section 3 of the Regulations on the construction of ships. The IS Code is founded on SOLAS chapter II-1, part B-1, regulation 5 and implemented in section 3 of the Regulations on the construction of ships. SOLAS regulations II-1/19 to 24 apply to operational requirements and is therefore implemented in chapter 3a of the Regulations on safety measures, etc.

The amendments primarily apply to cargo ships of 500 gross tonnage and upwards engaged on foreign voyages and passenger ships engaged on foreign voyages, cf. section 3 of the Regulations on the construction of ships. The amendments first and foremost apply to newbuildings. In certain cases, however, transitional provisions have been implemented for existing ships as well.

2. Amendments to the Regulations on the construction of ships

The amendments based on resolutions MSC.409(97), MSC.421(98) and MSC.436(99) include amendments to SOLAS chapter II-1, implemented into Norwegian legislation by the Regulations on the construction of ships.

MSC.409(97)

MSC.409(97) includes amendments to SOLAS regulation II-1/3-12 second paragraph on protection against noise. A discrepancy has been discovered for the scope of application for this provision. On ships delivered before 1 July 2018 and contracted for construction before 1 July 2014 and the keels of which are laid or which are at a similar stage of construction on or after 1 January 2015, the provision's first and second paragraphs do not apply. This resolution includes amendments to SOLAS chapter II-1 to specify that these ships are also covered by the provision. (This is done by removing the last part of the sentence "on or after 1 January 2015" of alternative 2.1 of Regulation 3-12).

This provision and the amendment are limited to ships of 1600 gross tonnage and above engaged on international voyages, and as specified in the provision, the delivery of which is on or after 1 July 2018 and for which the building contract is placed on or after 1 July 2014 if the keels of which are laid or which are at a similar stage of construction on or after 1 January 2015.

MSC.421(98)
SOLAS chapter II-1 has ever since 1 January 2009 included provisions intended to harmonise the rules for damage stability requirements for cargo ships and passenger ships. Following the 2009 amendments, there has been a need to revise a number of provisions in SOLAS chapter II-1. The results of the revision are included in MSC.421(98).

The changes of SOLAS chapter II-1, as a result of MSC.421(98), apply to part A General provisions, part B-1 Stability, part B-2 Subdivision, watertight and weathertight integrity and part B-4 Stability management. The largest revision involves stability for new passenger ships.

Summary of the most significant amendments:
Provisions of part B Subdivision and stability Regulation 4 General are amended to make the alternative
compliance a part of the text, using two new paragraphs, instead of adding a note.

An amendment has been made to part B-1 Regulation 5-1 Stability information to be supplied to the master to include adjustments to the stability information.

Regulation 6 Required subdivision index R is amended to make sure that the required subdivision index, R, is modified for passenger ships.

Regulation 7-2 Calculation of the factor s_i changes the calculation of s_i.

Part B-2 Regulation 9 Double bottoms in passenger ships and cargo ships other than tankers has been amended to provide the maximum limit for the vertical distance from the bottom of a well to a plane coinciding with the keel line when using the greater value or compliance with paragraph 8 of this regulation shall be shown for that part of the ship.

Regulation 12 Peak and machinery space bulkheads, shaft tunnels, etc. has been amended to allow the fitting of a butterfly valve in the watertight collision bulkhead on cargo ships.

Regulation 16 Construction and initial tests of watertight closures has been amended to also include testing of watertight closures.

Regulation 17 Internal watertight integrity of passenger ships above the bulkhead has been amended to consider air pipes terminating within a superstructure as unprotected openings unless they are fitted with watertight means of closure.

In part B-4 Stability management, Regulation 22 Prevention and control of water ingress, etc. has been amended by removing the possibility to let watertight doors to be opened.

Along with the aforementioned amendments, there are smaller editorial changes by MSC.421(98) in the provisions in SOLAS chapter II-1. For example, provisions are updated by changing the numbering and formulations that may appear misleading after the revision of SOLAS chapter II-1.

Which ships do the amendments apply to?
For SOLAS chapter II-1, the amendments in MSC.421(98) will be of significance to cargo ships of more than 500 gross tonnage engaged on foreign voyages and passenger ships engaged on foreign voyages, cf. section 3 of the Regulations on the construction of ships.

The new provisions will enter into force gradually. See an overview below. It is still necessary to check SOLAS chapter II-1 to see which rules apply to each individual ship.

The amendments in SOLAS chapter II-1, parts B, B-1, B-2 and B-4, unless otherwise provided, apply to ships for which the building is placed on or after 1 January 2020, and the keels of which are laid or which are at a similar stage of construction on or after 1 January 2020, or in cases of delivery of newbuildings on or after 1 January 2024.

For existing ships constructed before 1 January 2009, SOLAS chapter II-1 applies, as amended by MSC.1(XLV), MSC.6(48), MSC.12(56), MSC.13(57), MSC.19(58), MSC.26(60), MSC.27(61), resolution 1 by the 1995 SOLAS Conference, MSC.47(66), MSC.57(67), MSC.65(68), MSC.69(69), MSC.99(73), MSC.134(76), MSC.151(78) and MSC.170(79).

MSC.436(99)
SOLAS chapter II-1 on construction is amended as a result of MSC.436(99), which includes the same amendments as MSC.421(98) for the general part regarding which ships the new requirements will apply to and when they will enter into force. Moreover, MSC.436(99) includes a new requirement to operational information after a flooding casualty on passenger ships, as set out in section 3 of the Regulations on the construction of ships, cf. SOLAS regulations II-1/8-1.1-3 to 8-1.3.

Moreover, MSC.436(99) specify amendments regarding passenger ships constructed before 1 January 2014 to have an onboard stability computer and shore-based support not later than the first renewal survey after 1 January 2025.

MSC.413(97), MSC.414(97) and MSC.443(99) and MSC.444(99)
Resolutions MSC.413(97), MSC.414(97), MSC.443(99) and MSC.444 (99) include changes to the International Code on Intact Stability. The amendments of MSC.413(97) and MSC.414(97) are based on experiences made following the loss of the “Bourbon Dolphin”, which identified the need to focus more on intact stability. Thus, new requirements for intact stability have been developed and drawn up with regard to anchor handling, towing or lifting duties. Because not all

ships are involved in anchor handling, towing or lifting duties, the rules are set out in part B of the IS Code.
Resolution MSC.415(97) implements new requirements, which means that an assessment of the ship's intact stability must be made for ships involved in anchor handling, towing or lifting operations. The NMA has concluded that MSC. 415(97) will not be incorporated into Norwegian law at this point. More details about the amendments will therefore be given when and if these rules are implemented at a later time, and the rules are thus excluded in the regulation text regarding this amendment. Rules for anchor handling stated in RSV 03-2014 are continued until further notice.

The introduction and part A of the IS Code are amended to include new definitions in the provisions and to make the new criteria of part B of the Code clearer.

MSC.413(97) and MSC.414(97) implement the same actual amendments to the IS Code. The difference lies in the fact that MSC.413(97) implements amendments to the IS Code founded on SOLAS as specified in regulation II-1/2.27.1, as amended by MSC.269(85). However, in MSC.414(97) there is a reference to the introduction of the IS Code and part A which are set out in section (16).1 of Regulation I/3 of the Protocol of 1988, in connection with the International Convention on Load Lines, 1966 (1988 ILLC) as amended by MSC.270(85).

The IS Code is amended by MSC.413(97) and MSC.414(97) to also include vessels involved in anchor handling, towing or lifting operations by changing the introduction of the Code, Regulation 2.27 to 2.30 to include a list of these vessels as well.

Moreover, there are amendments to part A of the Code, where a note has been added to chapter 2. The note is intended to specify that regulations 3.4.1.8, 3.4.1.9, 3.6.4 and 3.6.5, included in part B of the Code, which applies to vessels included in regulations 2.27 to 2.30 of the introduction of the Code, only apply to vessels carrying out these operations.

MSC.443(99) and MSC.444(99) implement amendments to the IS Code by referring directly to SOLAS and the Load Line Convention, in the same manner as MSC.413(97) and MSC.414(97). Both resolutions implement the same amendments to the mandatory part A of the IS Code.

Details on the amendments
(1) For the introduction and part A, MSC.413(97) and MSC.414(97) change the introduction to the IS Code to also include vessels involved in anchor handling, towing or lifting operations, by including a list of these vessels in the introduction, regulations 2.27 to 2.30. Moreover, there are amendments to part A of the Code, where a note has been added to chapter 2. The note is intended to specify that regulations 3.4.1.8, 3.4.1.9, 3.6.4 and 3.6.5, included in Part B of the Code, which apply to vessels included in regulations 2.27 to 2.30 of the introduction of the Code, only apply to vessels carrying out these operations.

MSC.443(99) and MSC.444(99) implement amendments to the IS Code by referring directly to SOLAS and the Load Line Convention, in the same manner as MSC.413(97) and MSC.414(97). Both resolutions implement the same amendments to the mandatory criteria of part A, and the note to the title of chapter 2 is removed.

3. Amendments to Regulations on safety measures, etc. on passenger ships, cargo ships and barges pursuant to resolution MSC.421(98)

SOLAS regulations II-1/19 to 24 include operational requirements. They have been implemented into Norwegian legislation by the Regulations on safety measures, etc. chapter 3a. MSC.421(98) amends SOLAS regulation II-1/19 on damage control information and the provision's second paragraph specifying that watertight doors permitted to remain open during navigation shall be clearly indicated in the ship's stability information, is removed from the provision. It has been continued in SOLAS regulation II-1/22 third paragraph.

The amendments include a deletion of section 14b second paragraph of the Regulations on safety measures, etc. At the same time, section 14e third paragraph of the Regulations adds that the Norwegian Maritime Authority may approve that such a watertight door may be opened during navigation after careful consideration of the impact on ship operations and survivability. If a watertight door is permitted to remain open, this must be clearly indicated in the ship's stability information and shall always be ready to be immediately closed.

MSC.421(98) also includes amendments to damage control drills for passenger ships. The rules are included in chapter 3a of the Regulations on safety measures, etc. as a new provision. The provision is included as a transformation, as this is the same system which has been used to implement other provisions of SOLAS chapter II-1 regulations 19 to 24 in chapter 3a of the Regulations.

The provision applies to passenger ships constructed on or after 1 January 2020.

4. Consultation and consultative statements

The proposed regulation concerning amendments to the Regulations on safety measures, etc. on passenger ships, cargo ships and barges was circulated for review from 10 October 2019 to 1 December 2019.

The NMA received a total of 9 consultative comments, of which one included a comment to the amendments.
DNV GL asked if the new Regulations on intact stability for anchor handling as a result of MSC.415(97) were to replace the NMA's Circular RSV 03-2014. For the time being, vessels involved in anchor handling operations may still comply with Circular RSV 03-2014, and Circular RSV 03-2014 will still apply to vessels involved in anchor handling operations.

5. Administrative and financial implications

The regulatory amendments primarily include an update of the legislation on the construction of cargo ships of 500 gross tonnage and upwards engaged on international voyages and passenger ships engaged on international voyages. With regard to the amendments to the provisions on stability, it is not expected any increases in cost. The amendments mainly apply to new ships, and it is possible to take the stability requirements into consideration at an early stage of the building process. Moreover, existing ships already affected by the transitional provision are already complying with the set requirements.

With regard to the amendments to part A of the IS Code, no increases in cost are expected. Moreover, there will be no cost-related changes for vessels of more than 24 metres in length

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that are involved in anchor handling operations pursuant to Circular RSV 03-2014 on anchor handling operations, since this is currently already in place and complied with.

The NMA will adapt the enforcement of the legislation to the amendments to SOLAS chapter II-1. Beyond this, the proposal is not considered to have any significant administrative consequences.

Lars Alvestad (by authority)
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This document has been electronically approved, and therefore does not contain handwritten signatures.