

Isle of Man Ship Registry

CONSULTATION:

**Proposed update to legislation implementing
SOLAS Chapter V: Safety of Navigation**

Opening Date: Tuesday 06 February 2018

Closing Date: 5.00pm on Tuesday 20th March 2018



Department for Enterprise

Isle of Man Ship Registry Consultation: Proposed update to legislation implementing SOLAS Chapter V Safety of Navigation

This consultation paper sets out the Isle of Man Government's proposals to make new Regulations to give effect to the latest version of the International Convention for the Safety of Life at Sea 1974 (SOLAS), Chapter V: Safety of Navigation.

We would be grateful for any comments on the proposed implementation of SOLAS Chapter V as detailed in this consultation paper (preferably by email) to:

**Paul Grace
Technical Policy Lead
Isle of Man Ship Registry
St George's Court
Upper Church Street
Douglas
Isle of Man
British Isles, IM1 1EX**

**Email: paul.grace@gov.im
Tel: + 44 (0) 1624 688500**

When responding, please consider whether you are willing to have your response published and indicate your preference from the following options:

- Response can be published together with your name/organisation
- Response can be published anonymously
- Response cannot be published

This consultation will close at 5.00pm on Tuesday 20th March 2018

This consultation contains the following:

Section 1	Introduction
Section 2	All ships of 150gt and over
Section 3	Commercial ships less than 150gt
Section 4	Commercial and pleasure craft of less than 150gt and fishing boats
Section 5	Foreign ships visiting the Isle of Man

Section 1

Introduction

The Isle of Man Ship Registry is in the process of updating Regulations relating to the International Convention for the Safety of Life at Sea.

This Consultation Paper is on the proposed updates to the Isle of Man's Regulations implementing SOLAS Chapter V, Safety of Navigation. Most SOLAS Regulations only apply to large commercial ships, however some sections of SOLAS Chapter V also apply to small commercial ships, pleasure craft and fishing vessels. Therefore the Isle of Man's SOLAS Chapter V Regulations will be applicable to all ships registered with the Isle of Man Ship Registry and local pleasure craft and small commercial vessels registered with the Isle of Man's Ports Division. The SOLAS Chapter V requirements relate to navigational equipment carried on board ships, navigational procedures and reporting requirements. The navigational procedures and reporting requirements are applicable to all ships, whereas the requirements for the carriage of navigational equipment depends on the gross tonnage (gt) of the ship, and the larger the ship's gross tonnage, the more stringent the requirements.

As these Regulations form part of an International Convention, there is limited scope for interpretation and the Regulations will require the shipowner and master to comply with SOLAS Chapter V as is applicable to the type of ship. The areas where the Ship Registry does have some discretion to determine how the Convention is applied is with regard to smaller ships (below 150gt) and this is explained further in Sections 3 & 4. We would appreciate feedback from operators of smaller ships on these Sections.

As this is an International Convention which has been in existence for many years, the requirements should be common practice onboard Isle of Man registered ships and we do not foresee any changes to current practices. We have, however, summarised the latest requirements for larger ships in Section 2.

Please be aware the Isle of Man Ship Registry's SOLAS Chapter V Regulations will not apply to Commercial Yachts. This is because the SOLAS Chapter V requirements are included within the Large Commercial Yacht Code, which is given effect by the Merchant Shipping (Vessels in Commercial Use for Sport or Pleasure) Regulations 2014.

It should be noted that Sections 2, 3 & 4 only provide a brief summary of the requirements of SOLAS Chapter V. It is recommended that the full text of SOLAS Chapter V be consulted to understand fully the proposed regulations.

If you require further information, please contact the Ship Registry (paul.grace@gov.im) for further details.

Section 2

All ships of 150gt and over

The Isle of Man's existing SOLAS Chapter V Regulations entered into operation in 2004 and since this time SOLAS Chapter V has been updated with many new amendments which have significantly affected international shipping. The Ship Registry has kept shipowners advised of these new amendments through various Manx Shipping Notices, however a brief summary of the main amendments is as follows:

1. Long-range identification and tracking of ships (LRIT)

The Long-range Identification and Tracking system provides for global identification and tracking of passenger ships, cargo ships of 300gt and over, high speed craft and mobile offshore drilling units. All Isle of Man registered ships to which this regulation applies are fitted with a system to automatically transmit the ship's identity, position, date and time of the position of the ship to the Isle of Man's National Data Centre. The Isle of Man's National Data Centre is fully integrated into the International LRIT Data Exchange. Further information is in [MSN 032](#).

2. Electronic chart display and information system (ECDIS)

Ships engaged on international voyages shall be fitted with an electronic chart display and information system in accordance with the timeframe stated in SOLAS Chapter V Regulation 19.2.10. The Ship Registry has published [MSN 026](#) which clarifies the carriage requirement and seafarers' training requirements for ECDIS on Isle of Man registered ships.

3. Bridge navigational watch alarm system (BNWAS)

SOLAS Chapter V Regulation 19.2.2.3 requires BNWAS to be fitted on board all passenger ships and cargo ships of 150gt and over. The only exception to this is ships certified and surveyed in compliance with the High Speed Craft Code. The Ship Registry has published [MSN 061](#) which prescribes the standards for BNWAS units installed prior to 1 July 2011.

The Ship Registry intends to adopt MSC.1/Circ.1474 Guidance on the BNWAS Auto Function. This Circular has been issued as interim guidance that the automatic operational mode on BNWAS, if available, should not be used. The guidance follows concerns raised over the use of the automatic mode which has been raised at the IMO's NAV 55 Sub-Committee. The conclusion is the automatic mode of the performance standard is not usable on a ship compliant with the SOLAS Convention. Therefore as an interim measure and pending a revision of the performance standards for a bridge navigational watch alarm system – (resolution MSC.128(5)), the automatic operational mode, if it is available, should not be used.

The Isle of Man Regulations will add further details to the following SOLAS requirements:

1. SOLAS Chapter V Regulations 24 - 26: Use of heading and/or track control systems, operation, testing and drills of steering gear.

Nothing in Regulations 24 – 26 of SOLAS Chapter V relating to the use of an automatic pilot shall override special rules made by an appropriate authority for roadsteads, harbours, rivers, lakes or inland waterways connected with the high seas and navigable by sea-going ships: For these purposes an “appropriate authority” means any person empowered by the law to make the special rules.

2. SOLAS Chapter V Regulation 24(3): Change-over from automatic to manual steering and vice versa shall be made by, or under the supervision of, a responsible officer.

For the purposes of SOLAS Chapter V regulation 24(3) the “responsible officer” shall be the officer in charge of the navigational watch or, if there is no such office the master.

3. Type approval

All equipment requiring type approval must be accompanied by a type approval certificate issued by -

- a Recognised Organisation listed in [MSN 20](#); or
- a Recognised Organisation on behalf of a national Administration; or
- the Isle of Man Ship Registry.

If the equipment has been issued with a type approval certificate by another organisation it may only be used or fitted with the consent of the Ship Registry.

Equipment which has been certified under the Marine Equipment Directive (MED) is acceptable to be used on Isle of Man registered vessels, although it is not a mandatory requirement that equipment has been certified under the MED.

Except when it is a Convention requirement, individual test certificates are not required in addition to the type approval certificate.

Section 3
Commercial ships of less than 150gt
Navigational equipment and nautical publication requirements
(this includes local craft registered with the Ports Division)

The Isle of Man has the discretion to apply certain SOLAS Chapter V requirements to ships of less than 150gt and the intention is to apply the requirements which are summarised below. However, if it is not practical for a ship to meet a particular requirement due to the size of the ship or its type of operation, a case-by-case exemption can be considered.

There are approximately 20 small commercial ships registered with the Ports Division to which this section will apply, these ships are inspected annually by the Ports Division and the requirements stated below will be checked during this inspection. The requirements reflect commonly used navigational equipment and procedures and we do not anticipate any changes to current practice. We are however interested in feedback from operators on how the requirements stated below reflect current procedures and practices.

A summary of the requirements as applicable to small commercial ships are as follows:

1. Requirements for navigation systems and equipment

Ships constructed prior to 01 July 2002 are required to have the following:

- steering compass and means of taking bearings.

For ships constructed on or after 01 July 2002 the requirements are more onerous and these ships are required to have the following:

- a properly adjusted standard magnetic compass, or other means, independent of any power supply to determine the ship's heading and display the reading at the main steering position; and
- a pelorus or compass bearing device, or other means, independent of any power supply to take bearings over an arc of the horizon of 360 degrees.

2. Maintenance of navigational equipment

Navigational equipment must be maintained in accordance with the manufacturer's instructions.

3. Electromagnetic compatibility

Portable electrical and electronic equipment shall not be operated on the bridge if it may affect the proper function of navigational systems and equipment.

4. Nautical charts and nautical publication

Up to date nautical charts and nautical publications (such as sailing directions, lists of lights, notices to mariners, tide tables and all other nautical publications) which are necessary for the intended voyage shall be available onboard. Either paper or electronic charts and publications may be carried.

5. Steering gear: testing and familiarisation

A test and check of the ship's steering gear shall be carried out prior to sailing or at least once a week. All members of the crew concerned with the operation and/or maintenance of steering gear shall be familiar with the operation of the steering systems fitted on the ship and if applicable with the procedures for changing from one system to another.

6. Global Navigation Satellite System (GNSS) & IAMSAR manual

The following are required to be carried on commercial ships which operate outside of Isle of Man territorial waters:

- a receiver for a global navigation satellite system or a terrestrial radionavigation system, or other means, suitable for use at all times throughout the intended voyage to establish and update the ship's position by automatic means; and
- an up-to-date copy of Volume III of the International Aeronautical and Maritime Search and Rescue (IAMSAR) Manual, or an equivalent publication shall be carried on board.

Section 4

Commercial and pleasure craft of less than 150gt and fishing vessels

Certain operational and reporting requirements are applicable to all ships and for ease of reference this Section has been written specifically for operators of the following types of ships:

- ships of less than 150gt, including fishing vessels and pleasure vessels registered with the Ship Registry; and
- local commercial and pleasure craft of less than 150gt registered with the Ports Division.

A summary of the requirements are as follows:

1. Radar reflector

It is essential that all ships can be seen by radar and SOLAS Regulation V/19 requires all ships irrespective of size to fit a radar reflector or other means, to enable detection by ships navigating by radar at both 9 and 3 GHz 'if practicable'. Therefore if it is practical to install a radar reflector it must be installed as high as possible so that it offers the largest radar cross section practicable for their vessel.

2. Life-saving signals to be used by ships, aircraft or persons in distress

A copy of an illustrated table of the recognised life-saving signals shall be readily available onboard. The signals shall be used by ships or persons in distress when communicating with life-saving stations, maritime rescue units and aircraft engaged in search and rescue operations. A copy of this table is available for download from the Maritime & Coastguard Agency's website [HERE](#).

3. Distress situations: obligations and procedures

This SOLAS Regulation describes the actions which the person in charge of a ship must undertake upon discovering persons in distress at sea. The person in charge of the ship is obliged to proceed to a vessel in distress at full speed and provide assistance, regardless of the nationality or status or such persons in distress.

4. Misuse of distress signals

The misuse of any distress signal is prohibited, except for the purpose of indicating that a person or persons are in distress.

5. Danger messages and information required in danger messages

This applies to all ships and the person in charge of the ship shall communicate information on navigational dangers (for which no warning has been received) to ships in the vicinity and also to the local competent authorities. The types of navigational dangers are: dangerous ice, a dangerous derelict, or any other direct danger to navigation, or a tropical storm, or encounters sub-freezing air temperatures associated with gale force winds causing severe ice accretion on superstructures, or winds of force 10 or above for which no storm warning has been received.

The information required in danger messages and an example of the format of a danger message is stated in SOLAS Chapter V Regulation 32.

6. Safe navigation and avoidance of dangerous situations

This concerns prior-planning for the intended voyage, more commonly known as voyage or passage planning. The detail of voyage planning is dependent on the type and duration of voyage and should take account of the following: weather, tides, navigational dangers, contingency plan and informing someone ashore about your plans and when you intend to return home.

7. Master's discretion

The Master of the ship shall always have ultimate discretion to make decisions pertaining to the safety of life at sea and the marine environment.

Ship's routeing and reporting systems

There are not any ship's routeing or reporting systems in Manx waters, however all ships should be aware of the following requirements if they are operating on international voyages where there are designated ship's routeing and ship reporting systems:

1. Ships' routeing systems

All ships shall use mandatory ships' routeing systems adopted by IMO as required for a ship's category or cargo type. This requirement will only affect a ship if it enters an area which is shown on an official navigational chart as a "Mandatory Ships' Routeing System". Please be aware there are not any ships' routeing systems within Isle of Man territorial waters. Further information on ship's routeing and traffic separation schemes can be found on the IMO's website [HERE](#)

2. Ship reporting systems

All ships must comply with any mandatory ship reporting systems adopted by the IMO which is applicable to them.

The locations of ship reporting systems are shown on Admiralty charts and details are publicised in the Admiralty List of Radio Signals. These normally apply to larger ships, for example the system covered by the Pas de Calais/Dover Strait is applicable to ships over 300gt.

Section 5

Foreign ships visiting the Isle of Man

A foreign ship in the territorial waters of the Island must comply with such of the requirements of SOLAS Chapter V as applying relation to a ship of its description. A foreign ship in a port of the Island may be subject to inspection.

If an inspector carries out an inspection on a foreign ship in a port of the Island, and certificates required by regulation 12 or 13 of SOLAS Chapter I are not produced, have expired or ceased to be valid, the ship may be detained.

A ship may also be detained if the inspector has clear grounds for believing that the condition of the ship or its equipment does not correspond substantially with the particulars of the certificate or the ship and its equipment are not in compliance with the provisions of SOLAS Chapter I Regulation 11(a) and (b).