

Regulations of 18 June 2009 No. 666 on the manning of Norwegian ships (Manning Regulations 09)

Legal basis: Laid down by the Norwegian Maritime Authority on 18 June 2009 under the Act of 16 February 2007 No. 9 relating to ship safety and security (Ship Safety and Security Act) sections 2, 15, 16, 43 and 45, cf. Formal Delegation of 16 February 2007 No. 171 and Formal Delegation of 31 May 2007 No. 590.

Amendments: Amended by Regulations of 13 July 2011 No. 781, 10 November 2017 No. 1778, 20 December 2017 No. 2379.

Section 1

Scope of application

The Regulations shall apply to Norwegian passenger ships irrespective of size, Norwegian cargo ships of 50 gross tonnage and upwards and Norwegian fishing vessels of 24 metres in length (L) and upwards, unless otherwise provided by the individual provision.

For ships which are used for training and teaching purposes only and ships which are employed in the pilot or rescue service, these Regulations shall apply only to the extent the Norwegian Maritime Authority decides in the individual case.

Amended by Regulation of 10 November 2017 No. 1778 (in force on 16 November 2017).

Section 2

Definitions

For the purpose of these Regulations, the following definitions shall apply:

- a) “*Gross tonnage*”: Gross tonnage in accordance with the International Convention on Tonnage Measurement of Ships, 1969, as amended, as indicated in the vessel’s Tonnage Certificate. For vessels where national gross tonnage is entered in the remarks column, “tonne” shall refer to such national tonnage.
- b) “*Trade areas*”: As for the division of trade areas the provisions laid down in the Regulations of 4 November 1981 No. 3793 on trade areas and the Regulations of 28 March 2000 No. 305 on surveys, construction and equipment of passenger ships engaged on domestic voyages, chapter 2 concerning classes of passenger ships, shall apply.
- c) “*Fishing vessel*”: A vessel used commercially for fishing, hunting or harvesting living resources of the sea.
- d) “*Catering*”: Work and service in connection with the accommodation of persons on board.
- e) “*Propulsion power*”: The total maximum continuous rated output in kilowatts of the ship’s aggregate main propulsion machinery, as indicated on the ship’s certificate of registry or other official document (1 kW = 1.36 hp).
- f) “*Passenger high-speed craft*”:
 1. *Foreign voyage*: Passenger craft certified to carry more than 12 passengers and capable of a maximum speed, in metres per second (m/s), equal to or exceeding: $3.7\gamma^{0.1667}$
where:
 γ = displacement corresponding to the design waterline (m³).
 2. *Domestic voyage*: Passenger craft as specified in item 1 and which is capable of a maximum speed of 20 knots or more.
- g) “*Cargo ship*”: Any ship that is not a passenger ship, fishing vessel, barge or pleasure craft.
- h) “*Passenger ship*”: A ship that can carry 12 passengers or which is required to have official certificates to carry passengers.

Amended by Regulation of 10 November 2017 No. 1778 (in force on 16 November 2017).

Section 3

Exemptions

The Norwegian Maritime Authority may, in individual cases and upon written application, grant exemption from the requirements of these Regulations. There must be special reasons that make such exemptions necessary and they must be justifiable in terms of safety. Exemptions are only granted where they do not contravene international agreements to which Norway has acceded.

Section 4

Request and documentation

(1) The company shall submit a request for a safe manning document to the Norwegian Maritime Authority. The request shall contain the following documentation on a control form prescribed by the Norwegian Maritime Authority:

- a) a reasoned proposal for minimum safety manning for the operation of the vessel, cf. sections 8 and 9. The proposal shall be submitted in tabular form, including areas of application and waters. The table shall indicate the job titles of the posts with their associated certificates and qualification documents in accordance with the Regulations of 22 December 2011 No. 1523 on qualifications and certificates for seafarers;
- b) documented views from the master and the organisation of representatives. If such views from the organisation of representatives cannot be obtained, the views from the master shall be brought forward;
- c) evacuation analysis for passenger ships.

(2) The Norwegian Maritime Authority may require additional documentation within the areas listed in the first paragraph.

(3) A list of the documentation etc. shall at all times be available on board.

Amended by Regulations of 13 July 2011 No. 781, 20 December 2017 No. 2379 (in force on 1 January 2018).

Section 5

Board of Experts – the Council of Maritime Education, Certification and Manning

Where a case raises questions of principle, the Norwegian Maritime Authority may decide that the case should be referred to the Council on Maritime Education, Certification and Manning.

Section 6

Working hours, hours of rest, and working hours arrangements

Working hours and hours of rest shall be in accordance with such provisions on working hours laid down in statutory instruments or valid collective bargaining agreements as are in force at the time in question.

Section 7

Determination of minimum safe manning levels

For each ship the Norwegian Maritime Authority shall determine the minimum safe manning including job specifications and qualification requirements etc. which are necessary to maintain the safety of the ship and those on board and prevent pollution of the marine environment.

Section 8

Proposal for a minimum safe manning level

(1) The company shall propose a minimum safe manning level which is necessary to maintain the safety of the ship and those on board and prevent pollution of the marine environment.

(2) The submitted proposal for minimum safe manning shall be based on:

- a) Safety Management System
- b) risk analysis
- c) evacuation analysis, for ships for which such analysis is required
- d) organisation plan
- e) job instructions for each post in the organisation
- f) the technical standard of the ship
- g) propulsion machinery output
- h) alternations
- i) job combinations or/and overlapping competence
- j) working hours arrangements to be applied in each case
- k) number of passengers.

(3) The proposed safe manning shall cover all relevant operations, tasks and functions for the safe operation of the ship, including:

- a) watchkeeping both at sea and in port, as well as safety and emergency response drills
- b) operation and maintenance of vital operating systems, including propulsion machinery and rescue and emergency response systems
- c) operation and maintenance of technical equipment on the bridge and in machinery spaces, as well as in other control rooms

- d) operation and maintenance of internal and external communication equipment
- e) maintenance of critical components
- f) catering requirements of the crew, as well as required cleaning
- g) anchoring and mooring, as well as making the ship ready for the voyage
- h) maritime operations such as navigation, manoeuvring, stability, etc.
- i) monitor the loading and unloading, securing and placement of cargo (dangerous cargo, etc.)
- j) first aid, treatment of injuries, and medical assistance
- k) safety training and other safety work, including the tasks specified in the Regulations of 22 June 2004 No. 972 on security, anti-terrorism and anti-piracy measures and the use of force on board ships and mobile offshore drilling units
- l) familiarisation of new crew members
- m) inspection of the intake of bunkers, supplies and provisions
- n) other operations essential to safe manning.

(4) The circumstances shall be adapted with the view to achieving the highest possible degree of wellbeing on board both in work and leisure. Consideration shall also be given to the administrative workload that reporting in accordance with the Safety Management System, acts and regulations impose on the ship's crew.

(5) The minimum safe manning level for ferries connected to the national road network shall in addition be assessed according to network, tonnage and capacity.

Amended by Regulations of 13 July 2011 No. 781, 20 December 2017 No. 2379 (in force on 1 January 2018).

Section 9

Minimum requirements for safe manning

(1) On ships of 15 metres in overall length and upwards or on ships which according to a Tonnage Certificate issued before 16 December 1983 is of 25 gross register tonnes or above, any person serving as master or deck officer shall hold a certificate pursuant to section 16 of the Ship Safety and Security Act.

(2) On ships with a propulsion machinery of 750 kW and upwards, any person serving as engineer officer shall hold a certificate pursuant to the Ship Safety and Security Act. In individual cases, the Norwegian Maritime Authority may require a certificate for service as engineer officer on ships of less propulsion power than provided in the first sentence where necessary on grounds of ship type, the vessel's activities, machinery, technical outfitting, trade area, area of operation or other special safety-related factors.

(3) An engineer officer is not required on passenger high-speed craft engaged on domestic voyages with multi-engine plants of less than 1,500 kW propulsion power and at least two independent engine-rooms.

(4) This provision shall not apply to fishing vessels.

Amended by Regulation of 10 November 2017 No. 1778 (in force on 16 November 2017).

Section 10

Safe manning document

(1) Ships to which these Regulations apply shall be provided with a safe manning document containing information about the crew's size, composition, qualification requirements and about operation or trade area, cf. sections 8 and 9.

(2) Safe manning documents issued by the Norwegian Maritime Authority before the entry into force of these Regulations are valid until a new safe manning document is issued and applied in accordance with these Regulations.

(3) The safe manning document shall be posted in the ship in such a manner that all persons on board can easily become acquainted with its contents. This also applies to any other official document referred to in the safe manning document.

(4) Before minimum safe manning is determined all the necessary information shall be forwarded to the Norwegian Maritime Authority, cf. section 4. The preference for conventional job categories, alternation or ship mechanics, cf. sections 8, 9 and 11, shall be stated.

Section 11

Inadequate manning level

If the circumstances should arise resulting in the ship not being manned in accordance with the stipulated minimum safe manning, the ship cannot leave the port, unless for short passages where the areas listed in the third paragraph of section 8 are attended to and provided that the working hours arrangements and provisions relating to hours of rest are not impinged upon. In such cases, an entry shall be made in the deck log concerning the deficiency. The Norwegian Maritime Authority shall be notified through a transcript of the entry.

Section 12

Additional manning

(1) In order to ensure safe manning, the company and master shall perform their duties in accordance with the Ship Safety and Security Act and the provisions of these Regulations, including assessing whether additional manning is necessary. Additional manning is the extra manning the company in agreement with the master considers necessary to have on board to carry out operations that cannot be handled by the minimum safe manning alone without compromising the safety of the ship and those on board. The master shall notify the company if there is a need for additional manning.

(2) Questions relating to the need for additional manning shall be settled by the company in agreement with the master. Before a decision is made the opinions of the heads of department on board (the chief officer, chief engineer, second engineer and chief catering officer), the organisation of representatives and working environment committee on board shall be obtained. When the question of additional manning is being considered, special attention shall be given to the extent to which the crew is intended for other tasks than the ones stated in section 8.

(3) The minimum safe manning and additional manning shall be sufficient to take account of the tasks, duties and responsibilities of the crew relative to the operation of the ship, on board or elsewhere, and to enable all personnel to which the provisions in force relating to hours of rest apply to comply with those provisions.

Section 13

Manning during a transit

When the ship is not carrying cargo, passengers or is on a non-commercial voyage, the company may determine the manning level in agreement with the master. The manning shall in such cases be justifiable in terms of safety.

Section 14

Requirement for crew list

(1) Every ship irrespective of size shall carry a crew list showing the persons who are working on board at any time. The crew list may be in an electronic format.

(2) The crew list shall be updated at the latest in connection with the ship leaving port.

(3) The company shall have a copy of the crew list ashore. The copy may be in an electronic format.

(4) The Norwegian Maritime Authority, or others authorised by the Norwegian Maritime Authority, may require a copy of the crew list to be handed over.

Added by Regulation of 10 November 2017 No. 1778 (in force on 16 November 2017).

Section 15

Transitional provisions for fishing vessels

Fishing vessels the keel of which is laid or which are at a similar stage of construction on or after 16 November 2017, shall submit a proposal for safe manning to the Norwegian Maritime Authority within 1 July 2018.

Fishing vessels the keel of which was laid or which were at a similar stage of construction before 16 November 2017, shall submit a proposal for safe manning to the Norwegian Maritime Authority within the vessel's first certificate renewal after 1 July 2018 and not later than 1 January 2020.

Added by Regulation of 10 November 2017 No. 1778 (in force on 16 November 2017).

Section 16

Entry into force

These Regulations enter into force on 1 July 2009. As from the same date the Regulations of 17 March 1987 No. 175 concerning the manning of Norwegian ships are repealed.

Amended by Regulation of 10 November 2017 No. 1778 (in force on 16 November 2017, formerly section 14).