



BERMUDA

MERCHANT SHIPPING (SEAFARERS' ACCOMMODATION)
REGULATIONS 2013

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The Minister responsible for maritime administration, in exercise of the power conferred by sections 3 and 56 of the Merchant Shipping Act 2002, makes the following Regulations:

Citation

1 These Regulations may be cited as the Merchant Shipping (Seafarers Accommodation) Regulations 2013.

Interpretation

2 In these Regulations—

“adequately lit” means, in reference to natural light, natural light that is bright enough in daytime in clear weather to enable a person with normal sight to read an ordinary newspaper in those parts of the space which are available for free movement;

“chief mate” means the officer next in rank to the master and, in the case of ships where the term “staff captain” is used, includes a staff officer;

“commercial activity” means any activity or employment of the vessel for which a contract or charter party is in force, and includes the carriage of any cargo or persons for reward;

“existing ship” means a ship that is not a new ship;

“GT” means gross tonnage as stated on the ship's international tonnage certificate issued under the International Convention on Tonnage 1969;

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"Gulfs Area" means the sea areas and ports situated north west of a rhumb line joining Ras al Had in position 22 degrees 30' north, 59 degrees 48' east and Ras al Fasteh situated in 25 degrees 04' north, 61 degrees 25' east;

"junior officer" means a watchkeeping officer whose position onboard a vessel is one that can be filled by an officer, certified at the operational level, in accordance with the STCW Convention;

"Loadline Convention" means the International Convention on Load Lines 1966 as amended;

"LY2" means the Code of Practice for the Safety of Large Commercial Sailing and Motor Vessels published in 1997 by the UK Maritime and Coast Guard Agency and includes any subsequent amendments;

"Maritime Labour Convention" means the Maritime Labour Convention 2006 adopted at a general conference of the International Labour Organization in Geneva on 7 February 2006;

"Minister" means the Minister with responsibility for maritime administration;

"new ship" means a ship the keel of which is laid, or which is at a similar stage of construction, on or after the date the Maritime Labour Convention is extended to Bermuda;

"pleasure vessel" means—

- (1) a vessel which, at the time of its use, is—
 - (a) in the case of—
 - (i) a vessel wholly owned by an individual or individuals, used only for the sport or pleasure of the owner or immediate family or friends of the owner; or
 - (ii) a vessel owned by a body corporate, used only for sport or pleasure and on which the passengers are employees or officers of the body corporate, or their immediate family or friends; and
 - (b) on a voyage or excursion from which the owner does not receive money for, or in connection with, operating the vessel, or carrying any person, other than as a contribution to the direct expenses of the operation of the vessel incurred during that voyage or excursion, and no other payments are made by or on behalf of users of the vessel other than by the owner; or
- (2) a vessel which, at the time of its use, is any vessel wholly owned by or on behalf of a member's club formed for the purpose of sport or pleasure, which is used only for the sport or pleasure of members of that club or their immediate family; and
 - (a) for the use of which, any charges levied are paid into club funds and applied for the general use of the club; and

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(b) no other payments are made by or on behalf of users of the vessel other than by the owner;

(3) for the purposes of this definition—

(i) “immediate family” means in relation to an individual, the husband or wife of the individual and a relative of the individual or the individual’s husband or wife; and

(ii) “relative” means brother, sister, ancestor or lineal descendant;

“private bathroom” means a bathroom provided for the exclusive use of one seafarer;

“seafarer” means any person, including a master, who is employed or engaged or works in any capacity on board a ship, on the business of the ship, and where there is doubt as to whether a person working or engaged on a ship is a seafarer and subject to these regulations the Minister shall make a determination and in doing so he shall be guided by the advice and guidance provided by the International Labour Organization;

“second engineer” means the engineer officer next in rank to the chief engineer officer and on whom responsibility for the mechanical propulsion and maintenance of the mechanical electrical installations of the ship will fall, in the event of the incapacity of the chief engineer officer and, in the case of ships where the term “staff engineer” is used, includes a staff engineer;

“semi-private bathroom” means a bathroom provided for the exclusive use of not more than two seafarers;

“senior officer” means an officer whose position on board is, or is equivalent to, one that requires the officer to be certificated at the management level as defined in the STCW Convention;

“shipowner” means the owner of the ship or another organisation or person, such as a manager, agent or bareboat charterer, who has assumed the responsibility for the operation of the ship from the owner;

“special purpose ship” means a vessel which complies with the requirements for special purpose ships set out in the Code of Safety for Special Purpose Ships adopted by the International Maritime Organisation as Resolution A.534(13);

“STCW Convention” means the International Convention on the Standards of Training Certification and Watchkeeping for Seafarers 1978 as amended in 1995 and includes any subsequent amendments;

Application

3 (1) These regulations apply to—

(a) Bermuda ships wherever they may be other than—

(i) fishing vessels;

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- (ii) vessels that are certified as complying with LY2;
 - (iii) vessels owned and operated by a Government Department or Agency for non-commercial purposes; and
 - (iv) pleasure vessels;
- (b) to the extent specified in regulation 36, other ships that are not Bermuda ships when in a port in Bermuda other than—
- (i) fishing vessels;
 - (ii) pleasure vessels; and
 - (iii) warships, naval auxiliaries and other ships owned or operated by a state and not engaged on commercial activity.

(2) Unless expressly provided otherwise, any requirement under an amendment to the Code of the Maritime Labour Convention 2006, relating to the provisions of seafarer accommodation and recreational facilities, shall apply only to ships constructed on or after the amendment takes effect for the Member concerned.

General requirements for seafarers' accommodation

4 (1) All parts of the seafarer's accommodation, except store rooms, and except as provided in paragraph (2), shall be situated—

- (a) amidships or aft unless the design of the ship makes it impracticable, but in no case may any sleeping accommodation for seafarers located below the freeboard deck be situated forward of the collision bulkhead;
- (b) wholly above the Summer Load Line marked in accordance with the Loadline Convention; and
- (c) as far as practicable from engines, steering gear rooms, winches and deck machinery, ventilation and air conditioning equipment, and similar equipment capable of generating noise.

(2) In the case of passenger ships and special purpose ships, seafarers' sleeping rooms may be situated below the Summer Load Line, but if so situated, they shall not be located beneath any working alleyway.

(3) The seafarers' accommodation shall be situated, constructed and arranged so as to exclude as far as is reasonably practicable—

- (a) noise coming from other areas of the ship;
- (b) in the case of sleeping rooms, noise coming from other parts of the seafarers' accommodation, and from other parts of the ship.

(4) Every boundary separating a sleeping room from—

- (a) a machinery space;
- (b) a mess-room;

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- (c) a recreation room, or a room in which films and other entertainments are used, or in which games are played; or
- (d) a public room;

shall be acoustically insulated in such a manner that the occupants of the room will be prevented from being disturbed by excessive noise from that other space.

- (5) There shall be no direct openings between sleeping rooms and—
 - (a) cargo and machinery spaces;
 - (b) galleys;
 - (c) storerooms and drying rooms; or
 - (d) communal sanitary facilities.

(6) The bulkheads separating all areas of the seafarer's accommodation and any—

- (a) machinery space;
- (b) cargo space;
- (c) space for the storage of fire extinguishing gases;
- (d) chain locker or cofferdam;
- (e) paint locker; or
- (f) space containing batteries;

shall be of gas-tight construction and, where necessary, watertight to protect the seafarers' accommodation and acoustically insulated where necessary to protect seafarers from excessive noise and vibrations.

(7) The bulkheads surrounding the seafarers' accommodation and the decks forming the crown of that accommodation, and which are exposed to weather, shall be—

- (a) constructed of steel or other equivalent material, and of watertight construction, and any doors shall be weathertight;
- (b) insulated to the extent necessary to ensure that the seafarers' accommodation is protected from condensation as well as extremes of heat or cold.

(8) Within the seafarers' accommodation, all structures, furniture, fittings, and the means of entry and exit from the seafarers' accommodation shall be situated, constructed and arranged so that the risk of injury to seafarers' members is minimised, and in particular—

- (a) handrails, of robust construction and securely attached to bulkheads, shall be provided in passageways and stairwells;
- (b) fixed furniture shall be safely secured;

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- (c) portable furniture shall be secured against movements of the ship;
- (d) doors, including doors to cupboards, furniture, and drawers shall be provided with means to hold them in position when closed; and
- (e) shelves, racks, and similar fittings shall be provided with retaining bars or other arrangements to prevent their contents from falling while the ship is at sea.

(9) In every new ship, all parts of the seafarers' accommodation, except cold store rooms, shall have a clear headroom of at least 203 centimetres, and in every existing ship the clear headroom shall be at least 198 centimetres, provided that the Minister may permit a reduction in this height where he is satisfied that—

- (a) it is reasonable to do so; and
- (b) it will not result in discomfort to the seafarers.

(10) Save for a hospital in passenger ships, no part of the seafarers' accommodation shall—

- (a) be shared with passengers; or
- (b) used for the benefit of passengers.

(11) Inside panelling in crew accommodation shall be constructed of durable material.

(12) Noise levels in working and living spaces for new ships shall be in conformity with those in the ILO publication "Ambient factors in the workplace 2001", and with the standards set out in IMO Resolution A.468(XII) (Code on Noise Levels Onboard Ships) as it may be amended from time to time.

(13) No—

- (a) accommodation;
- (b) catering facilities; or
- (c) recreational facilities,

shall be exposed to excessive vibration.

Materials and surface finishes

5 (1) The surfaces used for bulkheads and deckheads shall be of a material which is easily kept clean, and which is constructed in a manner where vermin are unlikely to be harboured, and the deckheads and bulkheads in sleeping rooms shall be light in colour, easily kept clean, and of a durable and nontoxic finish.

(2) Decks in seafarers' accommodation—

- (a) shall be covered by a material which is impervious to damp, and which provides a non-slip and easily maintained surface without crevices where the material meets bulkheads, except in cases where the covering material is carpet;

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- (b) in cases where the covering material is carpet, it shall be properly laid and of a type that will not readily ignite; and
- (c) in the case of galleys, sanitary accommodation and laundry spaces, the decks shall be covered by tiles or similar materials impervious to liquid which are properly laid without gaps, and which provide a non-slip finish.

(3) Subject to paragraph (4), every bulkhead separating any part of the seafarers' accommodation from—

- (a) sanitary accommodation;
- (b) a laundry;
- (c) a drying room;
- (d) a galley;
- (e) a cold store room; or
- (f) a dry provision room,

shall be of gas tight construction and, other than the bulkheads relevant to subparagraph (e), watertight to a height of at least 23 centimetres in the case of bulkheads without doors, and to a height of at least 10 centimetres in the case of those which are penetrated by doors.

(4) The requirements of paragraph (3) do not apply to a bulkhead separating two spaces appropriated for the same use, a laundry from a drying room, or a private bathroom from the sleeping room of the person for whose use it is provided.

Separation of seafarer accommodation from hazards

6 (1) No batteries of a type that may emit gases, either when in use or when being charged, shall be stored in seafarers' accommodation, and there shall be no openings between seafarers' accommodation and spaces where such batteries are stored.

(2) No manhole or other access to a tank that may contain fuel shall be situated in the seafarers' accommodation.

(3) Any part of the seafarers' accommodation that adjoins a tank in which oil is carried shall be separated from that tank by either a gas-tight steel division in addition to that which contains the oil, or by a welded steel boundary capable of withstanding a head of water of at least 1.5 metres greater than the maximum service head.

Openings in bulkheads surrounding accommodation

7 There shall be no openings in any of the bulkheads referred to in regulation 4(6) except—

- (a) where sanitary accommodation or changing rooms are provided for the exclusive use of seafarers working in machinery spaces, and situated adjacent to the main machinery space, there may be an opening in the machinery space bulkhead to the sanitary accommodation or changing rooms and an opening from the sanitary accommodation or changing

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rooms to a passageway forming part of the seafarers' accommodation, provided that a hinged steel, self-closing, gas-tight door is fitted to one of the openings;

- (b) where there is no other practicable arrangement, in vessels under 500 GT there may be an opening between a machinery or deck store room and a passageway forming part of the seafarers' accommodation if the opening is closed by a hinged, self closing, steel gas-tight door; and
- (c) where there is no other practicable arrangement, the Minister may permit the provision of an opening between a passageway in seafarers' accommodation and one of the spaces in regulation 4(6), provided that the opening is effectively sealed.

Access and escape arrangements

8 (1) Every entrance into the seafarers' accommodation from the open deck shall be so situated and constructed as to be protected against the weather and sea to the greatest extent practicable, and shall be so situated to be accessible at all times and in all weathers.

(2) There shall be at least one means of access, either direct or via not more than two rooms forming part of a suite, to any sleeping room, day room, mess room, recreation room, study, office, sanitary accommodation, or galley from an enclosed passageway.

(3) There shall be two entirely separate escape routes for each compartment, and each route shall lead from the compartment to a suitably sited opening (which may be a normally used entrance) on to the weather deck.

(4) Escape routes shall not pass through propelling machinery spaces, galleys or other spaces where the risk of injury from fire, steam or other similar cause is comparatively high, and shall be so arranged as to provide a ready and unimpeded means of escape from each compartment to the ship's boats, lifeboats or liferafts.

(5) Where escape routes are by way of stairways or ladders, those stairways or ladders shall be constructed of steel.

(6) In paragraphs (3) and (4), "compartment" means all living and working spaces within the watertight or fire-resisting boundaries on any one level which are served by inter-communicating passageways.

Pipes in accommodation spaces

9 (1) Steam pipes, hot water pipes and calorifiers in the seafarers' accommodation shall be efficiently lagged and of adequate scantlings to protect the seafarers' from risk of injury or discomfort, and in particular, cold water pipes shall be lagged where necessary to prevent condensation.

(2) Pipes for seafarer's accommodation services shall be of adequate dimensions for their purpose, and in particular, soil pipes and waste pipes shall be so constructed as to facilitate cleaning and minimise the risk of obstruction to the free movement of a seafarer.

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(3) Soil pipes shall not pass overhead in messrooms, sleeping rooms, dry provision stores, galleys, or hospitals except where it is impracticable to route them elsewhere, and in every case they shall not pass through any fresh water tank.

(4) Hawse pipes for anchors shall not pass through seafarers' accommodation.

(5) Hydraulic supply and return lines, from any hydraulic power pack or hydraulic pump to any machinery or other equipment, shall not pass through seafarer's accommodation.

Lighting

10 (1) In passenger ships, all parts of the seafarers' accommodation except galleys, pantries, laundries, drying rooms, lockers, and bathrooms shall be adequately lit by natural light wherever reasonably practicable.

(2) In ships other than passenger ships, all parts of the seafarers' accommodation except galleys, pantries, drying rooms, lockers and bathrooms shall be adequately lit by natural light, and sanitary facilities and passageways shall be lit by natural light wherever reasonably practicable.

(3) In all ships, an electric lighting system shall be installed in the seafarers' accommodation capable of supplying adequate light to all parts, and includes an electric reading light for each bed that is capable of emitting at least 200 lumens in a sleeping room and 400 lumens in a hospital and fitted with an individual controlling switch at the head of the bed.

(4) The electric lighting in any part of the seafarers' accommodation shall be considered to be adequate if the illuminance in the horizontal plane, when measured at the points specified for the relevant space as listed in the Schedule to these regulations (when the surface finishes are new), is steady and maintained, within a tolerance of 10%, at the light value prescribed in the Schedule for that relevant space, and complies with any other requirements in the Schedule.

Ventilation

11 (1) Every enclosed space within the seafarers' accommodation, except a cold store room, shall be provided with a ventilation system capable of maintaining the air in that space in a sufficiently pure condition for the health and comfort of the seafarers in all conditions of weather and climate which the ship is likely to encounter, and shall be capable of being controlled as necessary for that purpose.

(2) The ventilation system in paragraph (1) shall be—

- (a) a trunked mechanical system capable of ensuring rates of air changes sufficient for the space served;
- (b) additional to any ventilation provided by windows, sidecuttles, doors, skylights or other openings not primarily intended for ventilation; and
- (c) arranged to generate minimum noise or vibration.

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(3) In the case of ships of under 1000 GT that are regularly employed in tropical areas, or in the Gulfs Area, and also in the case of ships of 1000 GT or more that are not regularly employed north of latitude 50 degrees North or south of latitude 45 degrees South, the ventilation system in paragraphs (1) and (2) shall be an air conditioning system designed to—

- (a) maintain the air at a satisfactory temperature and relative humidity as compared with the outside ambient conditions;
- (b) ensure sufficient air changes; and
- (c) minimise noise and vibrations.

(4) In the case of a new ship, the air conditioning system, if fitted, shall also cover any central machinery control room and any central cargo control room.

(5) In ships provided with an air conditioning system—

- (a) sanitary accommodation;
- (b) laundries;
- (c) drying rooms;
- (d) changing rooms; and
- (e) pantries;

shall also be provided with a mechanical exhaust ventilation system capable of ensuring rates of air change sufficient for the space for which it is provided.

(6) Any enclosed space in the seafarers' accommodation that is not served by a trunked mechanical ventilation system, or by an air conditioning system, shall be provided with adequate natural ventilation appropriate to the purpose of the space.

(7) The ventilation system, or air conditioning system, shall be available for use at all times when seafarers are accommodated on board.

Heating

12 (1) Except in the case of ships trading solely in the tropics or in the Gulfs Area, all sleeping rooms, mess-rooms, and all other spaces in the seafarer's accommodation shall be fitted with a heating system capable of maintaining the temperature in the space at 21 degrees Centigrade at any time when—

- (a) the ventilation system provided for the room or the seafarers' accommodation is working so as to supply 25 cubic metres of air per hour for each seafarer that the accommodation, or room, is designed to accommodate at any one time; and
- (b) the temperature of the ambient air is -1 degree Centigrade;

(2) The heating system shall be operated by electricity, hot air, or hot water and be capable of being turned on or off, and varied easily between off and fully on, by the

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occupants of any room without tools, and its effectiveness shall not be affected by the use of the ship's other machinery.

(3) The heating system shall be available and operating at all times when seafarers are accommodated on board in circumstances where heating is required.

(4) The individual parts of the heating system shall be designed, installed and protected in such a manner that the danger of fire or injury to seafarers is minimised.

Portlights and windows

13 (1) Subject to paragraph (2), any portlights or windows in a sleeping room, day room, mess-room, recreation room, or hospital ward without which the standard of lighting required for that room by regulation 10 would not be attained, shall—

(a) if the room is not served by an air conditioning system complying with regulation 11, be of the opening type;

(b) if the room is served by such an air conditioning system, consist of 50 per cent of portlights or windows of the opening type.

(2) No portlight or window shall be of the opening type if it is required by other regulations to be of the non-opening type.

(3) Where the application of paragraph (2) precludes the use of natural ventilation, then where natural ventilation or trunked mechanical ventilation is required by regulation 11, there shall instead be required a trunked mechanical ventilation system or an air conditioning system respectively.

(4) In every ship of 3,000 tons or over, every portlight shall be at least 300 millimetres in diameter.

Drainage

14 (1) The seafarers' accommodation shall be efficiently drained, and in particular—

(a) drainage pipes and channels shall be provided wherever necessary to clear water shipped from the sea; and

(b) the soil and other waste water drainage system shall be so arranged and fitted with such water seals, air vents and storm valves as are necessary to prevent siphonage or blow-back, in order to preclude effluvia from entering the seafarers' accommodation.

(2) Each space in the sanitary accommodation (except private bathrooms) and each laundry shall be served by one or more scuppers, each to be at least 50 millimetres in diameter, which do not serve any space other than sanitary accommodation or another laundry, and shall be placed wherever water is likely to collect on the floor.

(3) There shall be no drainage into sanitary accommodation from any source outside that accommodation, except other sanitary accommodation.

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Interior finishes

15 (1) The interior walls and ceilings of all parts of the seafarers' accommodation shall be painted or covered with a suitable material that shall be white or light in colour.

(2) Upholstered parts of furniture and fittings shall be made of polished hardwood or of a smooth, rust-proof material that is impervious to dirt and moisture, and which is not likely to warp, crack or become corroded.

(3) Wooden parts of the furniture and fittings and any panelling or other wooden surfaces in the seafarers' accommodation shall be finished externally with paint or varnish, or by some other suitable means.

(4) All paints used on surfaces in the seafarers' accommodation shall be such that the surfaces can easily be kept clean.

(5) The interior of the seafarers' accommodation and all furniture and fittings in it shall be made, fitted and arranged so as not to be likely to harbour dirt or vermin.

Acceptance of existing Bermuda ships

16 Ships that are Bermuda ships and existing ships, at the date of these regulations coming into operation, shall not be required to modify any part of the crew accommodation as a consequence of these regulations.

Sleeping rooms in existing ships

17 (1) Unless the operation of the ship is such that no seafarers are required to sleep on board, sleeping rooms shall be provided for each seafarer, and wherever practicable, shall be individual sleeping rooms.

(2) Where the size and construction of the ship makes it impracticable for a sleeping room to be provided for each seafarer, the maximum number of seafarers that may be accommodated in a single sleeping room shall not exceed—

- (a) one, in the case of officers;
- (b) two, in the case of other seafarers in ships other than passenger ships, provided that they shall both be a part of the same watch;
- (c) four, in the case of other seafarers in passenger ships, provided that they are all part of the same watch or shift; and

provided that petty officers and cadets shall, wherever practicable, be accommodated in individual sleeping rooms.

(3) Separate sleeping rooms shall be provided for male and female seafarers.

(4) Each seafarer shall be provided with a separate bed.

Sleeping rooms in new ships

18 (1) In new ships other than passenger ships, in the case of ships of less than 3000 GT and special purpose ships, an individual sleeping room shall be provided for each seafarer, provided that the Minister may grant an exemption from this requirement after

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consultation with the shipowners' and seafarers' organisations, and where this consultation is not possible, after consultation with the special tripartite committee created by Article XIII of the Maritime Labour Convention.

(2) Separate sleeping rooms shall be provided for male and female seafarers.

(3) Each seafarer shall be provided with a separate bed.

(4) So far as is possible, sleeping rooms shall be arranged so that sleeping rooms for watch-keepers do not accommodate seafarers on different watches, and seafarers who work during the day are not accommodated in the same sleeping rooms as seafarers on watches.

(5) In ships of less than 3000 GT, other than passenger ships and special purpose ships, the number of seafarers accommodated in a single sleeping room shall not exceed two.

Sizes of sleeping rooms in existing ships

19 (1) In existing ships other than passenger ships, the floor area for a single berth sleeping room for seafarers other than officers shall be not less than—

(a) 3.75 square metres, in the case of ships of less than 3000 GT;

(b) 4.25 square metres, in the case of ships of 3000 GT or more but less than 10,000 GT; and

(c) 4.75 square metres, in the case of ships of more than 10,000 GT.

(2) In existing ships other than passenger ships, sleeping rooms provided for two seafarers other than officers shall have a minimum floor area of—

(a) 2.75 square metres for each person, in ships of under 3000 GT;

(b) 3.25 square metres for each person, in ships of 3000 GT or more but less than 10,000 GT; and

(c) 3.75 square metres for each person, in the case of ships of more than 10,000 GT.

(3) In existing passenger ships not more than four seafarers may be accommodated in a single sleeping room and the minimum floor area in sleeping rooms other than those for officers shall be—

(a) 3.75 square metres in single berth sleeping rooms;

(b) 2.25 square metres for each seafarer in sleeping rooms for more than one person, in the case of ships of under 3000 GT; and

(c) 3.0 square metres for each seafarer in sleeping rooms for more than one person, in the case of ships of 3000 GT or more.

(4) In ships of more than 3000 GT, a day-room adjoining the sleeping room shall be provided for the chief mate and for the chief engineer, wherever practicable.

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(5) Sleeping rooms for officers and cadets for whom no separate day-room is provided shall have a floor area of at least—

- (a) 6.5 square metres, in the case of ships of under 3000 GT;
- (b) 7.5 square metres, in the case of ships of more than 3000 GT;
- (c) 10 square metres for sleeping rooms accommodating two cadets, in the case of ships of less than 3000 GT; and
- (d) 12 square metres for sleeping rooms accommodating two cadets, in the case of ships of more than 3000 GT.

(6) Where a separate day-room is provided, the minimum floor area in sleeping rooms for officers and cadets shall be not less than—

- (a) 3.75 square metres, in the case of ships of less than 3000 GT;
- (b) 4.25 square metres, in the case of ships of 3000 GT or more but less than 10,000 GT; and
- (c) 4.75 square metres, in the case of ships of more than 10,000 GT.

(7) Where a separate day-room is provided, the minimum floor area in sleeping rooms accommodating two cadets shall be not less than—

- (a) 2.75 square metres for each cadet, in the case of ships of under 3000 GT;
- (b) 3.25 square metres for each cadet, in the case of ships of 3000 GT or more but less than 10,000 GT; and
- (c) 3.75 square metres for each cadet, in the case of ships of more than 10,000 GT.

Sizes of sleeping rooms in new ships

20 (1) In new ships other than passenger ships, the floor area in single berth sleeping rooms shall be not less than—

- (a) 4.5 square metres, in the case of ships of less than 3000 GT;
- (b) 5.5 square metres, in the case of ships of 3000 GT or more but less than 10000 GT; and
- (c) 7 square metres, in the case of ships of more than 10000 GT.

(2) In new passenger ships more than one seafarer may be accommodated in a sleeping room when the seafarers concerned are not performing the duties of a watchkeeping ship's officer, provided that not more than four seafarers may be accommodated in a single room and when more than one seafarer is accommodated, the sleeping rooms shall have a floor area of—

- (a) not less than 7.5 square metres, where up to 2 seafarers are accommodated;

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(b) not less than 11.5 square metres, where 3 seafarers are accommodated;
and

(c) not less than 14.5 square metres, where 4 seafarers are accommodated.

(3) In new ships that are special purpose ships sleeping rooms may accommodate more than 4 seafarers, but if they do, there shall be provided at least 3.6 square metres of floor area per seafarer.

(4) Notwithstanding the requirements of paragraphs (1), (2) and (3), the Minister may, where he considers it appropriate, permit a reduced size of floor area in new ships of less than 3000 GT, passenger ships and special purpose ships where the reduction facilitates the provision of individual sleeping rooms.

(5) In new ships of less than 3000 GT, other than passenger ships and special purpose ships, sleeping rooms may be occupied by a maximum of two seafarers, and where a sleeping room is allocated to two seafarers, the floor area shall be not less than 7 square metres.

(6) In new ships, other than passenger ships and special purpose ships, sleeping rooms for seafarers who perform the duties of ship's officers, and who are not provided with a private day-room or sitting room, shall have a floor area of not less than—

(a) 7.5 square metres, in the case of ships of less than 3000 GT;

(b) 8.5 square metres, in the case of ships of 3000 GT or more but less than 10,000 GT; and

(c) 10 square metres, in the case of ships of over 10,000 GT.

(7) In new passenger ships and new special purpose ships, sleeping rooms for seafarers who perform the duties of ship's officers, and who are not provided with a private day-room or sitting room, shall have a floor area of not less than—

(a) 7.5 square metres, in the case of junior officers; and

(b) 8.5 square metres, in the case of senior officers.

(8) In every new ship, the master, the chief engineer, the chief mate, and whenever practicable, the second engineer shall be provided with, in addition to their sleeping rooms, an adjoining private sitting room, day-room or equivalent space, except that the Minister may, after consultation with the shipowners and seafarers organisations concerned or, where this is not possible, after consultation with the special tripartite committee created by Article XIII of the ILO Maritime Labour Convention, exempt a ship of less than 3000 GT from this requirement.

Measurement of sleeping rooms

21 In determining the size of a sleeping room for the purposes of these regulations, spaces occupied by beds, lockers, chests of drawers and seats shall be included in the overall area, but small or irregular shaped spaces which do not add effectively to the space available for free movement, and which cannot be used for installing furniture, shall be excluded.

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Furniture in sleeping rooms

22 (1) Every sleeping room shall be planned and equipped in such a manner as to ensure reasonable comfort for the occupants and to facilitate tidiness, and in particular, for each person accommodated in a sleeping room, there shall be provided—

- (a) a clothes locker or wardrobe capable of being locked, and not less than 1.7 metres in height and 475 litres in capacity, and fitted with a shelf not less than 230 millimetres and not more than 300 millimetres below its top and also with a rod or similar for clothes hangers;
- (b) at least one drawer with a capacity of not less than 56 litres, and, if the drawer is combined with the locker in sub-paragraph (a), the total combined volume shall not be less than 500 litres;
- (c) a comfortable seat;
- (d) at least one coat hook in addition to any coat hooks that may be fitted in a locker or wardrobe;
- (e) a table or desk, or a sliding leaf or top fitted to a chest of drawers which is suitable for writing;
- (f) a mirror, a cabinet for toiletries, a razor socket and a strip light fitted on or adjacent to the mirror and cabinet;
- (g) a bookshelf;
- (h) a curtain or equivalent for each portlight or window;
- (i) a curtain for each bed, except in the case of single occupancy sleeping rooms; and
- (j) in ships of 5,000 GT or greater, other than passenger ships, a wash hand basin with hot and cold running fresh water, and a splashback or similar protection for the bulkhead, unless a wash hand basin is fitted in a private or semi-private bathroom provided for that sleeping room.

(2) For sleeping rooms in which petty officers are accommodated, in addition to the furniture specified in paragraph (1), at least one additional drawer with a capacity of 56 litres shall be provided for each person accommodated.

(3) In sleeping rooms for officers there shall be provided—

- (a) a wardrobe which shall be at least 1.68 metres in height, and with an internal cross-sectional area of at least 0.30 square metres;
- (b) at least three drawers with a total capacity of at least 280 litres, not to include those mentioned in subparagraph (f);
- (c) a chair with arm rests;
- (d) at least two coat hooks in addition to any coat hook that may be fitted in the wardrobe;

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- (e) either a settee of at least 1.83 metres in length or, if such a settee cannot be accommodated readily without inconveniencing the occupant, a fully upholstered easy chair with closed arms;
 - (f) a writing desk with drawers, such drawers being exclusive of those specified in subparagraph (b);
 - (g) a book case; and
 - (h) in ships of over 5000 GT, a washbasin, except where one is fitted in any private or semi-private bathroom associated with the sleeping room.
- (4) Any of the equipment and furniture listed in paragraph (3)(c), (d), (e), or (f) may be provided in a day-room appropriated for the exclusive use of the officer.
- (5) Sleeping rooms for cadets shall, so far as practicable, be provided with the furniture listed in paragraph (3).
- (6) Facilities for storing food shall not be provided in any sleeping room.

Beds

- 23 (1) Every sleeping room shall have a separate bed for each person accommodated in that room.
- (2) The minimum inside dimensions of every bed shall be sufficient to accommodate a mattress of not less than 198 centimetres in length and 80 centimetres in width.
- (3) The framework of every bed and any fittings shall be constructed of a material that is hard, smooth and unlikely to become corroded, and any tubular frames, if fitted, shall be completely sealed.
- (4) Every bed shall—
- (a) be arranged in such a manner so as to provide unobstructed access on one side;
 - (b) where beds abut each other, be separated by rigid screens of wood or other suitable opaque material; and
 - (c) in the case of multi-tiered beds, not be arranged in tiers of more than two.
- (5) Beds shall not be fitted fore and aft along the ship's side unless the size of the sleeping room is such that it is impracticable to fit them elsewhere, and where beds are fitted along the ship's side, they shall be single-tiered, except in rooms where there is no portlight or in which any portlight is fitted so as to be clear of the beds.
- (6) The distance between the bottom of the mattress of every bed and the floor deck shall be at least 305 millimetres, and in the case of an arrangement of two tier beds, the upper one shall be fitted approximately half way between the bottom of the lower one and the lowest part of the deck overhead, and fitted with a solid bottom of wood or other equivalent material.
- (7) Every bed shall be fitted with either—

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- (a) a spring bottom or a spring under mattress of a material that will resist damp, and which is unlikely to harbour vermin; or
 - (b) a suitable mattress fitted on a ventilated base.
- (8) Where double-tiered beds are fitted—
- (a) the upper bed shall be fitted with lee-boards or similar arrangement to protect the occupant in bad weather;
 - (b) there shall be provided for each set a portable ladder or equivalent arrangement that provides easy access to the top bed, and which can be safely stowed when not in use; and
 - (c) in the case where one berth is placed directly over the other, a dust proof bottom shall be fitted beneath the bottom mattress or spring bottom of the upper berth.

Mess-rooms

24 (1) Except when the operation of the ship is such that no seafarers are required to eat on board, mess-rooms shall be provided for the seafarers, and every mess room shall be large enough to accommodate the largest number of seafarers likely to use it at any time.

(2) In ships other than passenger ships, every mess room should be arranged to have at least 1.5 square metres for each seafarer expected to use the mess-room.

(3) Mess-rooms shall be located separately from any sleeping rooms and as close as possible to the galley, provided that the Minister may grant an exemption from this requirement in the case of ships of less than 3000 GT after consultation with the shipowners' and seafarers' organisations, or, where this is not possible, after consultation with the special tripartite committee established by Article XIII of the ILO Maritime Labour Convention.

(4) Mess-rooms may be shared between all seafarers, but separate mess-rooms may be provided for—

- (a) the master and officers; and
- (b) other seafarers.

(5) Every mess-room shall be provided with sufficient tables to allow a table space of at least 510 millimetres for each seafarer, measured along the edge of the table, for as many seafarers as are likely to use the room at any time.

(6) Tables in mess-rooms shall be at least 610 millimetres wide if seats are provided at both sides of the table, or 380 millimetres wide if seats are only provided at one side.

(7) Tables in mess-rooms shall be provided with chairs or upholstered settees of at least 380 millimetres in depth.

(8) There shall be fitted in the mess-room, or in a readily available adjacent space in ships of more than 500 GT—

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- (a) a refrigerator;
- (b) a supply of cold drinking water;
- (c) a means of heating drinking water for hot beverages;
- (d) a sink or other means for washing utensils, unless this is provide elsewhere; and
- (e) sufficient storage in a dresser or equivalent piece of furniture for utensils.

(9) The sizes and quantities of equipment in subparagraph (8) shall be adequate for the number of seafarers expected to use the mess-room.

Provision of sanitary accommodation

25 (1) All seafarers shall have convenient access on board to sanitary facilities with separate facilities being provided for male and female seafarers where necessary.

(2) There shall be adequate sanitary facilities positioned within easy reach of the navigating bridge, the cargo control room if one is provided, the galley and either the engine control room, or the engine room in ships without a central control room, provided that the Minister may exempt ships of less than 3000 GT from this requirement following consultation with the shipowners' and seafarers' organisations, or, where this is not possible, with the special tripartite committee established by Article XIII of the Maritime Labour Convention .

- (3) For every six persons who do not have personal facilities, a minimum of—
- (a) one toilet;
 - (b) one washbasin; and
 - (c) one tub or shower,

shall be provided, exclusive of facilities provided for a hospital, at a convenient location.

(4) Every wash place shall be provided with hot and cold running water.

(5) In passenger ships that are engaged on voyages of not more than four hours, the Minister may agree to a reduction in the total number of sanitary facilities that are provided whenever the operators of the ship are able to demonstrate that this can be done without causing discomfort to any of the seafarers.

(6) In ships of 5000 GT or more but less than 15,000 GT, at least five officer sleeping rooms shall be provided with adjoining private bathrooms for the use of the officers occupying those sleeping rooms.

(7) Without prejudice to the generality of paragraph (6), in ships of 10,000 GT and over but less than 15,000 GT, every officer's sleeping room that is not provided with an adjoining private bathroom shall have a semi-private bathroom appropriated to it that complies with the requirements of paragraph (1) for semi-private bathrooms.

(8) In ships of over 15,000 GT, every officer's sleeping room shall have an adjoining private bathroom for the use of the officer accommodated in that sleeping room.

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(9) In ships of 25,000 GT and over other than passenger ships, every seafarer's sleeping room that is not provided with a private bathroom shall have a semi-private bathroom appropriated to it, but these semi-private bathroom shall not be shared between a petty officer and other seafarers.

(10) Every semi-private bathroom shall be situated either in an inter-communicating compartment between the two sleeping rooms to which it is associated or, if it is for seafarers other than officers, it may be situated immediately opposite the entrance to the sleeping rooms.

- (11) Every semi-private bathroom and every private bathroom shall be fitted with—
- (a) a bath or a shower;
 - (b) a toilet; and
 - (c) unless a wash basin is provided in each sleeping room for which the bathroom is appropriated, a wash basin.

Sanitary equipment

26 (1) Every wash basin, bath, and shower tray shall—

- (a) be of a suitable size;
- (b) shall be constructed to have a smooth and impervious surface not likely to crack, corrode or flake; and
- (c) be fitted with an efficient and hygienic discharge system in order to minimise the risk of blockage and to facilitate cleaning.

(2) Privacy screens made of an opaque, rigid material shall be provided on three sides of any bath or shower which is in the same room as any wash basin or other bath or shower, unless the room is a private or semi-private bathroom, and wherever possible the space screened shall be sufficiently large to allow a person to undress within it comfortably.

(3) Every bath and shower shall be provided with a handrail and means to prevent slipping, and, except in semi-private and private bathrooms, shall be provided with a kerb and individual drainage.

(4) The hot water supplied to every shower shall be at a constant temperature of at least 66 degrees Centigrade, and shall be heated by thermostatically controlled calorifiers of adequate capacity or equivalent and equally safe means.

(5) Every shower shall be provided with an anti-scalding mixing valve that can be set in such a way that the temperature of the shower water can be varied by the user to any temperature between ambient temperature and between 38 and 40 degrees Centigrade.

- (6) Every toilet shall—
- (a) be provided with an exhaust ventilation direct to the open air or via another toilet to the open air;
 - (b) be of a single pan of white vitreous china or other suitable material;

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- (c) be provided with a hinged seat of hard, smooth, impervious material; and
- (d) have an adequate flush of water which is always available and supplied through self-closing, non-conclusive supply valves, with a portable seat of metal that is not likely to become corroded;
- (e) have a connection to a vacuum discharge pipe system, or to a soil pipe, of not less than 100 millimetres internal diameter, and so constructed as to facilitate cleaning and minimise the risk of obstruction;
- (f) have, in close proximity, a means to hold a supply of toilet paper; and
- (g) have, in close proximity, a hand rail or grip.

(7) Where a toilet would be unsuitable for use by some seafarers as a result of their distinctive national customs, the toilet provided for them may be adapted to suit distinctive national custom provided that the overall toilet adaptation is at least equal or comparable to that otherwise required by these regulations.

Recreation spaces

27 (1) Recreation rooms, conveniently situated and appropriately furnished, shall be provided, and when not provided separately from mess-rooms, the mess-rooms shall be planned, furnished and equipped to provide recreational facilities.

(2) Furnishings in recreation rooms shall include as a minimum—

- (a) a bookcase;
- (b) facilities for reading and writing; and
- (c) where practicable, facilities for games.

(3) In every ship over 8000 GT there shall be provided for the seafarers—

- (a) facilities and equipment for watching films and, where available, television; and
- (b) where practicable, a swimming pool.

(4) In every ship, deck space on an open deck and reserved for the use of seafarers shall be available for recreational purposes, and the space shall be adequate having regard to the size of the ship and the number of seafarers.

(5) Where practicable, and in addition to the facilities in sub-paragraph (2), seafarers shall be provided with—

- (a) a smoking room;
- (b) sports equipment (including exercise equipment);
- (c) a library containing vocational and other books that are changed at reasonable intervals;
- (d) where appropriate, a bar;

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- (e) reasonable access to ship to shore telephone communications; and
- (f) at reasonable cost, reasonable access to email and the internet.

Offices

28 (1) In every ship there shall be provided rooms set aside and furnished as offices for the deck department and for the engineering department, and where it is impracticable to provide separate offices, a combined office shall be provided which is of sufficient size to accommodate the needs of both departments.

(2) The Minister may exempt ships of less than 3000 GT from the requirements of paragraph (1) after consultation with the shipowners' and seafarers' organisations, or, where this is not possible, after consultation with the special tripartite committee established by Article XIII of the Maritime Labour Convention .

Laundry facilities and arrangements for working clothes

29 (1) Except in ships where seafarers are not accommodated on board overnight, facilities shall be provided for washing, drying and ironing clothes for all the seafarers employed in the ship within easy reach of the sleeping rooms.

(2) The facilities provided shall include—

- (a) washing machines and sinks supplied with an adequate supply of hot and cold fresh water, and which may be installed in wash rooms if it is not practicable to provide a separate laundry room;
- (b) drying machines and an adequately heated and ventilated drying room, unless the drying machines are capable of drying clothes completely; and
- (c) ironing boards or an equivalent surface, and electric irons.

(3) Adequately ventilated compartments or lockers solely for hanging working clothes shall be provided in a position outside, but conveniently near to, sleeping rooms.

(4) Where separate facilities are provided for engine room personnel to change, the facilities shall be—

- (a) located outside the engine room;
- (b) fitted with individual clothes lockers;
- (c) fitted with showers or tubs (or both); and
- (d) fitted with wash basins having hot and cold running water.

Hospital facilities

30 (1) Every ship carrying 15 or more seafarers and engaged on voyages of more than 3 days duration shall be provided with separate hospital accommodation to be used exclusively for medical purposes.

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(2) In every other ship, except ships in which every seafarer is provided with a single berth sleeping room, a suitable room shall be nominated, in case of need, as a temporary hospital and when used for that purpose shall not be used for any other purpose.

(3) Every hospital, or room nominated as a temporary hospital, shall be situated so that it is as quiet as possible and readily accessible in all weathers—

- (a) from the sleeping room of any seafarer who is employed as a doctor or a nurse; or
- (b) if no doctor or nurse is employed, the master's accommodation, or the accommodation of the person nominated with responsibility for medical care on board.

(4) Wherever practicable, the minimum width of the entrance to any hospital shall be 760 millimetres, and every hospital or temporary hospital shall be arranged so that a stretcher can be easily carried into it and placed alongside at least one single-tier bed.

(5) Every permanent hospital shall be provided with at least one bed for every 50, or fraction of 50, seafarers employed on board, provided that the total number of beds need not exceed 6 and at least one bed in every permanent hospital shall be a single-tiered bed, and so far as possible, placed to enable access from both sides and from the foot.

(6) Where two-tiered beds are provided in a hospital, the upper bed shall be either hinged or removable.

(7) The minimum inside dimensions of every bed in a permanent hospital shall be adequate to accommodate a mattress of 200 centimetres in length and 84 centimetres in width, and in all other respects beds in a permanent hospital shall comply with the requirements set out in regulation 22.

(8) Any room in a permanent hospital which contains a bed shall, unless it is served by an air conditioning system or a trunked mechanical ventilation system, be fitted with an electric fan.

(9) All portlights and windows in a room containing a bed as part of a permanent hospital shall be fitted with blinds or curtains.

(10) Every permanent hospital shall be provided with a ventilation system that is separated from the ventilation system for other parts of the ship.

(11) For each bed in a hospital ward, there shall be provided within reach—

- (a) a locker approximately 300 millimetres square and 610 millimetres in height with a flat top and a shelf;
- (b) a call alarm connecting to a location where the doctor, nurse or person in charge of medical care can be alerted to any call;
- (c) a seat; and
- (d) a clothes locker.

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(12) The floor covering in every hospital shall be of an impervious material easily cleaned and free of joints.

(13) A washbasin with a supply of both hot and cold fresh water shall be provided in the ward or in adjacent washing accommodation for every permanent hospital, and in vessels of 5000 GT or more, a bath in washing accommodation adjacent to the hospital shall also be provided.

(14) There shall be direct access to washing accommodation from the ward or from a lobby within the hospital for every permanent hospital, and the door to the washing accommodation shall open outwards and be capable of being opened from the outside.

(15) A toilet shall be provided in every permanent hospital either in a separate closet or in the washing accommodation, and the room in which the toilet is situated shall be served by a trunked mechanical ventilation system that effectively removes odours.

(16) In passenger ships, one hospital may be provided to serve both seafarers and passengers, and in such a case, separate male and female wards and sanitary accommodation shall be provided for seafarers, except where there are no female seafarers.

Medical cabinet

31 (1) There shall be provided a medical cabinet for the storage of medical supplies that are required to be carried, and the medical cabinet shall be suitable for its purpose and, in particular, shall be—

- (a) located close to the permanent hospital, where one is provided, but not in the ward of such a permanent hospital;
- (b) located in a place protected from high temperatures;
- (c) fitted with a lock and an inner compartment operated by a separate lock for the storage of controlled drugs; and
- (d) well lit.

Potable water and fresh water

32 (1) Cold, fresh water for drinking, cooking and dish-washing shall be provided in galleys, bars and pantries and, in the case of mess-rooms provided for seafarers for whom no pantry is provided, in that mess-room.

(2) Tanks from which potable water is supplied and other tanks supplying fresh water to washbasins, showers and laundries, and any machinery installed to produce fresh water, shall be of sufficient capacity to ensure an adequate supply of such water at all times for all the seafarers on board, provided that the tanks shall always be sufficient in capacity to provide for two days supply.

(3) Potable water tanks and other fresh water tanks, as well as any manholes leading to them, and all pipe-work and other parts of the distribution system for potable and fresh water, shall be arranged and constructed so as to prevent any risk of contamination and allow ease of maintenance and cleaning.

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(4) Whenever potable or fresh water is produced on board, the water produced shall be treated by suitably automatic means of disinfection.

Galleys

33 (1) Every ship, except a ship in which no seafarer is required to eat on board, shall be provided with a galley suitable for the preparation of the seafarers' meals and positioned clear of working areas and situated as close as practicable to the mess-rooms.

(2) Every galley shall be designed and equipped so that it is possible to serve hot food to all the persons whom the galley is intended to serve in the mess room in all weathers and shall be designed so that its equipment and all the areas around the equipment may be easily kept clean.

(3) All furnishings and equipment in a galley shall be constructed of materials which are impervious to dirt and damp and all metal parts shall be rustproof. The bottoms of all fitted furniture and equipment shall be either flush with the deck and sealed against the ingress of water and dirt or raised sufficiently high above the deck as to permit easy cleaning underneath.

(4) The deck covering in every galley shall be of a material impervious to water or dirt and easily cleaned and which also provides a secure non-slip surface for seafarers working in the galley.

(5) Every galley shall be provided with—

- (a) a washbasin supplied with hot and cold fresh water;
- (b) a supply of cold drinking water;
- (c) sufficient scuppers and drains to effectively drain any water or spills;
- (d) an effective ventilation system, and an extraction system for fumes, that maintains a comfortable working environment in the galley for seafarers;
- (e) suitable means for washing down and cleaning with fresh water; and
- (f) facilities to easily access the internal parts of the ventilation system required by sub-paragraph (d) for cleaning.

(6) There shall be no salt water tap fitted in any galley or in any other place where food is prepared.

Food storage

34 (1) In every ship which is equipped with a galley there shall be adequate store rooms provided for the storage of food, and each storage room shall—

- (a) have sufficient shelves and other storage arrangements fitted so that it may be easily cleaned, and so that the stock may be readily checked and examined;
- (b) have ready access from the galley;

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- (c) be situated, constructed and ventilated so as to minimise the possibility of deterioration of the stores through heat, condensation, infestation or other cause;
- (d) not be situated directly over or directly adjoining any space, such as a machinery space or a galley that is subject to abnormal heat, unless the division between them is adequately insulated; and
- (e) be for the exclusive purpose of storing dry provisions.

(2) Every ship of 1000 GT or more shall be fitted with cold store rooms for the storage of perishable food items, and every ship of less than 1000 GT that is not provided with cold store rooms shall be provided with alternative facilities suitable for the storage of both chilled and frozen provisions.

(3) Cold store rooms shall be constructed to allow them to be easily cleaned, and shall have sufficient capacity to provide for the number of seafarers on board, and for the expected period between successive replenishments.

(4) Access to any cold store room shall be from a pantry, galley, passageway, lobby or another cold store.

(5) The refrigerating machinery serving any cold store shall be separated from the seafarers' accommodation and capable of maintaining the temperatures required for the storage of cold and frozen provisions, and shall not use ammonia or methyl chloride as a refrigerant.

(6) A warning light outside each cold store or group of stores, shall be incorporated in the lighting for that store or group, and in addition there shall be a means of raising an alarm from inside the cold store, and a means of activating the door latching mechanism from inside the store.

Protection from mosquitoes

35 Except when the seafarers' accommodation is fully air conditioned and windows and portlights are not normally open, any opening doors, ventilators, portlights and windows in ships trading to areas where there is an identified risk of malaria shall be provided with suitable screening to prevent the passage of mosquitoes.

Maintenance of seafarers' accommodation

36 (1) The shipowner shall maintain the seafarers' accommodation in a clean and habitable condition, and all equipment required by these regulations shall be maintained in good working order.

(2) Every part of the seafarers' accommodation, except store rooms, shall be kept free of stores and other property not provided for or belonging to the seafarers for whom the accommodation is provided, and no cargo shall be carried or stowed in any part of the seafarers' accommodation.

(3) At intervals not exceeding one month, the master, or a person authorised by him, shall make an inspection of the seafarers' accommodation, galleys, and mess-rooms, provided that in ships where the number of crew exceeds 250, the inspections need not

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cover all the seafarers' accommodation but where they do not, the master shall arrange that each area is inspected at intervals not exceeding 3 months, and each inspection shall be for the purpose of establishing—

- (a) that the seafarers' accommodation remains in compliance with these regulations;
- (b) that sleeping rooms, recreational facilities, sanitary facilities, galleys and mess-rooms remain clean and tidy; and
- (c) that the accommodation as a whole continues to provide decent living arrangements for the seafarers.

(4) The date and the details of any defects uncovered and a record of action taken to rectify the defect shall be recorded and signed by the master following each inspection, and the record of inspections shall be retained on board for not less than 3 years and be available to any of the seafarers, and to any person duly authorised by the Minister.

Inspection

37 (1) Any person duly authorised by the Minister may inspect any ship to which these regulations apply when in a port in Bermuda, and if he is satisfied that any part of the seafarers' accommodation is not in accordance with the requirements stated in the Declaration Part 1 to the ship's Maritime Labour Certificate, or in the case of a ship to which a Maritime Labour Certificate is not issued, the requirements in Regulation 2.3 of the Maritime Labour Convention, he may detain the ship, but shall not in the exercise of these powers detain or delay the ship unreasonably.

(2) Any authorised officer of the Maritime Administration who discovers that a Bermuda ship does not comply with these regulations may—

- (a) withdraw the vessel's Maritime Labour Certificate until such time as the deficiency is rectified; or
- (b) if the vessel is in a port outside Bermuda, report the deficiency to the Port State Authority in that port.

Penalties

38 (1) Any contravention of regulation 36(1) or regulation 36(2) is an offence by the shipowner and master, and he shall be liable on summary conviction to a fine not exceeding \$10,000.

(2) Any contravention of regulation 36(3) is an offence by the master, and he shall be liable on summary conviction to a fine not exceeding \$5,000.

(3) Any contravention of regulation 36(4) is an offence by the master, and he shall be liable on summary conviction to a fine not exceeding \$3,000.

Inspection

39 (1) Any person duly authorised by the Minister may inspect any ship to which these regulations apply when in port in Bermuda, and if he is satisfied that any part of the

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seafarers' accommodation is not in accordance with the requirements stated in the Declaration Part 1 to the ship's Maritime Labour Certificate or in the case of ship without such a certificate, Standard A3.1 of the Maritime Labour Convention, he may detain the ship, but shall not in the exercise of these powers detain or delay the ship unreasonably.

(2) Any authorised officer of the Maritime Administration who establishes that the accommodation for seafarers in a Bermuda ship to which these regulations apply does not comply with these Regulations may—

- (a) withdraw the ship's maritime labour certificate until the deficiency is rectified; or
- (b) if in a port outside of Bermuda, report the deficiency to the port state control authorities in that port if outside of Bermuda.

Superseding the United Kingdom Merchant Shipping (Crew Accommodation) Regulations 1997

40 The United Kingdom Merchant Shipping (Crew Accommodation) Regulations 1997, which were adopted in Bermuda by incorporating them into the 5th Schedule to the Merchant Shipping Act 1979, are superseded by these Regulations.

Commencement

41 These Regulations shall come into operation on the same date on which the Merchant Shipping (ILO) Amendment Act 2012 comes into operation.

MERCHANT SHIPPING (SEAFARERS' ACCOMMODATION) REGULATIONS
2013

SCHEDULE

(Regulation 10(4))

LIGHTING STANDARDS

In this schedule, a general measurement point, in relation to any space, is a point at a height of 850 millimetres vertically above the deck—

- (a) at every point midway between 2 adjacent lights in that space;
- (b) at every point midway between any lamp and the closest boundary to that lamp;
- (c) where any part of the space available for free movement is shielded from the direct rays of a lamp due to the shape of the boundary of the space, the central point of the space shielded.

The light intensity of lighting in seafarers' accommodation required by regulation 9(4) shall be at least the value contained in the table below—

| Placement | Light Value (Lux) |
|---|----------------------|
| At general measurement points in passageways, companionways, sleeping rooms, day rooms, hospital wards and recreation rooms | 50 |
| At general measurement points in messrooms, offices and studies, laundries, store rooms and sanitary accommodation | 100 |
| At recreational room tables and washbasins in hospitals | 100 |
| At tables, writing desks and sinks | 150 |
| At mirrors in sleeping rooms and sanitary facilities | 200 |
| At seats in offices and studies and writing desks | 200 |
| At working positions in galleys | 300 |

Made this 20th day of December 2013

Minister of Tourism Development and Transport