

Regulations of 16 December 2016 No. 1770 on safety management for small cargo ships, passenger ships and fishing vessels, etc.

Legal basis: Laid down by the Norwegian Maritime Authority on 16 December 2016 under the Act of 16 February 2007 No. 9 relating to ship safety and security (Ship Safety and Security Act) sections 6, 7, 13, 42 and 51, cf. Formal Delegation of 16 February 2007 No. 171 and Formal Delegation of 31 May 2007 No. 590.

Section 1 *Scope of application*

These Regulations apply to Norwegian:

- a) cargo ships of less than 500 gross tonnage
- b) fishing vessels of less than 500 gross tonnage
- c) passenger ships engaged on foreign voyages and certified to carry 12 passengers or less
- d) ro-ro passenger ships certified to carry 12 passengers or less
- e) passenger ships engaged on domestic voyages and certified to carry 100 passengers or less
- f) vessels of more than 24 metres not used for commercial purposes.

These Regulations apply correspondingly to foreign ships that operate in Norwegian territorial waters.

These Regulations do not apply to barges, to government-owned ships not used for commercial purposes, nor to ships belonging to the Norwegian Armed Forces or ships used in such service.

Section 2 *The company's duty to establish, implement and further develop a safety management system*

The company shall establish, implement and develop a safety management system in accordance with these Regulations, which can be documented.

The company shall, to ensure safe operation, define and document the responsibilities and authority of all personnel who may affect health, environment and safety.

Section 3 *The purpose of the safety management system*

The purpose of the safety management system is to make it easier for the company to assess risks and to follow up the daily control procedures using a systematic approach. This way, the safety management system shall provide a better overview of day-to-day operations and ensure safety at sea, prevent injuries or loss of life, avoid damage to the environment, in particular to the marine environment, and to material values.

Section 4 *Master's responsibilities and authority*

The company shall define and document the master's responsibilities and authority. The master has the command of the ship. The master shall contribute to implementing and following up the safety management system, and to the safety system working as intended on board.

The master shall ask the company for assistance when necessary.

Section 5 *Resources and employees working on board ships - Training and competence development*

The company shall ensure that the master is competent to be in command on board and fully conversant with the company's safety management system. Furthermore, the company shall ensure that the master receives the necessary support and resources for performing his duties in a proper manner.

The company shall ensure that each ship is appropriately manned with personnel who have the correct competence, and who are qualified, certified and medically fit in accordance with applicable rules.

The company shall ensure that the necessary training is provided, and that there is a sufficient degree of familiarisation on board.

The company shall provide shipboard personnel access to the safety management system in a working language understood by them.

Section 6 *Operation on board and risk assessment*

The company shall draw up instructions, procedures and, as appropriate, checklists which are adapted to the operation of the ship and the company. Risk assessments shall be prepared for operations on board that affect safety, including environmental safety. Tasks related to these operations shall be assigned to qualified personnel.

Section 7 *Emergency preparedness*

The company shall establish procedures to identify, describe and respond to potential hazards, accidents and emergency situations on board.

The company shall create a plan for training, exercises and drills to be prepared for emergency situations.

Section 8 *Management of non-conformities and incidents*

The company shall use the safety management system to analyse non-conformities, accidents and incidents with the purpose of preventing recurrence and implement corrective and preventive measures.

The company must be able to document its procedure for non-conformity and incident management.

Section 9 *Maintenance and vital equipment*

The company shall develop, follow up and document a maintenance system that is adapted to the mode of operation of the ship. The maintenance system shall ensure that vessels and equipment are maintained in accordance with applicable requirements.

The company shall ensure that equipment and technical systems where sudden operational failure may result in dangerous situations, are identified. The safety management system shall include measures for improving the reliability of such equipment or systems. These measures shall as a minimum include regular testing of back-up systems and equipment or of technical systems that are not in continuous operation.

Section 10 *Relevant documentation available*

The company shall ensure that valid documents are available at all relevant locations, and that changes to documents are reviewed and approved by persons assigned to this task. Obsolete documents shall be removed.

Section 11 *Evaluation of the system*

The company shall perform an annual, verifiable review of the safety management system in order to assess whether the safety management system is meeting its objectives, and whether there is a need for improvement.

Section 12 *Entry into force*

These Regulations enter into force on 1 January 2017.

A safety management system in accordance with these Regulations shall be established and implemented within 1 July 2017.