STATUTORY INSTRUMENTS

# 1980 No. 542

# MERCHANT SHIPPING

## SAFETY

# The Merchant Shipping (Musters) Regulations 1980

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| *Made* - - - - | 17*th April* 1980 |
| *Laid before Parliament* | 2*nd May* 1980 |
| *Coming into Operation* | 25*th May* 1980 |

The Secretary of State, after consultation 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 subsections (1), (3)(*d*), (*e*), (*f*), (*g*), (*j*), (*l*) and (*o*), and (6)(*b*) of section 21 and by section 22(1)(*a*) and (*c*) of that Act and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

*Citation, interpretation and revocation*

**1.** These Regulations may be cited as the Merchant Shipping (Musters) Regulations 1980 and shall come into operation on 25th May 1980.

**2.**—(1) In these Regulations:

"existing ship" means a ship the keel of which was laid or which was at a similar stage of construction before 25th May 1980;

"fishing vessel" means a mechanically propelled sea-going fishing vessel registered in the United Kingdom under Part I or entered in the fishing boat register under Part IV of the Merchant Shipping Act 1894**(b)**;

"international voyage" means a voyage from a port in one country to a port in another country;

"muster" includes a boat-drill and a fire-drill;

"Safety Convention ship" means a ship registered in a country to which the Safety of Life at Sea Convention of 1948 or of 1960 or of 1974, applies;

"United Kingdom ship" has the same meaning as in section 21(2) of the Merchant Shipping Act 1979.

(2) The Merchant Shipping (Musters) Rules 1965**(c)** are hereby revoked to the extent that they apply to United Kingdom ships, and to other Safety Convention ships while they are within the United Kingdom or the territorial waters thereof.

*Application and classification of ships*

**3.** These Regulations apply in relation to:—

(*a*) sea-going United Kingdom ships (other than fishing vessels); and

(*b*) other sea-going Safety Convention ships (other than fishing vessels) while they are within the United Kingdom or the territorial waters thereof:

(a) 1979 c. 39. (b) 1894 c. 60. (c) S.I. 1965/1113.

Provided that these Regulations shall not apply to a ship by reason of her being within a port in the United Kingdom or within the territorial waters thereof if she would not have been in any such port or waters but for stress of weather or any other circumstance that neither the master nor the owner nor the charterer (if any) of the ship could have prevented.

**4.** For the purposes of these Regulations the ships to which these Regulations apply shall be arranged in the same classes in which ships are arranged for the purposes of the Merchant Shipping (Life-Saving Appliances) Regulations 1980**(a)** and any reference in these Regulations to a ship of any class shall be construed accordingly.

*Muster list and emergency procedures*

**5.**—(1) The master of every ship of Classes I, II, II(A), III, VII, VII(A), VII(T), VIII and VIII(T) shall prepare and maintain a muster list showing in respect of each member of the crew the special duties which are allotted to him and the station or stations to which he shall go in the event of an emergency (hereinafter referred to as "emergency stations"). The muster list, in respect of passenger ships (Classes I, II, IIA and III), shall be in a form approved by the Secretary of State: provided that this requirement need not be complied with in respect of existing ships until 24th May 1981.

(2) The master shall ensure that the muster list shall specify particular signals, to be made on the ship's whistle or siren and on any other audible alarm system (if fitted) calling all the crew to their emergency stations. In respect of ships of Class I the signal required by regulation 7(2) of these Regulations shall be specified in the muster list. In ships of Class I, II, II(A) and III and in ships of 45.7 metres in length or over of Classes VII, VII(A), VII(T), VIII and VIII(T) such signals shall be supplemented by other means of warning which shall be electrically operated. All signals shall be capable of being operated from the bridge. The muster list shall also specify the means of indicating when the ship is to be abandoned.

(3) The muster list shall show the duties assigned to the different members of the crew in connection with:—

(*a*) the closing of the watertight doors, fire doors, sidescuttles, valves and closing mechanism of scuppers; and ash-shoots and other similar openings in the ship's side;

(*b*) the equipping of the boats and the other life-saving appliances, including the portable radio apparatus for survival craft;

(*c*) the launching of the boats and liferafts attached to davits or to other launching appliances;

(*d*) general preparations of any other boats and other life-saving appliances;

(*e*) the muster of the passengers (if any);

(*f*) the extinction of fire, having regard to the ship's fire control plans;

(*g*) the manning of the fire parties assigned to deal with fires; and

(*h*) the special duties assigned in respect of the operation of fire-fighting equipment and installations.

(4) The duty of seeing that the boats and other life-saving appliances are at all times ready for use shall be specified in the muster list as the duty of one or more officers.

**(a)** S.I. 1980/538.

(5) The muster list shall show the several duties assigned to the members of the catering department in relation to the passengers at a time of emergency.

These duties shall include—

(*a*) warning the passengers;

(*b*) seeing that the passengers are suitably clad and have put on their life-jackets in a proper manner;

(*c*) assembling the passengers at muster stations;

(*d*) keeping order in the passages and on the stairways and generally controlling the movements of the passengers; and

(*e*) ensuring that a supply of blankets (if carried) is taken to the lifeboats.

(6) The muster list shall be prepared, or, if a new list is not necessary revised, before the ship proceeds to sea, and shall be dated and signed by the master.

(7) If, after the muster list has been prepared, any change takes place in the crew which necessitates an alteration in the muster list, the master shall either revise the list or prepare a new list.

(8) The master shall ensure that copies of the muster list shall be posted in several parts of the ship, and in particular in the crew's quarters, before the ship proceeds to sea and shall be kept so posted while the ship is at sea.

*Training*

**6.**—(1) The master shall ensure that in ships of Class I a muster of the crew shall be held before the ship leaves the final port of departure on an international voyage. The master shall ensure that a muster of passengers, embarked at any port, shall be held within 24 hours of leaving that port. If more than 25 per cent of the crew have been replaced at any port, a muster of the crew shall take place within 24 hours of leaving that port.

(2) The master shall ensure that in ships of Classes I, II, II(A) and III, musters of the crew shall take place at intervals of not more than seven days, when practicable, to ensure that the crew understand and are drilled in the duties assigned to them in the event of an emergency.

(3) The master shall ensure that in ships of Classes VII, VII(A), VII(T), VIII, VIII(A), VIII(T), IX, and in ships of Class XI which proceed on an international voyage, musters of the crew shall take place at intervals of not more than 14 days, and if more than 25 per cent of the crew have been replaced at any port, one of such musters shall take place within 24 hours of leaving that port. Boat equipment shall be examined at intervals of not more than one month to ensure that it is complete and in good order. In all other ships of Class XI the master shall ensure that the crew understand the use of the life-saving equipment and fire appliances on board and know where they are kept.

(4) The master shall ensure that in ships of Class X of 12 metres in length or over, musters of the crew, including training and inspections, shall take place, in accordance with the requirements appropriate to their length, pursuant to Part IIIC of the Fishing Vessels (Safety Provisions) Rules 1975**(a)**. In all other ships of Class X, the master shall ensure that the crew understand the use of the life-saving equipment and fire appliances on board and know where they are kept.

(a) S.I. 1975/330.

(5) The master shall ensure that different groups of boats shall be used in turn at successive boat drills so that every lifeboat shall be swung out at least once a month and, if practicable and reasonable, lowered at least once every four months. The musters and inspections shall be so arranged that the crew thoroughly understand and are practised in the duties they have to perform, the arrangements and facilities of the ship and any equipment they may be called upon to use, and that all life-saving appliances and fire appliances (with the gear appertaining to them) are always ready for immediate use.

(6) The master shall ensure that the crew are properly instructed in the handling and operation of the liferafts on board, including davit launched liferafts if carried.

*Muster stations and emergency signal for passengers*

**7.**—(1) The master shall ensure that muster stations for all passengers shall be appointed for the event of an emergency and the position of those stations and the meaning of all emergency signals affecting passengers, with precise instructions as to what they are to do, shall be clearly stated in English and such other languages as are appropriate on cards posted in their cabins and in conspicuous places in other passenger quarters.

(2) The emergency signal for summoning passengers to the muster stations shall be a succession of seven or more short blasts followed by one long blast on the whistle or siren. In ships of Class I this signal shall be supplemented by other means audible throughout the ship and which shall be electrically operated and capable of being operated from the bridge. The master shall ensure that these other means are used when summoning passengers to muster stations.

*Penalties*

**8.**—(1) A master who contravenes any provision of regulation 5(1), (2), (6), (7) or (8), 6 or 7 of these Regulations, shall 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 the duty assigned to him under regulation 5(3), (4) or (5) of these Regulations, shall be guilty of an offence and liable on summary conviction to a fine not exceeding £500.

*Norman Tebbit,*
Parliamentary Under Secretary of State,
Department of Trade.

17th April 1980.

## EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These Regulations revoke the Merchant Shipping (Musters) Rules 1965 to the extent that they apply to United Kingdom ships, and to ships registered in a country to which a Safety of Life at Sea Convention applies while they are within the United Kingdom or the territorial waters thereof. The 1965 Rules will continue to apply to ships of non-Convention countries while they are within United Kingdom ports. These Regulations re-enact the provisions of those Rules with the minor modifications necessary to give effect to the International Convention for the Safety of Life at Sea 1974 (Cmnd. 7874), obtainable at Her Majesty's Stationery Office.

The Regulations require the master of every ship to which the Regulations apply to prepare and maintain a muster list showing the emergency station of each crew member and the duties assigned to him in the event of an emergency (in the case of specified passenger ships, this list must be in a form approved by the Secretary of State) and the signals calling crew to emergency stations (regulation 5). They also provide for the mustering and training of crew members in their emergency duties (regulation 6). They further require the master to appoint emergency stations for passengers and specify the emergency signal for passengers (regulation 7).