

## 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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**No.:** RSR 14-2016

**Date:** 17/10/2016

**Journal No.:** 2014/23224-34/JKS

**Supersedes:**

**Reference to:** Excerpts from Passenger and cargo ships etc.

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## Amendments to the Regulations on life-saving appliances on ships and the Regulations on supervision and certificates for Norwegian ships and mobile offshore units

### Introduction

The Norwegian Maritime Authority has laid down amendments to the following regulations:

- Regulations of 1 July 2014 No. 1019 on life-saving appliances on ships; and
- Regulations of 22 December 2014 No. 1983 on supervision and certificates for Norwegian ships and mobile offshore.

The amendments include, inter alia, changes to the requirements for life-saving appliances on cargo ships and passenger ships. The amendments enter into force on 17 October 2016. See the notes to each provision for more information about the transitional provisions.

### Consultation

The proposed amendments were circulated for review from 12 March to 11 July 2016. A total of 13 consultative statements came in from 13 different consultative bodies. Nine consultative bodies had no comments. One of the bodies asked for extended response time.

### Background for the amendments

The Regulations of 19 December 2014 No. 1853 on the construction and supervision of small cargo ships, i.e. cargo ships of 8 metres and above in overall length, but of less than 24 metres in length (L), in the following referred to as Regulations 2014/1853, entered into force on 1 January 2015.

After 1 January 2015, the supervision of cargo ships of less than 15 metres in overall length has indicated that the requirements for life-saving appliances may be made more appropriate for such ships.

The amendments relate to, inter alia, requirements for the carriage of life-saving appliances and for design and testing standards for liferafts.

The Norwegian Maritime Authority's Circulars consist of 2 series, **Series R: Regulations, Acts and Conventions, and Series V: Guidelines and interpretations.**

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The amendments also involve requirements for ships with a one-man crew to be equipped with a dead man's switch and a rescue ladder. This part of the proposal will take effect from 1 January 2017, which allows the companies some time to adapt.

## **Notes on the provisions**

### Amendments to the Regulations on life-saving appliances on ships

To section 1

Section 1 (d) is amended so that the provisions on scope of application give a more precise indication of barges covered by the Regulations on life-saving appliances on ships. The amendments do not involve any real change to current law, but are laid down in order to minimise any doubts about which barges are covered by the Regulations on life-saving appliances on ships.

To section 5

Some editorial changes have been made to the first paragraph of section 5 to reduce any interpretation doubts.

The requirement of section 5 first paragraph new (f) is a continuation of a requirement laid down in section 8 (g) of the now repealed Regulations of 11 October 2004 No. 1341 on life-saving appliances on passenger ships. The requirement for a two-way portable VHF radiotelephone apparatus applies to ships certified to carry 12 passengers or less.

To new section 5a

The Regulations on life-saving appliances on ships also apply to cargo ships of less than 8 metres in overall length. New section 5 includes requirements better adapted to such cargo ships.

The life-saving appliances as set out in section 5a are covered by the harmonised requirements for performance and testing standards in the Regulations of 20 August 2016 No. 1042 on marine equipment.

To section 6

Section 6 first paragraph has been amended in order to minimise any doubts about interpretation compared to the previous wording.

The table in section 6 includes a reference to section 8 fifth paragraph which allows for cargo ships to carry one liferaft, provided that it is capable of being launched on either side of the ship. The table has also been amended as regards the requirement for lifebuoys on cargo ships of less than 15 metres in overall length as a consequence of the requirements of section 11 second paragraph, which are addressed below.

Prior to these amendments to the Regulations, cargo ships of between 100 and 300 gross tonnage and of less than 30 metres in overall length (L) engaged on foreign voyages were required to carry a rescue boat. The requirement for a rescue boat on equivalent cargo ships engaged on domestic voyages was repealed with effect from 1 January 2009.

It is our opinion that the requirement for smaller cargo ships engaged on foreign voyages to carry a rescue boat has not contributed to improved safety. Companies that have applied for exemptions from the rescue boat requirement have also been granted exemptions. Therefore, cargo ships of between 100 and 300 gross tonnage and of less than 30 metres in overall length (L) engaged on foreign voyages are no longer required to carry a rescue boat.

It is currently set out in the table that cargo ships of more than 15 metres in overall length and of less than 100 gross tonnage and cargo ships of between 100 and 500 gross tonnage are required to have four projectiles with four lines, cf. section 7.1 of the LSA Code. On cargo ships of less than 15 metres in overall length, two projectiles with two lines are required. This is related to the requirements of section 17 (2) of the previous Regulations of 15 September 1992 No. 700 on life-saving appliances on passenger ships, which read: "For non-convention ships, the following shall apply: Passenger ships of 300 gross tonnage and above and cargo ships of 50 gross tonnage and above shall be equipped with a line-throwing appliance complying with the requirements of Regulation III/49. No more than two lines and two projectiles need be kept on board."

The line-throwing apparatus shall be type-approved. If the line-throwing apparatus is sold separately, the certificate is likely to refer to the fact that SOLAS presupposes a purchase of a set of four apparatus in accordance with the LSA Code. With the adjustment for the smallest ships, two such type-approved apparatus are sufficient. This is also the reason why we do not refer to SOLAS III/19 as regards the smallest cargo ships.

To section 7

Some editorial changes have been made to the first paragraph of section 7 to minimise any doubts about interpretation.

The table in section 7 has been amended to clarify the carriage requirements for thermal lifejackets or thermal suits in combination with lifejackets for children. The requirement arises from SOLAS regulation III/7.2.1.3. Pursuant to current law, only the option of 0.1 of the number of passengers on board is laid down. The requirement for one child's lifejacket for every child on board now appears clearly.

The amendment of the table in section 7 that applies to line-throwing apparatus illustrates the requirement that follows from section 7.1 of the LSA Code, which requires the possibility to fire four projectiles with four lines.

To section 8

Section 8 third paragraph now sets out that the requirements of SOLAS regulation III/21 apply to passenger ships engaged on foreign voyages regardless of the year of construction. The amendment reflects the NMA's practice and the way the provision has been interpreted. Compared to earlier versions of SOLAS, the NMA presupposes that it will be both easier and less onerous for the industry to comply with SOLAS 1974 regulation III/21. The final sentence of section 8 third paragraph is deleted, as the sentence is redundant after the above-mentioned amendments.

The amendments of section 8 seventh paragraph provide, on specified terms, an alternative to wheel-marked liferaft for cargo ships of 8 to 15 metres in overall length. An equivalent regulation applies to fishing vessels of less than 15 metres in overall length (see section 38 second paragraph of the Regulations of 22 November 2014 No. 1404 on fishing vessels of less than 15 metres in overall length). Liferafts manufactured in accordance with ISO 9650-1 are mainly aimed at the recreational craft market. The ISO standard is based on a body mass of 75 kg, cf. section 3.1. The LSA Code (MSC.48(66)) assumes an average mass of 82.5 kg per person on cargo ships, cf. section 4.2.2.1 (amended by Resolution MSC.277(85) with effect from 1 January 2012). In order to take into account the LSA Code's standardised body weight as well as equipment and clothing used in professional context, the Norwegian Maritime Authority introduces a safety margin expressed by the three-person limit.

Section 8 seventh paragraph (c) introduces a regulation on the location of liferafts, which mirrors equivalent requirements of ISO 9650-1. As long as the location of a liferaft is not limited by

certification, a liferaft shall not be located more than six metres above the waterline in the least favourable loading condition.

ISO 9650-1 does not require buoyancy of packed liferafts. The requirements of section 4.2.6.1 of the LSA Code and the test requirements of section 5.13 and 5.19 of MSC.81(70) are applicable. The liferaft shall also be provided with a float-free arrangement in accordance with section 4.1.6 of the LSA Code. If the liferaft is capable of being launched from either side of the vessel, one liferaft is sufficient, cf. section 8 fifth paragraph.

In section 8 eighth paragraph, formerly seventh paragraph, the word «*manned*» has been deleted. The amendment is a consequence of the amendments of section 1 (d).

To section 9

Section 9 third paragraph also gives passenger ships in trade area 3 or lesser trade area the opportunity to include rescue boats in the survival craft capacity. A similar possibility was laid down in the repealed Regulations of 11 October 2004 No. 1341 on life-saving appliances on passenger ships.

SOLAS regulations III/21.1.4.3 and III/31.1.3.3 allow a rescue boat to be regarded as survival craft. Based on safety assessments by the Norwegian Maritime Authority, the amendment that enabled rescue boats to be regarded as survival craft has been harmonised for cargo ships and passenger ships in trade area 3. Cargo ships may therefore include rescue boats in the survival craft capacity in trade area 3, whereas previously only in trade area 2.

To new section 9a

New section 9a includes requirements for a rescue ladder and a dead man's switch. The provisions of the new section 9a first paragraph are retrieved from Nordic Boat Standard C13, item 7.1. It is the NMA's assessment that the requirement for rescue ladder is appropriate, especially on board ships with a one-man crew. The requirement is also in line with the requirements of section 9 fifth paragraph (d). The requirement shall be made applicable not later than 1 January 2017.

To new section 10a

In the new section 10a, ro-ro passenger ships certified for trade area 2 or lesser trade area are exempt from the requirement for a helicopter landing area, cf. SOLAS Regulation III/28. The state of the law following the now repealed Regulations of 11 October 2004 No. 1341 on life-saving appliances on passenger ships is therefore continued.

To section 11

The first and second paragraphs of section 11 have been amended as a result of inspiration from provisions on the number and location of lifebuoys on smaller fishing vessels. The table in section 6 is also modified as a result of these amendments.

To section 12

The new fourth paragraph of section 12 continues the state of the law pursuant to the now repealed Regulations of 11 October 2004 No. 1341 on life-saving appliances on passenger ships. With the amendment laid down in this Circular, the Norwegian Maritime Authority want to make it clear that the requirement for immersion suits applies to all crew members who are assigned tasks when the ship needs to be evacuated, or related to manning of survival craft/MES.

Amendments to the Regulations of 22 December 2014 No. 1893 on supervision and certificates for Norwegian ships and mobile offshore units

The Norwegian Maritime Authority corrects a typographical error in the Regulations of 22 December 2014 No. 1983 on supervision and certificates for Norwegian ships and mobile offshore units. Annex I, section 50 (5). Annex I contains transitional provisions for towing. The Norwegian word "sjakter" shall be replaced with "sjakler".

### **Administrative and financial implications**

The amendments to sections 1, 5, new 5a, 6, 7 and 8 are partly editorial and partly clarifications of current law. The amendments do not imply stricter requirements, and therefore do not trigger any increased costs, neither for the public sector, nor for the industry.

The amendments of sections 6 and 7 that apply to the requirement for line-switching apparatus are a clarification of current law and will not, in the opinion of the NMA, lead to increased costs for ships that have adapted to the requirement. For smaller cargo ships, this will imply reduced costs, as there will be a change from four lines and projectiles to two lines and projectiles.

The amendments of section 8 that apply to liferafts on smaller cargo vessels and imply that certain liferafts may be manufactured in accordance with ISO 9650-1 are a relaxation compared to current law. This relaxation will not lead to increased costs, more likely the opposite.

The amendments stipulated in section 9 that apply to the requirements for a rescue ladder and a dead man's switch, may trigger purchase costs in the range of NOK 2.000 for rescue ladder and NOK 5.000 for dead man's switch. Installation and any adaptation of hull is an additional factor.

Immersion suits for all crew members who are assigned tasks related to the evacuation the ship and the manning of survival craft/MES may be interpreted as if the requirements imply a tightening of the regulations. The requirements are a continuation of current law of the now repealed Regulations of 11 October 2004 No. 1341 on life-saving appliances on passenger ships. The Norwegian Maritime Authority therefore assumes that such immersion suits are, in general, already in place. The financial consequences of the amendments of section 12 fourth paragraph will therefore be small.

By and large, the Norwegian Maritime Authority judge the benefits of the measures imposed by the amendments to outweigh the costs.

Olav Akselsen  
Director General of Shipping and Navigation

Bjørn Pedersen  
Head of Department

## **Regulation concerning amendments to Regulations on life-saving appliances on ships and Regulations on supervision and certificates for Norwegian ships and mobile offshore units**

Laid down by the Norwegian Maritime Authority on 14 October 2016 under the Act of 16 February 2007 No. 9 relating to ship safety and security (Ship Safety and Security Act) sections 6, 9, 11, 19, 20, 55, 56, 59 and 60, cf. Formal Delegation of 16 February 2007 No. 171 and Formal Delegation of 31 May 2007 No. 590.

### I

#### **Regulations of 1 July 2014 No. 1019 on life-saving appliances on ships are amended as follows:**

Section 1 first paragraph (d) should read:

d) barges which due to their operation have personnel on board in addition to personnel carrying out operations related to mooring or preparation for towing.

Section 5 first paragraph should read:

Ships certified to carry 12 passengers or less shall, in lieu of meeting the requirements for number of life-saving appliances laid down in SOLAS chapter III, as a minimum carry the following number of life-saving appliances:

Section 5 first paragraph new subparagraph f) should read:

*f) a two-way portable VHF radiotelephone apparatus.*

New section 5a should read:

*Section 5a Life-saving appliances on cargo ships of less than 8 metres in overall length*

*Cargo ships of less than 8 metres in overall length shall, in lieu of meeting the requirements for number of life-saving appliances laid down in SOLAS chapter III, as a minimum carry the following number of life-saving appliances:*

- a) lifejackets for all persons on board;*
- b) six hand flares;*
- c) a lifebuoy with a lifeline of at least 30 metres;*
- d) a dead man's switch, which stops the propulsion of the ship in the event of capsizing or the person conning the ship falling over board;*
- e) a means of rescue for recovering a helpless person from the water;*
- f) a two-way portable VHF radiotelephone apparatus.*

Section 6 should read:

Cargo ships of 8 metres in overall length and upwards, but of less than 500 gross tonnage, and barges shall, in lieu of meeting the requirements for number of life-saving appliances laid down in SOLAS chapter III, as a minimum carry the following number of life-saving appliances:

Equipment	Gross tonnage and length parameters	Cargo ships in trade areas 1 and 2	Cargo ships in trade area 3 to small coasting	Cargo ships engaged on foreign voyages	Barges
Survival craft		2 x capacity to accommodate the total number of persons on board, cf. section 8 fifth paragraph.	2 x capacity to accommodate the total number of persons on board		1 x capacity to accommodate the total number of persons on board, cf. section 8
Immersion suits		1 x the total number of persons on board			
Lifejackets		1.5 x the total number of persons on board			
Lifejackets for children		All children on board (cf. section 12 second paragraph)			
Lifebuoys	<i>Ships &lt; 15 metres in overall length</i>	2			
	<i>skip &lt; 300BT ≥ 15 metres in overall length</i>	3			
	300 GT ≤ ships < 500 GT	5			
Rescue boat	300 GT ≤ ships < 500 GT or 30 metres in length (L) and upwards	1			See section 9
Line-throwing appliance	Ships < 15 metres in overall length		Two projectiles with two lines		
	15 metres in overall length ≤ ship < 100 GT		Four projectiles with four lines, cf. SOLAS III/18		
	100 GT ≤ ships < 500 GT	Four projectiles with four lines, cf. SOLAS III/18			
Rocket parachute flares (SOS flares)		3	6		
Hand flares		3	6		
SARD	Ships < 100 GT		1		
	100 GT ≤ ships < 500 GT	1			

Two-way hand-held VHF	Ships < 500 GT	2	
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Section 7 should read:

Passenger ships engaged on domestic voyages shall, in lieu of meeting the requirements for number of life-saving appliances laid down in SOLAS chapter III, as a minimum carry the following number of life-saving appliances:

Equipment	Metres	Passenger ships in trade area 2 and lesser trade area		Passenger ships in trade areas 3, 4, and small coasting	
		Ships < 250	250 ≤ ships	Ships < 250	250 ≤ ships
Number of persons on board (N)		Ships < 250	250 ≤ ships	Ships < 250	250 ≤ ships
Survival craft		1.1 x N			
Rescue boat: ships with a length (L) of	≥24	1			
(MES) Marine evacuation system		Cf. section 10			
Immersion suits or anti-exposure suit		Cf. section 12			
Thermal lifejacket or thermal suit in combination with lifejacket		1.05 N			
Thermal lifejacket or thermal suit in combination with lifejacket for children		0.1 x the number of passengers on board <i>or the greater number of lifejackets needed for the actual number of children</i> , cf. section 12 second paragraph			
Thermal lifejacket or thermal suit in combination with lifejacket for infants		0.025 x the number of passengers on board, cf. section 12 second paragraph			
Lifebuoys: ships with LOA:	≥ 15	4	8	4	8
	< 15	2			
Line-throwing apparatus - applies to ships operating in trade area 4 and small coasting.		-		Four projectiles with four lines, cf. SOLAS III/18	
Rocket parachute flares (SOS flares)		3		12	

SARD - applies to ships operating in trade area 2 or greater		1			
Two-way hand-held VHF - applies to ships operating in trade area 1 or greater		2	3	2	3

§ 8 third paragraph should read:

Passenger ships *engaged on foreign voyages, irrespective of year of construction*, shall carry survival craft in accordance with the requirements of SOLAS regulation III/21.

Section 8 seventh paragraph should read:

Cargo ships of 8 to 15 metres in overall length engaged on domestic voyages and not carrying more than three persons on board, may carry liferafts that are not wheel-marked when each liferaft is:

- a) intended for at least four persons;
- b) manufactured in accordance with ISO 9650-1 (Group A);
- c) placed in accordance with the recommendations from the manufacturer, but not more than six metres above the waterline in the least favourable loading condition;
- d) provided with a float-free arrangement in accordance with *section 4.1.6* of the LSA Code (Res.MSC.48(66) and MSC.81(70));
- e) in compliance with the requirements of the LSA Code for buoyancy of liferafts stowed with a float-free arrangement.

Section 8 seventh paragraph becomes new eighth paragraph, and should read:

*Barges* in trade area 3 or greater trade area shall be equipped with at least one inflatable liferaft with sufficient capacity to carry everyone on board. *Barges* in trade areas 1 and 2 shall be equipped with a CE-marked motor-powered workboat which at least satisfies the requirements for design category C, or a liferaft that can carry at least the total number of persons on board. *For barges* carrying flammable liquid cargo, the Norwegian Maritime Authority will lay down the requirements in each individual case, depending on the barge's manning, trade area, construction and operational conditions.

§ 9 third paragraph should read:

On cargo ships *and passenger ships* certified for trade area 3 *and* lesser trade area, the rescue boat may be included in the survival craft capacity, cf. *section 6, section 7* and section 8 sixth paragraph.

New section 9a should read:

Section 9a Rescue ladder and dead man's switch

*Ships manned with only one person shall no later than 1 January 2017 be equipped with a fixed rescue ladder where the lowest step is at least 300 mm below the waterline at 10% ballast condition. The rescue ladder shall be ready for immediate use and dimensioned for a static load of at least 200 kg. A ladder that can be rolled up is not considered as fixed. If the fixed ladder is hinged, the ladder shall be capable of being easily deployed by a person in the water. Cargo ships manned with only one person shall not later than 1 January 2017 be equipped with a dead man's switch in accordance with section 5a (d).*

New section 10a should read:

*Section 10a Exemptions from requirement for helicopter landing and pick-up areas*  
*Ro-ro passenger ships certified for trade area 2 or lesser trade area are exempt from the requirement of SOLAS III/28.*

Section 11 should read:

*Cargo ships of less than 300 gross tonnage which are required to carry more than one lifebuoy shall carry at least one lifebuoy on each side of the ship. One of the lifebuoys shall be fitted with a lifeline of at least 30 metres in length, and one of the other lifebuoys shall be fitted with a self-igniting smoke signal and a self-igniting light. The other lifebuoys shall be fitted with self-igniting lights, but without lines.*

*Cargo ships of 8 metres in overall length and upwards, but less than 15 metres, and passenger ships of less than 15 metres in overall length, shall carry one lifebuoy on each side of the ship. One of the lifebuoys shall be fitted with a lifeline of at least 30 metres in length, and the other lifebuoy shall be fitted with a self-igniting light and shall be without a lifeline.*

New section 12 fourth paragraph should read:

*All passenger ships shall carry immersion suits or anti-exposure suits for all crew members who are assigned tasks related to survival craft or marine evacuation systems. The suits shall be of a type with detachable gloves or gloves that do not interfere with the performance of necessary tasks and the operation of necessary equipment in an emergency.*

## II

Regulations of 22 December 2014 No. 1983 on supervision and certificates for Norwegian ships and mobile offshore units are amended as follows:

In Annex I section 50, a spelling mistake in the Norwegian text has been corrected.

## III

These Regulations enter into force on 17 October 2016.