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STATUTORY INSTRUMENTS

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**1999 No. 643**

**MERCHANT SHIPPING**

**SAFETY**

**The Merchant Shipping (Cargo Ship  
Construction) (Amendment) Regulations 1999**

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| <i>Made</i>                   | - - - - | <i>8th March 1999</i>  |
| <i>Laid before Parliament</i> |         | <i>15th March 1999</i> |
| <i>Coming into force</i>      | - -     | <i>5th April 1999</i>  |

The Secretary of State for the Environment, Transport and the Regions, after consulting the persons referred to in section 86(4) of the Merchant Shipping Act 1995<sup>(1)</sup>, in exercise of the powers conferred by section 85(1)(a) and (b), (3), (5) and (6) and section 86(1) of that Act, and of all other powers enabling him in that behalf, hereby makes the following Regulations:

1. These Regulations may be cited as the Merchant Shipping (Cargo Ship Construction) (Amendment) Regulations 1999 and shall come into force on 5th April 1999.
2. The Merchant Shipping (Cargo Ship Construction) Regulations 1997<sup>(2)</sup> shall be amended as follows.
3. In regulation 4(c)(i) before the words “have prevented”, the word “not” shall be inserted.
4. After regulation 12 the following new regulation shall be inserted:

**“Openings in the shell plating below the freeboard deck Requirements for ships  
constructed on or after 1st July 1998**

**12A.**—(1) The number of sidescuttles, scuppers, sanitary discharges and other openings in the shell plating below the freeboard deck shall be the minimum which is compatible with the design and proper working of the ship.

(2) The arrangement and efficiency of the means for closing every such opening below the freeboard deck shall be consistent with its intended purpose and shall be such as will ensure watertightness.

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(1) 1995 c. 21; sections 85 and 86 were amended by the Merchant Shipping and Maritime Securities Act 1997 (c. 8), section 8.  
(2) S.I.1997/1509.

(3) The design and arrangements of openings in the shell plating below the freeboard deck shall be in accordance with the specifications set out in Schedule 14 in Merchant Shipping Notice MSN 1671 (M) (Amended)(3).”.

- 5.—(1) In Part III, in the heading to the Part, for “100” there shall be substituted “80”.
- (2) In regulation 14:
- (a) after “1992” there shall be inserted “and to every ship of 80 metres or over in subdivision length constructed on or after 1st July 1998,”;
  - (b) at the end of sub-paragraph (g) “or” shall be inserted;
  - (c) at the end of sub-paragraph (h) “or” shall be omitted; and
  - (d) sub-paragraph (i) shall be omitted.
6. In regulation 15(2), for “M.1476 (M)” there shall be substituted “M.1715 (M)”.
7. In regulation 16(3), for “M.1476 (M)” there shall be substituted “M.1715 (M)”.
8. In regulation 22:
- (a) for the title there shall be substituted “**Location and separation of spaces**”;
  - (b) for paragraph (1) the following shall be substituted:
    - (a) “(1) Machinery spaces shall be positioned:
      - (i) aft of cargo tanks and slop tanks and shall be separated from them by a cofferdam, cargo pump-room, oil fuel bunker tank or permanent ballast tank; and
      - (ii) aft of such cofferdam or cargo pump-room except that the lower part of a cargo pump-room may be recessed into a machinery space of Category A in order to accommodate pumps subject to the crown of the recess being not more than one third of the moulded depth above the keel. In the case of a ship not exceeding 25,000 tonnes deadweight where a recess of such height is not practicable for reasons of access and arrangement of piping, the recess may be increased to a height not exceeding one half of the moulded depth above the keel.
    - (b) Pump-rooms, other than cargo pump-rooms, containing pumps and fittings for ballasting spaces adjacent to cargo tanks and slop tanks and pumps and fittings for oil fuel transfer may be considered equivalent to a cargo pump-room for the purpose of this regulation on condition that the fire protection arrangements and fire extinguishing arrangements of those pump-rooms are in accordance with the requirements for cargo pump-rooms.”; and
  - (c) the following shall be added as paragraph (13):

**“Additional requirements for ships constructed on or after 1st July 1998**

- (a) (13) Where there is permanent access from a pipe tunnel to the main pump-room, a watertight door shall be fitted complying with the requirements of regulation 17(2) and, in addition to bridge operation, the watertight door shall be capable of being manually closed from outside the main pump-room entrance.
- (b) The watertight door referred to in subparagraph (a) above shall be kept closed during normal operations of the ship except when access to the pipe tunnel is required.”.

9. In regulation 27 the following paragraphs shall be added at the end:

“(6) Non-metallic expansion joints in piping systems, if located in a system which penetrates the ship’s side and both the penetration and the non-metallic expansion joint are located below the deepest load waterline, shall be replaced as necessary, and at an interval recommended by the manufacturer.

(7) Operating and maintenance instructions and engineering drawings for ship machinery and equipment essential to the safe operation of the ship shall be written in a language understandable by those officers and crew members who are required to understand such information in the performance of their duties.

**Additional requirements for ships constructed on or after 1st July 1998**

(8) Location and arrangement of vent pipes for fuel oil service, settling and lubrication oil tanks shall be such that in the event of a broken vent pipe this shall not directly lead to the risk of ingress of seawater splashes or rainwater. Two fuel oil service tanks for each type of fuel used on board necessary for propulsion and vital systems or equivalent arrangements shall be provided for each new ship, with a capacity of at least 8 hours at maximum continuous rating of the propulsion plant and normal operating load at sea of the generator plant.”.

10. In regulation 28:

(a) the existing paragraph (1) shall be renumbered (1)(a); and

(b) the following shall be added to paragraph (1):

“(b) In ships constructed on or after 1st July 1998, main and auxiliary machinery essential for the propulsion, control and safety of the ship shall be provided with effective means for its operation and control. All control systems essential for the propulsion, control and safety of the ship shall be independent or designed such that failure of one system does not degrade the performance of another system.”.

11. In regulation 47 the following paragraphs shall be added at the end:

**“Additional requirements for ships constructed on or after 1st July 1998**

(a) (8) Where the main source of electrical power is necessary for propulsion and steering of the ship, the system shall be so arranged that the electrical supply to equipment necessary for propulsion and steering and to ensure safety of the ship will be maintained or immediately restored in the case of loss of any one of the generators in service.

(b) Where the main source of electrical power is necessary for propulsion of the ship, the main busbar shall be subdivided into at least two parts which shall normally be connected by circuit breakers or other approved means. So far as is practicable, the connection of generating sets and other duplicated equipment shall be equally divided between the parts.

(9) A ship complying with paragraph (8) need not comply with paragraph (7).”.

12. In regulation 49 the following paragraph shall be added at the end:

**“Additional requirements for ships constructed on or after 1st July 1998**

(3) Where electrical power is necessary to restore propulsion, the capacity shall be sufficient to restore propulsion to the ship in conjunction with other machinery, as appropriate, from a dead ship condition within 30 minutes after blackout.”.

13. After regulation 54, the following regulations shall be inserted:

**“Safe access to tanker bows**

**54A.** Every tanker constructed on or after 1st July 1998 shall be provided with the means to enable the crew to gain safe access to the bows even in severe weather conditions. For tankers constructed before 1st July 1998, such means of access shall be provided at the first scheduled dry-docking after 1st July 1998, but not later than 1st July 2001. The means of access shall be in accordance with Schedule 15 of Merchant Shipping Notice MSN 1671(M) (Amended)(4).

**Corrosion prevention of seawater ballast tanks**

*Requirements for oil tankers and bulk carriers constructed on or after 1st July 1998*

**54B.** All dedicated seawater ballast tanks shall have an efficient corrosion prevention system, such as hard protective coatings or equivalent. The scheme for the selection, application and maintenance of the system shall be Schedule 16 of Merchant Shipping Notice MSN 1671 (M) (Amended).(4)

**Combustible gas indicators**

**54C.** All tankers shall be equipped with at least one portable instrument for measuring flammable vapour concentrations, together with a sufficient set of spares. Suitable means shall be provided for the calibration of such instruments.”.

14. For regulation 58 the following shall be substituted:

“**58.** Any contravention of these Regulations shall be an offence on the part of both the owner and the master, punishable on summary conviction by a fine not exceeding the statutory maximum, or on conviction on indictment by imprisonment for a term not exceeding two years, or a fine, or both.”.

Signed by authority of the Secretary of State for the Environment, Transport and the Regions

*Glenda Jackson*  
Parliamentary Under Secretary of State,  
Department of the Environment, Transport and  
the Regions

8th March 1999

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(4) Relevant amendment is Merchant Shipping Notice MSN 1671 (M) Amendment No. 2.

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

1. These Regulations amend the Merchant Shipping (Cargo Ship Construction) Regulations 1997, in order to implement recent amendments to the Safety of Life at Sea Convention 1974 (SOLAS). These were adopted by the International Maritime Organization as amendments MSC 47/66 and MSC 57/67.

2. These amendments include:—

- (a) Additional requirements, for the purpose of ensuring watertightness, relating to openings in the shell plating below the freeboard deck for ships constructed on or after 1st July 1998. (*Regulation 4*)
- (b) An extension of the application of stability requirements from the previous threshold of vessels of 100 metres or over in length, to vessels of 80 metres in length or over. (*Regulations 6, 7 & 8*)
- (c) An additional requirement for ships constructed on or after 1st July 1998 to fit a watertight door between the main pump room and a pipe tunnel in tankers. (*Regulation 8*)
- (d) Provision to allow for the access of crew members to the bow of the vessel in severe weather conditions for ships built after 1st July 1998 and for the retrospective fitting of such arrangements to existing tankers not later than 1st July 2001. (*Regulation 13 (part)*)

3. A compliance cost assessment has been prepared and copies can be obtained from the Maritime and Coastguard Agency, Spring Place, 105, Commercial Road, Southampton, Hants. SO15 5EG. A copy has been placed in the library of each House of Parliament.

4. Merchant Shipping Notices are obtainable from EROS Marketing Support Services Ltd, Unit B, Imber Court Trading Estate, East Molesey, Surrey KT8 0BN (Telephone number 0181 957 5028). The SOLAS Convention, its Protocol and amendments are available from the International Maritime Organization, 4, Albert Embankment, London SE1 7SR.