

1987 No. 1298

MERCHANT SHIPPING

SAFETY

**The Merchant Shipping (Closing of Openings in Hulls
and in Watertight Bulkheads) Regulations 1987**

<i>Made</i>	<i>23rd July 1987</i>
<i>Laid before Parliament</i>	<i>24th July 1987</i>
<i>Coming into force</i>	
<i>Regulation 3(1)(a)(ii)</i>	<i>1st November 1988</i>
<i>All other Regulations</i>	<i>1st November 1987</i>

The Secretary of State, after consulting 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 section 21(1)(a), (3), (4) and (6) of that Act, and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation, interpretation, application and revocation

1.—(1) These Regulations may be cited as the Merchant Shipping (Closing of Openings in Hulls and in Watertight Bulkheads) Regulations 1987 and shall come into force on 1st November 1987, except for regulation 3(1)(a)(ii) which shall come into force on 1st November 1988.

(2) In these Regulations the following expressions have the following meanings respectively —

- “locked” means secured by a device which prevents unauthorised operation;
- “margin line” has the same meaning as in the Merchant Shipping (Passenger Ship Construction and Survey) Regulations 1984(b);
- “passenger ship” means a ship carrying more than 12 passengers and propelled by electricity or other mechanical power;
- “required to be watertight” means required by the Merchant Shipping (Passenger Ship Construction and Survey) Regulations 1984 or the Merchant Shipping (Passenger Ship Construction) Regulations 1980(c) to be watertight;
- “restricted visibility” means any condition in which visibility is restricted by fog, mist, snow, rainstorms, sandstorms or any other similar causes;
- “United Kingdom passenger ship” means a passenger ship which is a United Kingdom ship.

(3) A voyage for the purpose of these Regulations commences when a ship leaves its berth or anchorage at a port.

(a) 1979 c. 39; section 21(6) was amended by section 49(3) of the Criminal Justice Act 1982 (c. 48). (b) S.I. 1984/1216; a relevant amendment is S.I. 1985/660. (c) S.I. 1980/535; a relevant amendment is S.I. 1985/660.

(4) The reference to Merchant Shipping Notice No. M 1283 shall include a reference to any subsequent Merchant Shipping Notice amending or replacing it which specifies the date on which such subsequent Notice takes effect and which the Secretary of State considers relevant from time to time.

(5) For the purpose of these Regulations a closing appliance shall be deemed to be below the margin line if the sill of the opening with which it is associated is below that line.

(6) These Regulations apply to United Kingdom passenger ships.

(7) The Merchant Shipping (Closing of Openings in Hulls and in Watertight Bulkheads) Regulations 1980(a) are hereby revoked.

(8) A reference in these Regulations to a numbered regulation is a reference to the regulation of that number in these Regulations.

Closure of hull openings, watertight doors, openings in watertight bulkheads, etc.

2.—(1) The following closing appliances are to be securely closed before the ship proceeds on any voyage and are to be kept so closed until the ship has been secured at a berth or anchorage:

- (a) watertight doors below the margin line fitted in bulkheads which are required to be watertight and which separate cargo spaces;
- (b) sidescuttles which can be opened and which are situated below the margin line;
- (c) deadlights of any sidescuttles which are situated below the margin line and which –
 - (i) will not be accessible whilst the ship is at sea; or
 - (ii) are situated in spaces appropriated for use sometimes for the carriage of cargo and sometimes for use by passengers, while such spaces are being used for the carriage of cargo; and
- (d) gangway and cargo loading doors below the margin line.

(2) No closing appliance described in sub-paragraphs (a), (b), (c) or (d) of paragraph (1) of this regulation shall be considered as being securely closed unless it is locked.

3.—(1) Watertight doors below the margin line fitted in bulkheads which are required to be watertight, other than those doors described in regulation 2(1), shall be kept closed whilst the ship is on any voyage except:

- (a) when opened in accordance with the procedures laid down in written operational instructions which are –
 - (i) based upon the advice contained in Merchant Shipping Notice No. M 1283;
 - (ii) approved by the Secretary of State;
- (b) when opened for the purposes of drill required by regulation 6; or
- (c) when any such door is opened on the express authority of the master for a specific purpose and for no longer than a specific period of time provided that all other watertight doors below the margin line, except those opened in accordance with the provisions of sub-paragraph (a), are closed during that period.

(2) The operational instructions referred to in paragraph (1)(a) shall be kept on board the ship at all times in the custody of the master.

(3) Notwithstanding sub-paragraphs (a), (b) and (c) of paragraph (1) above, every watertight door of the type described in that paragraph shall, except where there is an immediate need to pass through, be kept closed whilst the ship is on a voyage—

(a) S.I. 1980/540.

- (a) in conditions of restricted visibility;
- (b) within port limits or compulsory pilotage limits;
- (c) where the depth of water is less than 3 times the ship's draught; and
- (d) in any other conditions which the master considers potentially hazardous owing to—
 - (i) the proximity of underwater hazards,
 - (ii) the density of traffic, or
 - (iii) any other factor

and if any such door is opened in such circumstances then it shall be closed immediately after passage through it has been effected.

(4) Any watertight door which may be opened in accordance with the requirements of paragraphs (1) or (3) of this regulation shall be kept clear of obstructions which might prevent its rapid closure.

(5) Notwithstanding the requirements of this regulation or regulation 2, in an emergency situation the master may authorise the opening or closing of any watertight door, provided he is satisfied that such action is essential for the overall safety of the ship.

4. Every portable plate closing an opening below the margin line in any portion of the internal structure of the ship which is required to be watertight shall be fitted in place before the ship proceeds on any voyage and shall be kept in place, except in case of urgent necessity, until the ship has been secured at a berth or anchorage. In replacing any such plate all reasonable precautions shall be taken to ensure that the joints are watertight.

5. Both the watertight cover and the automatic non-return valve of any ash-shoot, rubbish-shoot or other similar device on the ship having its inboard opening below the margin line shall be kept closed and secured when such device is not in use.

Drills and inspections

6.—(1) All deadlights which are accessible, all watertight doors to which regulation 3 applies, all valves and closing mechanisms of scuppers and the devices referred to in regulation 5 shall be opened and closed for purposes of drill —

- (a) at intervals of not more than seven days except so far as is necessary to avoid drills being conducted in any of the situations described in regulation 3(3); and
- (b) immediately before the ship proceeds to sea if the ship is intended to remain at sea for a period of more than seven days.

(2) All watertight doors fitted in bulkheads required to be watertight which may be opened for the working of the ship in accordance with the requirements of regulation 3 shall be opened and closed for the purposes of drill once in every period of 24 hours.

(3) All closing appliances and devices referred to in regulations 2 and 5 shall be inspected by a person appointed by the master for that purpose —

- (a) before the ship proceeds on any voyage; and
- (b) at intervals of not more than seven days if the ship is intended to remain at sea for a period of more than seven days, except when they are not accessible.

7.—(1) The following closing appliances and mechanisms are to be inspected at intervals of not more than seven days by a person appointed for that purpose either generally or on any particular occasion by the master:

- (a) all watertight doors other than those of the type described in regulation 2(1);
- (b) all mechanisms, indicators and warning devices connected with such doors;
- (c) all valves, the closing of which is necessary to make watertight any compartment below the margin line; and
- (d) all valves, the operation of which is necessary for the efficient operation of damage-control cross-connections.

(2) Suitable notices and signs shall be provided on, or in the vicinity of, all the closing appliances referred to in paragraph (1) to indicate, as necessary, the procedures for operating the appliances, the purpose of the controls and any precautions to be observed.

Training

8. All members of the crew who would have occasion to use any watertight doors shall be instructed in the safe operation of watertight doors. In addition written instructions on the safe operation of the doors, given in easily understood terms and illustrated wherever possible, shall be available to all members of the crew. Such instructions shall be based upon the operational instructions referred to in regulation 3(1)(a).

Entries in official log book

9. Entries shall be made in the official log book recording the following:

- (a) the times of the last closing, before the ship proceeds on any voyage, of the watertight doors and other closing appliances referred to in regulation 2 and of the next opening of such doors and closing appliances;
- (b) the times of the opening and closing of any watertight door pursuant to regulation 3(1)(c);
- (c) the times when the portable plates referred to in regulation 4 are fitted in place and the times of any removal and replacement of such plates whilst the ship is on any voyage; and
- (d) the occasions on which drills are held and inspections made in compliance with these Regulations and whether or not the closing appliances and devices to which any such drill or inspection relates are in good working order when the drill or inspection takes place.

Penalties

10.—(1) If there is a breach of any of the provisions of these Regulations then the master and owner of the ship shall each 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 an inspection which he has been appointed by the master to carry out under regulations 6(3) or 7 shall be guilty of an offence and liable on summary conviction to a fine not exceeding £500.

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

23rd July 1987

Paul Channon
Secretary of State for Transport

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations supersede the Merchant Shipping (Closing of Openings in Hulls and in Watertight Bulkheads) Regulations 1980. They apply to United Kingdom passenger ships and include such requirements as appear necessary to the Secretary of State to implement the provisions contained in regulation 15 (which relates to openings in watertight bulkheads) of Chapter II-1 of the International Convention for the Safety of Life at Sea 1974 (Cmnd 7874) as amended, and impose additional, more precise requirements for the control of watertight doors and other closing appliances and devices, for their inspection, for practice drills and for relevant entries in the official log book.

The Regulations also require the provision of operational instructions for watertight doors.