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STATUTORY INSTRUMENTS

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**1999 No. 1869**

**The Merchant Shipping (Counting and Registration of  
Persons on Board Passenger Ships) Regulations 1999**

**Passenger counting**

5.—(1) The owner of any passenger ship shall ensure that, in respect of any United Kingdom passenger ship when it leaves any landing point and in respect of any other passenger ship when it leaves any landing point in the United Kingdom, there is a system capable of counting all persons on board which—

- (a) [<sup>F1</sup>in the case of a passenger ship engaged on a short international voyage or a passenger ship of Class II(A)] within the meaning of the Merchant Shipping (Passenger Ship Construction: Ships of Classes I, II and II(A)) Regulations 1998(1), in respect of passengers, uses a system of individual passenger boarding cards;
  - (b) conforms to the requirements of paragraphs (2) to (5) below and Merchant Shipping Notice [<sup>F2</sup>1794 (M) Amendment 1]; and
  - (c) is approved by the Secretary of State.
- (2) The system of counting established pursuant to paragraph (1) above shall be such that—
- (a) all persons boarding such a ship at a landing point at the beginning of a voyage are counted individually on, or just prior to, boarding and, as the case may be—
    - (i) all persons disembarking at subsequent landing points, during the course of a voyage, are counted individually as they disembark;
    - (ii) all persons boarding at subsequent landing points, during the course of a voyage, are counted individually on, or just prior to, boarding; and
    - (iii) the number of persons remaining on board at each landing point is determined; or
  - (b) the number of persons is determined and recorded according to an alternative method approved by the Secretary of State, which shall be of equivalent effectiveness to the system set out in paragraph (2)(a) above.

(3) If the counting system established in respect of a passenger ship pursuant to paragraph (1) above includes a system of individual passenger boarding cards no passenger shall be permitted to board the ship unless he has been issued with an individual boarding card.

(4) Immediately before a passenger ship leaves any landing point the total number of persons on board at that time as determined by means of the counting system shall be communicated to the master of the ship and the passenger registrar [<sup>F3</sup>and, subject to paragraphs (4A) and (4B), reported in the National Single Window or communicated to the appropriate search and rescue services by means of the passenger ship's automatic identification system].

[<sup>F4</sup>(4A) Before 20th December [<sup>F5</sup>2025], the total number of persons on board a passenger ship may alternatively be communicated to the master of the ship and the passenger registrar with no further requirement of reporting in the National Single Window or communication by means of the ship's automatic identification system.

(4B) The requirement to report in the National Single Window or communicate the total [<sup>F6</sup>number of persons] on board a passenger ship by means of the automatic identification system does not apply in relation to a ship that operates exclusively on Category A, B, C or D waters.]

(5) If, in respect of any person on board a ship, any person has declared a need for special care or assistance in emergency situations, the owner shall ensure that such information is properly recorded and communicated to the master of the ship.

(6) No passenger ship shall leave any landing point if—

- (a) the requirements of paragraphs (4) or (5) above have not been complied with; or
- (b) the total number of persons on board the ship exceeds the number of persons the ship is permitted to carry.

(7) The arrangements made in pursuance of the requirements in paragraph (1) above shall be described in written instructions which shall be kept on board the ship at all times in the custody of the master.

[<sup>F7</sup>(8) In this regulation—

“short international voyage” means an international voyage—

- (a) in the course of which a passenger ship is not more than 200 miles from a port or place in which the passengers and crew could be placed in safety; and
- (b) which does not exceed 600 miles in distance between the last port of call in the country in which the voyage begins and the final port of destination.]

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#### Textual Amendments

- F1** Words in reg. 5(1)(a) substituted (29.3.2023) by The Merchant Shipping (Cargo and Passenger Ship Construction and Miscellaneous Amendments) Regulations 2023 (S.I. 2023/246), reg. 1(1), **Sch. para. 12(a)**
  - F2** Words in reg. 5(1)(b) substituted (22.2.2021) by The Merchant Shipping (Counting and Registration of Persons on Board Passenger Ships) (Amendment) Regulations 2021 (S.I. 2021/81), regs. 1, **2(4)(a)**
  - F3** Words in reg. 5(4) inserted (22.2.2021) by The Merchant Shipping (Counting and Registration of Persons on Board Passenger Ships) (Amendment) Regulations 2021 (S.I. 2021/81), regs. 1, **2(4)(b)**
  - F4** Reg. 5(4A)(4B) inserted (22.2.2021) by The Merchant Shipping (Counting and Registration of Persons on Board Passenger Ships) (Amendment) Regulations 2021 (S.I. 2021/81), regs. 1, **2(4)(c)**
  - F5** Word in reg. 5(4A) substituted (10.8.2023) by The Merchant Shipping (Counting and Registration of Persons on Board Passenger Ships) (Amendment) Regulations 2023 (S.I. 2023/787), regs. 1(1), **2(3)(a)**
  - F6** Words in reg. 5(4B) substituted (10.8.2023) by The Merchant Shipping (Counting and Registration of Persons on Board Passenger Ships) (Amendment) Regulations 2023 (S.I. 2023/787), regs. 1(1), **2(3)(b)**
  - F7** Reg. 5(8) inserted (29.3.2023) by The Merchant Shipping (Cargo and Passenger Ship Construction and Miscellaneous Amendments) Regulations 2023 (S.I. 2023/246), reg. 1(1), **Sch. para. 12(b)**
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#### Commencement Information

- I1** Reg. 5 in force at 22.7.1999, see **reg. 1**

**Changes to legislation:**

There are currently no known outstanding effects for the The Merchant Shipping (Counting and Registration of Persons on Board Passenger Ships) Regulations 1999, Section 5.