

1986 No. 1071

## MERCHANT SHIPPING

## SAFETY

**The Merchant Shipping (Musters and Training)  
Regulations 1986***Laid before Parliament in draft**Made* - - - - - *25th June 1986**Coming into Operation* *1st July 1986*

The Secretary of State for Transport, after consultation with the persons referred to in section 22(2) of the Merchant Shipping Act 1979(a), in exercise of the powers conferred on him by sections 21(1)(a) and (b), (3), (4), and (6) and by section 22(1) of that Act and of all other powers enabling him in that behalf, hereby makes the following Regulations:

*Citation and revocation*

1.—(1) These Regulations may be cited as the Merchant Shipping (Musters and Training) Regulations 1986 and shall come into operation on 1st July 1986.

(2) The Merchant Shipping (Musters) Regulations 1980(b) are hereby revoked.

*Interpretation and classification*

2.—(1) In these Regulations:

“fishing vessel” means a vessel used for catching, otherwise than for sport, fish, whales, seals, walrus or other living resources of the sea and includes a fishery research vessel;

“international voyage” means a voyage from a country to which the International Convention for the Safety of Life at Sea, 1974 (c) applies, to a port outside that country or conversely;

(a) 1979 c. 39; section 21(6) was amended by the Criminal Justice Act 1982 (c. 48), section 49(3).

(b) S.I. 1980/542.

(c) Cmnd. 7874; the Convention was amended in 1981 and 1983.

'tons' means gross tons and a reference to tons:

- (a) in relation to a ship having alternative gross tonnages under paragraph 13 of Schedule 5 of the Merchant Shipping (Tonnage) Regulations 1982(a) is a reference to the larger of those tonnages; and
- (b) in relation to a ship having its tonnage determined under Part II and regulation 16 of these Regulations is a reference to its gross tonnage as determined under regulation 16 of those Regulations.

(2) For the purposes of these Regulations the ships to which these Regulations apply shall be arranged in the same classes in which ships are arranged for the purposes of the Merchant Shipping (Life-Saving Appliances) Regulations 1980(b) and any reference in these Regulations to a ship of any class shall be construed accordingly.

#### *Application*

3.—(1) These Regulations apply to all sea-going ships except:—

- (a) fishing vessels;
- (b) ships of Classes VI and VI(A);
- (c) pleasure craft which are not passenger ships or ships engaged in trade;
- (d) non-United Kingdom ships which are:—
  - (i) cargo ships of less than 500 tons; and
  - (ii) ships not propelled by mechanical means.

(2) These Regulations apply to United Kingdom ships wherever they may be and (subject to paragraph (3)) to non-United Kingdom ships while they are within the United Kingdom or the territorial waters thereof.

(3) These Regulations shall not apply to a non-United Kingdom ship flying the flag of a state which is not a party to the International Convention for the Safety of Life at Sea, 1974 by reason of its being within the United Kingdom or the territorial waters thereof if it would not have been there but for stress of weather or any other circumstances which could not have been prevented by the master, the owner or the charterer (if any).

#### *Muster list and emergency instructions*

4.—(1) This regulation applies to ships of Classes I, II, II(A), III, VII, VII(A), VII(T), VIII and VIII(T) and ships of Classes IX and XI engaged on international voyages.

(2) The master of every ship shall prepare and maintain a muster list complying with paragraphs (3)–(7). The muster list shall be prepared before the ship proceeds to sea. After the muster list has been prepared, if any change takes place in the crew which necessitates an alteration in the muster list, the master shall either revise the list or prepare a new list. The format of the muster list in respect of ships of Classes I, II, IIA and III shall be approved by the Secretary of State.

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(a) S.I. 1982/841.

(b) S.I. 1980/538, to which there is an amendment not relevant to these Regulations.

- (3) The muster list shall specify:
  - (a) the general emergency alarm signal;
  - (b) action to be taken by crew and passengers when the general emergency alarm signal is sounded;
  - (c) how the order to abandon ship will be given;
  - (d) other emergency signals and action to be taken by crew on hearing such signals; and
  - (e) on ships of Classes I, II, II(A) and III the location of passenger muster stations.
- (4) The muster list shall show the duties assigned to the different members of the crew including:
  - (a) closing of the watertight doors, fire doors, valves, scuppers, side-scuttles, skylights, portholes and other similar openings in the ship;
  - (b) equipping of the survival craft and other life-saving appliances;
  - (c) preparation and launching of survival craft;
  - (d) general preparations of other life-saving appliances;
  - (e) muster of passengers (if any);
  - (f) use of communication equipment;
  - (g) manning of fire parties assigned to deal with fires; and
  - (h) special duties assigned in respect of the use of fire-fighting equipment and installations.
- (5) The muster list shall show the duties assigned to members of the crew in relation to passengers in case of emergency. These duties shall include:
  - (a) warning the passengers;
  - (b) seeing that they are suitably clad and have donned their lifejackets correctly;
  - (c) assembling passengers at muster stations;
  - (d) keeping order in the passageways and on the stairways and generally controlling the movements of the passengers; and
  - (e) ensuring that a supply of blankets (where carried) is taken to the survival craft.
- (6) The muster list shall specify which officers are assigned to ensure that life-saving and fire appliances are maintained in good condition and are ready for immediate use.
- (7) The muster list shall specify substitutes for key persons who may become disabled, taking into account that different emergencies may call for different actions.
- (8) The master shall ensure that copies of the muster list are exhibited in conspicuous places throughout the ship including the navigating bridge, engine-room and crew accommodation spaces.
- (9) The master shall ensure that clear instructions to be followed in the event of an emergency are provided for every person on board.

(10) The master shall ensure that illustrations and instructions in English and in any other appropriate languages are posted in passenger cabins and conspicuously displayed at muster stations and other passenger spaces to inform passengers of:

- (a) their muster station;
- (b) the essential actions they must take in an emergency; and
- (c) the method of donning lifejackets.

*General emergency alarm signal*

5. The general emergency alarm signal for summoning passengers and crew to muster stations and initiating the actions included in the muster list shall consist of seven or more short blasts followed by one long blast on the ship's whistle or siren and additionally, in the case of ships of Classes I, II, II(A) and III, and of Classes VII, VII(A), VII(T), VIII, VIII(T) and IX of 45.7 metres in length and upwards, on an electrically operated bell or klaxon or other equivalent electrically operated warning system.

*Practice musters and drills*

6.—(1) In ships of Classes I, II, IIA, III, VII, VIIA, VII(T), VIII, VIII(T), VIII(A), VIII(A)(T) and IX, and in ships of Class XI engaged on international voyages each member of the crew shall participate in at least one abandon ship drill and one fire drill every month. The drills of the crew shall take place within 24 hours of the ship leaving a port if more than 25% of the crew have not participated in abandon ship and fire drills on board that particular ship in the previous month. Where that is impracticable for any ship other suitable arrangements shall be made. In ships of Classes I, II, II(A) and III an abandon ship drill and fire drill shall take place weekly.

(2) In ships of Class I and ships of Classes VII, VII(A) and VII(T) carrying passengers, musters of the passengers shall take place within 24 hours after their embarkation. Passengers shall be instructed in the use of the lifejackets and the action to take in an emergency. If only a small number of passengers embark at a port after the muster has been held it shall be sufficient, instead of holding another muster, to draw the attention of these passengers to the emergency instructions required by regulations 4(9) and (10) of these Regulations.

(3) In ships of Classes II, II(A) and III, and where passengers are carried in ships of Classes VIII, VIII(T), VIII(A), VIII(A)(T), and IX, and in ships of Class XI engaged on international voyages, if a muster of the passengers is not held on departure, the attention of the passengers shall be drawn to the emergency instructions required by regulations 4(9) and (10) of these Regulations.

(4) Each abandon ship drill shall include:

- (a) summoning of passengers and crew to muster stations with the general emergency alarm system and ensuring that they are made aware of the order to abandon ship specified in the muster list;
- (b) reporting to stations and preparing for the duties described in the muster list;

- (c) checking that passengers and crew are suitably dressed;
- (d) checking that lifejackets are correctly donned;
- (e) where practicable lowering of at least one lifeboat after any necessary preparation for launching;
- (f) starting and operating each lifeboat engine; and
- (g) operation of davits used for launching liferafts.

(5) Different lifeboats shall, as far as practicable, be lowered in compliance with the requirements of paragraph (4)(e) at successive drills.

(6) Drills shall, as far as practicable, be conducted as if there were an actual emergency.

(7) Each lifeboat shall be launched with its assigned operating crew aboard and manoeuvred in the water at least once every 3 months during an abandon ship drill. If the berthing arrangements in port and the trading patterns of a ship operating on short international voyages make the launching of lifeboats on one side impracticable then launching of lifeboats on that side shall not be required. However, all such lifeboats shall be lowered at least once every 3 months and launched at least annually.

(8) Where carried, rescue boats other than lifeboats which are also rescue boats, shall, as far as practicable, be launched each month with their assigned crew aboard and manoeuvred in the water. In all cases this requirement shall be complied with at least once every 3 months.

(9) If lifeboat and rescue boat launching drills are carried out with the ship making headway or anchored or moored in a tideway or current such drills shall, because of the dangers involved, be practised in sheltered waters only under the supervision of an officer experienced in such drills, and in accordance with the guidance specified in Merchant Shipping Notice No. M1218 and in any Merchant Shipping Notice amending or replacing it which is considered by the Secretary of State to be relevant from time to time.

(10) Emergency lighting for mustering and abandonment shall be tested at each abandon ship drill.

*On-board training and instructions*

7.—(1) This regulation applies to ships of Classes I, II, II(A), III, VII, VII(A), VII(T), VIII, VIII(T), VIII(A), VIII(A)(T), and IX and to ships of Class XI engaged on international voyages.

(2) On-board training in the use of the ship's life-saving appliances, including survival craft equipment, shall be given as soon as possible but not later than 2 weeks after a crew member joins the ship. However, if the crew member is on a regularly scheduled rotating assignment to the ship, such training shall be given not later than 2 weeks after the time of first joining the ship.

(3) Instructions in the use of the ship's life-saving appliances and in survival at sea shall be given at the same interval as the drills. Individual instruction may cover different parts of the ship's life-saving system, but all the ship's life-saving equipment and appliances shall be covered within any period of 2

months. Each member of the crew shall be given instructions which shall include but not necessarily be limited to:

- (a) operation and use of the ship's inflatable liferafts;
- (b) problems of hypothermia, first-aid treatment for hypothermia and other appropriate first-aid procedures;
- (c) special instructions necessary for use of the ship's life-saving appliances in severe weather and severe sea conditions.

(4) On-board training in the use of davit-launched liferafts shall take place at intervals of not more than 4 months on every ship fitted with such appliances. Whenever practicable this shall include the inflation and lowering of a liferaft. This liferaft may be a special liferaft intended for training purposes only, which is not part of the ship's life-saving equipment; such a special liferaft shall be conspicuously marked.

#### *Records*

**8.—(1)** The following matters shall be recorded by the master in the official logbook:

- (a) upon each occasion on which in accordance with these Regulations, a muster, abandon ship drill, fire drill, drill of other life-saving appliances or on-board training is held:—
  - (i) a record of the date upon which musters, drills and training are held;
  - (ii) details of training and type of drill held;
  - (iii) a record of the occasions on which lifeboats, rescue boats and davit launched liferafts, as applicable are lowered or launched;
- (b) upon each occasion on which a full muster, drill or training session is not held as required by these Regulations:
  - (i) a record of the relevant circumstances;
  - (ii) the extent of the muster, drill or training session held.

(2) In ships not required to keep an official logbook a record of each matter specified in paragraph (1) shall be made by the master and shall be retained on board for a period of not less than 12 months.

#### *Penalties*

**9.—(1)** If the master of a ship fails to perform any of the obligations imposed upon him by regulation 4 or if there is any breach of the requirements of regulation 6 or 7 the master of the ship shall be guilty of an offence and liable on summary conviction to a fine not exceeding £1,000 or, on conviction on indictment, to imprisonment for a term not exceeding two years and a fine.

(2) Any person who fails to carry out the duty assigned to him under regulation 4(4), (5) or (6) shall be guilty of an offence and liable on summary conviction to a fine not exceeding £500.

(3) If the master of a ship fails to comply with any of the requirements of regulation 8 he shall be guilty of an offence and liable on summary conviction to a fine not exceeding £50.

(4) It shall be a good defence to a charge under this regulation to prove that the person charged took all reasonable steps to avoid commission of the offence.

*John Moore,*  
Secretary of State for Transport.

25th June 1986.

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#### EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These Regulations revoke the Merchant Shipping (Musters) Regulations 1980 as amended. They give effect to the provisions concerning musters, drills and related training in Chapter III in the 1983 Amendments to the International Convention for the Safety of Life at Sea, 1974.

The principal changes from the Merchant Shipping (Musters) Regulations 1980 as amended are:—

- (1) the content of an abandon ship drill is prescribed in detail (regulation 6);
- (2) the training of crew members is prescribed in more detail (regulation 7), and
- (3) training in the use of davit-launched liferafts is prescribed (regulation 7(4)).

Copies of the 1983 Amendments to the International Convention for the Safety of Life at Sea, 1974 are obtainable from the International Maritime Organisation, 4 Albert Embankment, London SE1 7SR.

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