

SOLAS

CONSOLIDATED EDITION 2014

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Consolidated text of
the International Convention for
the Safety of Life at Sea, 1974,
and its Protocol of 1988:
articles, annexes and certificates

Incorporating all amendments
in effect from 1 July 2014

KENYA MARITIME AUTHORITY
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*Paper Laid on the Table
of the House by the
Hon. A. Duale, MP
on 12.05.2015
(Afternoon S.H.J.)
M.M.W.*

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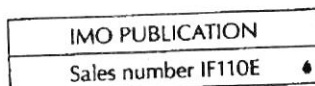
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Contents

Foreword	v
 Part 1	
Articles of the International Convention for the Safety of Life at Sea, 1974	3
Protocol of 1988 relating to the International Convention for the Safety of Life at Sea, 1974 ...	11
 Consolidated text of the annex to the 1974 SOLAS Convention and the 1988 Protocol relating thereto	
Chapter I General provisions	19
Chapter II-1 Construction – Structure, subdivision and stability, machinery and electrical installations	35
Chapter II-2 Construction – Fire protection, fire detection and fire extinction	117
Chapter III Life-saving appliances and arrangements	227
Chapter IV Radiocommunications	263
Chapter V Safety of navigation	281
Chapter VI Carriage of cargoes and oil fuels	317
Chapter VII Carriage of dangerous goods	327
Chapter VIII Nuclear ships	341
Chapter IX Management for the safe operation of ships	349
Chapter X Safety measures for high-speed craft	355
Chapter XI-1 Special measures to enhance maritime safety	361
Chapter XI-2 Special measures to enhance maritime security	371
Chapter XII Additional safety measures for bulk carriers	385
Appendix Certificates	397
 Part 2	
Annex 1 Certificates and documents required to be carried on board ships	455
Annex 2 List of resolutions adopted by the SOLAS Conferences	473

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Foreword

Introduction

1 The International Convention for the Safety of Life at Sea (SOLAS), 1974, currently in force, was adopted on 1 November 1974 by the International Conference on Safety of Life at Sea, which was convened by the International Maritime Organization (IMO), and entered into force on 25 May 1980. It has since been amended twice by means of protocols:

- .1 by the Protocol adopted on 17 February 1978 by the International Conference on Tanker Safety and Pollution Prevention (1978 SOLAS Protocol), which entered into force on 1 May 1981; and
- .2 by the Protocol adopted on 11 November 1988 by the International Conference on the Harmonized System of Survey and Certification (1988 SOLAS Protocol), which entered into force on 3 February 2000 and replaced and abrogated the 1978 Protocol, as between Parties to the 1988 Protocol.

2 In addition, the 1974 SOLAS Convention has been amended by means of resolutions adopted either by IMO's Maritime Safety Committee (MSC) in its expanded form specified in SOLAS article VIII or by Conferences of SOLAS Contracting Governments, also specified in article VIII, as follows:

- .1 by the 1981 amendments, which were adopted by resolution MSC.1(XLV) and entered into force on 1 September 1984;
- .2 by the 1983 amendments, which were adopted by resolution MSC.6(48) and entered into force on 1 July 1986;
- .3 by the April 1988 amendments, which were adopted by resolution MSC.11(55) and entered into force on 22 October 1989;
- .4 by the October 1988 amendments, which were adopted by resolution MSC.12(56) and entered into force on 29 April 1990;
- .5 by the November 1988 amendments, which were adopted by resolutions 1 and 2 of the Conference of Contracting Governments to SOLAS 1974 on the Global Maritime Distress and Safety System and entered into force on 1 February 1992;
- .6 by the 1989 amendments, which were adopted by resolution MSC.13(57) and entered into force on 1 February 1992;
- .7 by the 1990 amendments, which were adopted by resolution MSC.19(58) and entered into force on 1 February 1992;
- .8 by the 1991 amendments, which were adopted by resolution MSC.22(59) and entered into force on 1 January 1994;
- .9 by the April 1992 amendments, which were adopted by resolutions MSC.24(60) and MSC.26(60) and entered into force on 1 October 1994;
- .10 by the December 1992 amendments, which were adopted by resolution MSC.27(61) and entered into force on 1 October 1994;
- .11 by the May 1994 amendments, which were adopted by resolution MSC.31(63) and entered into force on 1 January 1996 (annex 1) and on 1 July 1998 (annex 2);

- .12 by the May 1994 amendments, which were adopted by resolution 1 of the Conference of Contracting Governments to SOLAS 1974 and entered into force on 1 January 1996 (annex 1) and on 1 July 1998 (annex 2);
- .13 by the December 1994 amendments, which were adopted by resolution MSC.42(64) and entered into force on 1 July 1996;
- .14 by the May 1995 amendments, which were adopted by resolution MSC.46(65) and entered into force on 1 January 1997;
- .15 by the November 1995 amendments, which were adopted by resolution 1 of the Conference of Contracting Governments to SOLAS 1974 and entered into force on 1 July 1997;
- .16 by the June 1996 amendments, which were adopted by resolution MSC.47(66) and entered into force on 1 July 1998;
- .17 by the December 1996 amendments, which were adopted by resolution MSC.57(67) and entered into force on 1 July 1998;
- .18 by the June 1997 amendments, which were adopted by resolution MSC.65(68) and entered into force on 1 July 1999;
- .19 by the November 1997 amendments which were adopted by resolution 1 of the Conference of Contracting Governments to SOLAS 1974 and entered into force on 1 July 1999;
- .20 by the May 1998 amendments, which were adopted by resolution MSC.69(69) and entered into force on 1 July 2002;
- .21 by the May 1999 amendments, which were adopted by resolution MSC.87(71) and entered into force on 1 January 2001;
- .22 by the May 2000 amendments, which were adopted by resolution MSC.91(72) and entered into force on 1 January 2002;
- .23 by the November 2000 amendments, which were adopted by resolution MSC.99(73) and entered into force on 1 July 2002;
- .24 by the June 2001 amendments, which were adopted by resolution MSC.117(74) and entered into force on 1 January 2003;
- .25 by the May 2002 amendments, which were adopted by resolution MSC.123(75) and entered into force on 1 January 2004;
- .26 by the December 2002 amendments, which were adopted by resolution MSC.134(76) and entered into force on 1 July 2004;
- .27 by the December 2002 amendments, which were adopted by resolution 1 of the Conference of Contracting Governments to the International Convention for the Safety of Life at Sea, 1974 and entered into force on 1 July 2004;
- .28 by the June 2003 amendments, which were adopted by resolution MSC.142(77) and entered into force on 1 July 2006;
- .29 by the May 2004 amendments, which were adopted by resolutions MSC.151(78), MSC.152(78) and MSC.153(78), and entered into force on 1 January 2006, 1 July 2006 and 1 July 2006, respectively;
- .30 by the December 2004 amendments, which were adopted by resolution MSC.170(79) and entered into force on 1 July 2006;
- .31 by the May 2005 amendments, which were adopted by resolution MSC.194(80) and entered into force on 1 January 2007 (annex 1) and 1 January 2009 (annex 2);

- .32 by the May 2006 amendments, which were adopted by resolutions MSC.201(81) and MSC.202(81) and entered into force on 1 July 2010 and 1 January 2008, respectively;
- .33 by the December 2006 amendments, which were adopted by resolution MSC.216(82) and entered into force on 1 July 2008 (annex 1), 1 January 2009 (annex 2), and 1 July 2010 (annex 3);
- .34 by the October 2007 amendments, which were adopted by resolution MSC.239(83) and entered into force on 1 July 2009;
- .35 by the May 2008 amendments, which were adopted by resolutions MSC.256(84) and MSC.257(84) and entered into force on 1 January 2010;
- .36 by the December 2008 amendments, which were adopted by resolution MSC.269(85) and entered into force on 1 July 2010 (annex 1) and 1 January 2011 (annex 2);
- .37 by the June 2009 amendments, which were adopted by resolution MSC.282(86) and entered into force on 1 January 2011;
- .38 by the May 2010 amendments, which were adopted by resolutions MSC.290(87) and MSC.291(87) and entered into force on 1 January 2012;
- .39 by the December 2010 amendments, which were adopted by resolution MSC.308(88) and entered into force on 1 July 2012;
- .40 by the May 2011 amendments, which were adopted by resolution MSC.317(89) and entered into force on 1 January 2013;
- .41 by the May 2012 amendments, which were adopted by resolution MSC.325(90) and entered into force on 1 January 2014; and
- .42 by the November 2012 amendments, which were adopted by resolution MSC.338(91) and entered into force on 1 July 2014.

3 Furthermore, the 1974 SOLAS Convention has recently been amended by resolutions MSC.350(92), MSC.365(93) and MSC.366(93) which would enter into force on 1 January 2015, 1 January 2016 and 1 January 2016, respectively, subject to their acceptance in accordance with article VIII(b)(vi)(2)(bb) of the Convention.*

4 In addition to the above-mentioned amendments, the 1978 SOLAS Protocol has been amended, as follows:

- .1 by the 1981 amendments, which were adopted by resolution MSC.2(XLV) and entered into force on 1 September 1984;
- .2 by the 1988 amendments, which were adopted by resolution 1 of the Conference of Contracting Governments to SOLAS 1974 on the Global Maritime Distress and Safety System and entered into force on 1 February 1992; and
- .3 by the 2012 amendments, which were adopted by resolution MSC.343(91) and entered into force on 1 July 2014.

5 The 1988 SOLAS Protocol has also been amended, as follows:

- .1 by the May 2000 amendments, which were adopted by resolution MSC.92(72) and entered into force on 1 January 2002;
- .2 by the December 2000 amendments, which were adopted by resolution MSC.100(73) and entered into force on 1 July 2002;
- .3 by the May 2002 amendments, which were adopted by resolution MSC.124(75) and entered into force on 1 January 2004;

* A full list of IMO resolutions can be found at <http://www.imo.org/KnowledgeCentre/IndexofIMOResolutions>.

- .4 by the May 2004 amendments, which were adopted by resolution MSC.154(78) and entered into force on 1 July 2006;
- .5 by the December 2004 amendments, which were adopted by resolution MSC.171(79) and entered into force on 1 July 2006;
- .6 by the May 2006 amendments, which were adopted by resolution MSC.204(81) and shall be deemed to have been accepted on the date on which they are accepted by two thirds of the Parties to the Protocol and shall enter into force six months after that date;
- .7 by the December 2006 amendments, which were adopted by resolution MSC.227(82) and entered into force on 1 July 2008;
- .8 by the October 2007 amendments, which were adopted by resolution MSC.240(83) and entered into force on 1 July 2009;
- .9 by the May 2008 amendments, which were adopted by resolution MSC.258(84) and entered into force on 1 January 2010;
- .10 by the June 2009 amendments, which were adopted by resolution MSC.283(86) and entered into force on 1 January 2011;
- .11 by the December 2010 amendments, which were adopted by resolution MSC.309(88) and entered into force on 1 July 2012; and
- .12 by the November 2012 amendments, which were adopted by resolution MSC.344(91) and entered into force on 1 July 2014.


Content of the consolidated text

6 This publication, compiled by the Secretariat to provide an easy reference to SOLAS requirements, contains a consolidated text of the 1974 SOLAS Convention, the 1988 SOLAS Protocol, and all subsequent amendments thereto in force as on 1 July 2014.

7 The publication has been arranged in two parts:

- .1 part 1, which contains the 1974 SOLAS Convention and 1988 SOLAS Protocol articles, requirements and certificates; and
- .2 part 2, which contains a list of certificates and documents* to be carried on board ships and a list of resolutions adopted by the aforementioned SOLAS Conferences.

8 The operational requirements contained in this consolidated text are, in general, applicable to all ships, whilst the requirements for ship construction and equipment apply to ships constructed on or after the dates specified in the various regulations. To identify construction and equipment requirements applicable to ships constructed before 2014, previous texts of the 1974 SOLAS Convention, the 1988 SOLAS Protocol and the amendments to the Convention should be consulted.

9 Those requirements of chapter I and of the appendix to the annex to the 1974 SOLAS Convention which have been modified by the 1988 SOLAS Protocol are indicated by the symbol . No similar symbol is shown for requirements of the 1974 SOLAS Convention which were modified by the 1978 SOLAS Protocol because, whilst, in respect of chapter I of the Convention, the requirements thereof have been replaced and abrogated by the 1988 SOLAS Protocol, as between Parties to the Protocol, for requirements in other chapters of the Convention, they have been superseded by SOLAS amendments subsequently adopted.

10 In general, this publication reproduces the text of the 1974 SOLAS Convention and the 1988 SOLAS Protocol and includes the modifications and amendments thereto given in their authentic texts. In addition, it

* The list only includes the certificates and documents that are required under IMO instruments and it does not include certificates or documents required by other international organizations or governmental authorities. It should not be used in the context of port State control inspections for which convention requirements should be referred to.

includes some minor editorial changes, which, while not altering the substance, aim at achieving a degree of consistency between the texts of the 1974 SOLAS Convention and the 1988 SOLAS Protocol and the various amendments. In particular:

- .1 while the decimal numbering system is used for paragraphs and subparagraphs of regulations in chapters II-1, II-2, III, IV, V, VI and VII, which were completely rewritten in the respective amendments, the original numbering system is retained in chapters I and VIII;
- .2 the references to regulations, paragraphs and chapters in the texts adopted in the 1981 and subsequent amendments use an abbreviated form (e.g. "regulation II-2/55.5"), whereas the original reference system is retained in unamended regulations (e.g. "regulation 5 of this chapter", "paragraph (a) of this regulation", etc.);
- .3 the term *tons gross tonnage* has been replaced by the term *gross tonnage* in view of the Assembly's decision (resolution A.493(XII)) that the term *tons gross tonnage* used in IMO instruments should be considered as having the same meaning as *gross tonnage* as determined under the 1969 Tonnage Convention; and
- .4 metric values of the SI system have been used in accordance with resolution A.351(IX).

Status of footnotes

11 Some of the footnotes contained in this publication are not part of the authentic text of the Convention. They were inserted or updated at the time of publication by the Secretariat, taking into account the provisions of the uniform wording for referencing IMO instruments (resolution A.911(22)). Footnotes inserted or updated refer to codes, guidelines, recommendations, explanatory notes or decisions of the MSC relating to a particular text. The reader must make use of the latest versions of the referenced texts, bearing in mind that such texts may have been revised or superseded by updated material since publication of this consolidated edition of the 1974 SOLAS Convention, as amended. However, this does not apply to footnotes containing references to specific editions of industry standards, such as their number or effective date, which should only be amended after approval of the relevant revised edition of the industry standard by the IMO.

Part 1

Articles of the International
Convention for the Safety
of Life at Sea, 1974

Articles of the International Convention for the Safety of Life at Sea, 1974

THE CONTRACTING GOVERNMENTS

BEING DESIROUS of promoting safety of life at sea by establishing in a common agreement uniform principles and rules directed thereto,

CONSIDERING that this end may best be achieved by the conclusion of a Convention to replace the International Convention for the Safety of Life at Sea, 1960, taking account of developments since that Convention was concluded,

HAVE AGREED as follows:

Article I

General obligations under the Convention

- (a) The Contracting Governments undertake to give effect to the provisions of the present Convention and the annex thereto, which shall constitute an integral part of the present Convention. Every reference to the present Convention constitutes at the same time a reference to the annex.
- (b) The Contracting Governments undertake to promulgate all laws, decrees, orders and regulations and to take all other steps which may be necessary to give the present Convention full and complete effect, so as to ensure that, from the point of view of safety of life, a ship is fit for the service for which it is intended.

Article II

*Application**

The present Convention shall apply to ships entitled to fly the flag of States the Governments of which are Contracting Governments.

Article III

Laws, regulations†

The Contracting Governments undertake to communicate to and deposit with the Secretary-General of the Inter-Governmental Maritime Consultative Organization‡ (hereinafter referred to as "the Organization"):

- (a) a list of non-governmental agencies which are authorized to act in their behalf in the administration of measures for safety of life at sea for circulation to the Contracting Governments for the information of their officers;

* Refer to Transfer of ships between States (MSC/Circ.1140-MEPC/Circ.424).

† Refer to Notification and circulation through the Global Integrated Shipping Information System (GISIS) (resolution A.1074(28)).

‡ The name of the Organization was changed to "International Maritime Organization" (IMO) by virtue of amendments to the Organization's Convention which entered into force on 22 May 1982.

Article IV

- (b) the text of laws, decrees, orders and regulations which shall have been promulgated on the various matters within the scope of the present Convention;
- (c) a sufficient number of specimens of their certificates issued under the provisions of the present Convention for circulation to the Contracting Governments for the information of their officers.

Article IV

Cases of force majeure

- (a) A ship, which is not subject to the provisions of the present Convention at the time of its departure on any voyage, shall not become subject to the provisions of the present Convention on account of any deviation from its intended voyage due to stress of weather or any other case of *force majeure*.
- (b) Persons who are on board a ship by reason of *force majeure* or in consequence of the obligation laid upon the master to carry shipwrecked or other persons shall not be taken into account for the purpose of ascertaining the application to a ship of any provisions of the present Convention.

Article V

Carriage of persons in emergencies

- (a) For the purpose of evacuating persons in order to avoid a threat to the security of their lives a Contracting Government may permit the carriage of a larger number of persons in its ships than is otherwise permissible under the present Convention.
- (b) Such permission shall not deprive other Contracting Governments of any right of control under the present Convention over such ships which come within their ports.
- (c) Notice of any such permission, together with a statement of the circumstances, shall be sent to the Secretary-General of the Organization by the Contracting Government granting such permission.

Article VI

Prior treaties and conventions

- (a) As between the Contracting Governments, the present Convention replaces and abrogates the International Convention for the Safety of Life at Sea which was signed in London on 17 June 1960.
- (b) All other treaties, conventions and arrangements relating to safety of life at sea, or matters appertaining thereto, at present in force between Governments parties to the present Convention shall continue to have full and complete effect during the terms thereof as regards:
 - (i) ships to which the present Convention does not apply;
 - (ii) ships to which the present Convention applies, in respect of matters for which it has not expressly provided.
- (c) To the extent, however, that such treaties, conventions or arrangements conflict with the provisions of the present Convention, the provisions of the present Convention shall prevail.
- (d) All matters which are not expressly provided for in the present Convention remain subject to the legislation of the Contracting Governments.

Article VII

Special rules drawn up by agreement

When in accordance with the present Convention special rules are drawn up by agreement between all or some of the Contracting Governments, such rules shall be communicated to the Secretary-General of the Organization for circulation to all Contracting Governments.

Article VIII

*Amendments**

- (a) The present Convention may be amended by either of the procedures specified in the following paragraphs.
- (b) Amendments after consideration within the Organization:
- (i) Any amendment proposed by a Contracting Government shall be submitted to the Secretary-General of the Organization, who shall then circulate it to all Members of the Organization and all Contracting Governments at least six months prior to its consideration.
 - (ii) Any amendment proposed and circulated as above shall be referred to the Maritime Safety Committee of the Organization for consideration.
 - (iii) Contracting Governments of States, whether or not Members of the Organization, shall be entitled to participate in the proceedings of the Maritime Safety Committee for the consideration and adoption of amendments.
 - (iv) Amendments shall be adopted by a two-thirds majority of the Contracting Governments present and voting in the Maritime Safety Committee expanded as provided for in subparagraph (iii) of this paragraph (hereinafter referred to as "the expanded Maritime Safety Committee") on condition that at least one third of the Contracting Governments shall be present at the time of voting.
 - (v) Amendments adopted in accordance with subparagraph (iv) of this paragraph shall be communicated by the Secretary-General of the Organization to all Contracting Governments for acceptance.
 - (vi)
 - (1) An amendment to an article of the Convention or to chapter I of the annex shall be deemed to have been accepted on the date on which it is accepted by two thirds of the Contracting Governments.
 - (2) An amendment to the annex other than chapter I shall be deemed to have been accepted
 - (aa) at the end of two years from the date on which it is communicated to Contracting Governments for acceptance; or
 - (bb) at the end of a different period, which shall not be less than one year, if so determined at the time of its adoption by a two-thirds majority of the Contracting Governments present and voting in the expanded Maritime Safety Committee.However, if within the specified period either more than one third of Contracting Governments, or Contracting Governments the combined merchant fleets of which constitute not less than fifty per cent of the gross tonnage of the world's merchant fleet, notify the Secretary-General of the Organization that they object to the amendment, it shall be deemed not to have been accepted.
 - (vii)
 - (1) An amendment to an article of the Convention or to chapter I of the annex shall enter into force with respect to those Contracting Governments which have accepted it, six months after the date on which it is deemed to have been accepted, and with respect to each Contracting Government which accepts it after that date, six months after the date of that Contracting Government's acceptance.

* Refer to Guidance on entry into force of amendments to the 1974 SOLAS Convention and related mandatory instruments (MSC.1/Circ.1481) and Interim guidance on drafting of amendments to the 1974 SOLAS Convention and related mandatory instruments (MSC.1/Circ.1483).

- (2) An amendment to the annex other than chapter I shall enter into force with respect to all Contracting Governments, except those which have objected to the amendment under subparagraph (vi)(2) of this paragraph and which have not withdrawn such objections, six months after the date on which it is deemed to have been accepted. However, before the date set for entry into force, any Contracting Government may give notice to the Secretary-General of the Organization that it exempts itself from giving effect to that amendment for a period not longer than one year from the date of its entry into force, or for such longer period as may be determined by a two-thirds majority of the Contracting Governments present and voting in the expanded Maritime Safety Committee at the time of the adoption of the amendment.
- (c) Amendment by a Conference:
- (i) Upon the request of a Contracting Government concurred in by at least one third of the Contracting Governments, the Organization shall convene a Conference of Contracting Governments to consider amendments to the present Convention.
 - (ii) Every amendment adopted by such a Conference by a two-thirds majority of the Contracting Governments present and voting shall be communicated by the Secretary-General of the Organization to all Contracting Governments for acceptance.
 - (iii) Unless the Conference decides otherwise, the amendment shall be deemed to have been accepted and shall enter into force in accordance with the procedures specified in subparagraphs (b)(vi) and (b)(vii) respectively of this article, provided that references in these paragraphs to the expanded Maritime Safety Committee shall be taken to mean references to the Conference.
- (d) (i) A Contracting Government which has accepted an amendment to the annex which has entered into force shall not be obliged to extend the benefit of the present Convention in respect of the certificates issued to a ship entitled to fly the flag of a State the Government of which, pursuant to the provisions of subparagraph (b)(vi)(2) of this article, has objected to the amendment and has not withdrawn such an objection, but only to the extent that such certificates relate to matters covered by the amendment in question.
- (ii) A Contracting Government which has accepted an amendment to the annex which has entered into force shall extend the benefit of the present Convention in respect of the certificates issued to a ship entitled to fly the flag of a State the Government of which, pursuant to the provisions of subparagraph (b)(vii)(2) of this article, has notified the Secretary-General of the Organization that it exempts itself from giving effect to the amendment.
- (e) Unless expressly provided otherwise, any amendment to the present Convention made under this article, which relates to the structure of a ship, shall apply only to ships the keels of which are laid or which are at a similar stage of construction, on or after the date on which the amendment enters into force.
- (f) Any declaration of acceptance of, or objection to, an amendment or any notice given under subparagraph (b)(vii)(2) of this article shall be submitted in writing to the Secretary-General of the Organization, who shall inform all Contracting Governments of any such submission and the date of its receipt.
- (g) The Secretary-General of the Organization shall inform all Contracting Governments of any amendments which enter into force under this article, together with the date on which each such amendment enters into force.

Article IX

Signature, ratification, acceptance, approval and accession

- (a) The present Convention shall remain open for signature at the Headquarters of the Organization from 1 November 1974 until 1 July 1975 and shall thereafter remain open for accession. States may become parties to the present Convention by:
- (i) signature without reservation as to ratification, acceptance or approval; or

- (ii) signature subject to ratification, acceptance or approval, followed by ratification, acceptance or approval; or
 - (iii) accession.
- (b) Ratification, acceptance, approval or accession shall be effected by the deposit of an instrument to that effect with the Secretary-General of the Organization.
- (c) The Secretary-General of the Organization shall inform the Governments of all States which have signed the present Convention or acceded to it of any signature or of the deposit of any instrument of ratification, acceptance, approval or accession and the date of its deposit.

Article X *Entry into force*

- (a) The present Convention shall enter into force twelve months after the date on which not less than twenty-five States, the combined merchant fleets of which constitute not less than fifty per cent of the gross tonnage of the world's merchant shipping, have become parties to it in accordance with article IX.
- (b) Any instrument of ratification, acceptance, approval or accession deposited after the date on which the present Convention enters into force shall take effect three months after the date of deposit.
- (c) After the date on which an amendment to the present Convention is deemed to have been accepted under article VIII, any instrument of ratification, acceptance, approval or accession deposited shall apply to the Convention as amended.

Article XI *Denunciation*

- (a) The present Convention may be denounced by any Contracting Government at any time after the expiry of five years from the date on which the Convention enters into force for that Government.
- (b) Denunciation shall be effected by the deposit of an instrument of denunciation with the Secretary-General of the Organization who shall notify all the other Contracting Governments of any instrument of denunciation received and of the date of its receipt as well as the date on which such denunciation takes effect.
- (c) A denunciation shall take effect one year, or such longer period as may be specified in the instrument of denunciation, after its receipt by the Secretary-General of the Organization.

Article XII *Deposit and registration*

- (a) The present Convention shall be deposited with the Secretary-General of the Organization who shall transmit certified true copies thereof to the Governments of all States which have signed the present Convention or acceded to it.
- (b) As soon as the present Convention enters into force, the text shall be transmitted by the Secretary-General of the Organization to the Secretary-General of the United Nations for registration and publication, in accordance with Article 102 of the Charter of the United Nations.

Article XIII

Languages

The present Convention is established in a single copy in the Chinese, English, French, Russian and Spanish languages, each text being equally authentic. Official translations in the Arabic, German and Italian languages shall be prepared and deposited with the signed original.

IN WITNESS WHEREOF the undersigned,* being duly authorized by their respective Governments for that purpose, have signed the present Convention.

DONE AT LONDON this first day of November one thousand nine hundred and seventy-four.

* Signatures omitted.

Protocol of 1988 relating
to the International
Convention for the Safety
of Life at Sea, 1974

Protocol of 1988 relating to the International Convention for the Safety of Life at Sea, 1974

THE PARTIES TO THE PRESENT PROTOCOL,

BEING PARTIES to the International Convention for the Safety of Life at Sea, done at London on 1 November 1974,

RECOGNIZING the need for the introduction into the above-mentioned Convention of provisions for survey and certification harmonized with corresponding provisions in other international instruments,

CONSIDERING that this need may best be met by the conclusion of a Protocol relating to the International Convention for the Safety of Life at Sea, 1974,

HAVE AGREED as follows:

Article I

General obligations

- 1 The Parties to the present Protocol undertake to give effect to the provisions of the present Protocol and the annex hereto, which shall constitute an integral part of the present Protocol. Every reference to the present Protocol constitutes at the same time a reference to the annex hereto.
- 2 As between the Parties to the present Protocol, the provisions of the International Convention for the Safety of Life at Sea, 1974, as amended, (hereinafter referred to as "the Convention") shall apply subject to the modifications and additions set out in the present Protocol.
- 3 With respect to ships entitled to fly the flag of a State which is not a Party to the Convention and the present Protocol, the Parties to the present Protocol shall apply the requirements of the Convention and the present Protocol as may be necessary to ensure that no more favourable treatment is given to such ships.

Article II

Prior treaties

- 1 As between the Parties to the present Protocol, the present Protocol replaces and abrogates the Protocol of 1978 relating to the Convention.
- 2 Notwithstanding any other provisions of the present Protocol, any certificate issued under, and in accordance with, the provisions of the Convention and any supplement to such certificate issued under, and in accordance with, the provisions of the Protocol of 1978 relating to the Convention which is current when the present Protocol enters into force in respect of the Party by which the certificate or supplement was issued, shall remain valid until it expires under the terms of the Convention or the Protocol of 1978 relating to the Convention, as the case may be.
- 3 A Party to the present Protocol shall not issue certificates under, and in accordance with, the provisions of the International Convention for the Safety of Life at Sea, 1974, as adopted on 1 November 1974.

Article III

*Communication of information**

The Parties to the present Protocol undertake to communicate to, and deposit with, the Secretary-General of the International Maritime Organization (hereinafter referred to as "the Organization"):

- (a) the text of laws, decrees, orders and regulations and other instruments which have been promulgated on the various matters within the scope of the present Protocol;
- (b) a list of nominated surveyors or recognized organizations which are authorized to act on their behalf in the administration of measures for safety of life at sea for circulation to the Parties for information of their officers, and a notification of the specific responsibilities and conditions of the authority delegated to those nominated surveyors or recognized organizations; and
- (c) a sufficient number of specimens of their certificates issued under the provision of the present Protocol.

Article IV

Signature, ratification, acceptance, approval and accession

1 The present Protocol shall be open for signature at the Headquarters of the Organization from 1 March 1989 to 28 February 1990 and shall thereafter remain open for accession. Subject to the provisions of paragraph 3, States may express their consent to be bound by the present Protocol by:

- (a) signature without reservation as to ratification, acceptance or approval; or
- (b) signature subject to ratification, acceptance or approval, followed by ratification, acceptance or approval; or
- (c) accession.

2 Ratification, acceptance, approval or accession shall be effected by the deposit of an instrument to that effect with the Secretary-General of the Organization.

3 The present Protocol may be signed without reservation, ratified, accepted, approved or acceded to only by States which have signed without reservation, ratified, accepted, approved or acceded to the Convention.

Article V

Entry into force

1 The present Protocol shall enter into force twelve months after the date on which both the following conditions have been met:

- (a) not less than fifteen States, the combined merchant fleets of which constitute not less than fifty per cent of the gross tonnage of the world's merchant shipping, have expressed their consent to be bound by it in accordance with article IV, and
- (b) the conditions for the entry into force of the Protocol of 1988 relating to the International Convention on Load Lines, 1966, have been met,

provided that the present Protocol shall not enter into force before 1 February 1992.

2 For States which have deposited an instrument of ratification, acceptance, approval or accession in respect of the present Protocol after the conditions for entry into force thereof have been met but prior to the date of entry into force, the ratification, acceptance, approval or accession shall take effect on the date of entry into force of the present Protocol or three months after the date of deposit of the instrument, whichever is the later date.

* Refer to Notification and circulation through the Global Integrated Shipping Information System (GISIS) (resolution A.1074(28)).

3 Any instrument of ratification, acceptance, approval or accession deposited after the date on which the present Protocol enters into force shall take effect three months after the date of deposit.

4 After the date on which an amendment to the present Protocol is deemed to have been accepted under article VI, any instrument of ratification, acceptance, approval or accession deposited shall apply to the present Protocol as amended.

Article VI

*Amendments**

The procedures set out in article VIII of the Convention shall apply to amendments to the present Protocol, provided that:

- (a) references in that article to the Convention and to Contracting Governments shall be taken to mean references to the present Protocol and to the Parties to the present Protocol respectively;
- (b) amendments to the articles of the present Protocol and to the annex thereto shall be adopted and brought into force in accordance with the procedure applicable to amendments to the articles of the Convention or to chapter I of the annex thereto; and
- (c) amendments to the appendix to the annex to the present Protocol may be adopted and brought into force in accordance with the procedure applicable to amendments to the annex to the Convention other than chapter I.

Article VII

Denunciation

1 The present Protocol may be denounced by any Party at any time after the expiry of five years from the date on which the present Protocol enters into force for that Party.

2 Denunciation shall be effected by the deposit of an instrument of denunciation with the Secretary-General of the Organization.

3 A denunciation shall take effect one year, or such longer period as may be specified in the instrument of denunciation, after its receipt by the Secretary-General of the Organization.

4 A denunciation of the Convention by a Party shall be deemed to be a denunciation of the present Protocol by that Party. Such denunciation shall take effect on the same date as denunciation of the Convention takes effect according to paragraph (c) of article XI of the Convention.

Article VIII

Depositary

1 The present Protocol shall be deposited with the Secretary-General of the Organization (hereinafter referred to as "the depositary").

2 The depositary shall:

- (a) inform the Governments of all States which have signed the present Protocol or acceded thereto of:
 - (i) each new signature or deposit of an instrument of ratification, acceptance, approval or accession, together with the date thereof;

* Refer to Guidance on entry into force of amendments to the 1974 SOLAS Convention and related mandatory instruments (MSC.1/Circ.1481) and Interim guidance on drafting of amendments to the 1974 SOLAS Convention and related mandatory instruments (MSC.1/Circ.1483).

- (ii) the date of entry into force of the present Protocol;
 - (iii) the deposit of any instrument of denunciation of the present Protocol together with the date on which it was received and the date on which the denunciation takes effect;
 - (b) transmit certified true copies of the present Protocol to the Governments of all States which have signed the present Protocol or acceded thereto.
- 3 As soon as the present Protocol enters into force, a certified true copy thereof shall be transmitted by the depositary to the Secretariat of the United Nations for registration and publication in accordance with Article 102 of the Charter of the United Nations.

Article IX *Languages*

The present Protocol is established in a single original in the Arabic, Chinese, English, French, Russian and Spanish languages, each text being equally authentic. An official translation into the Italian language shall be prepared and deposited with the signed original.

DONE AT LONDON this eleventh day of November one thousand nine hundred and eighty-eight.

IN WITNESS WHEREOF the undersigned,* being duly authorized by their respective Governments for that purpose, have signed the present Protocol.

* Signatures omitted.













Consolidated text of the
annex to the 1974 SOLAS
Convention and the 1988
Protocol relating thereto

Chapter I

General provisions

Chapter 1

General provisions

		<i>Page</i>
Part A	Application, definitions, etc.	
Regulation 1	Application	23
Regulation 2	Definitions	23
Regulation 3	Exceptions	24
Regulation 4	Exemptions	24
Regulation 5	Equivalents	24
Part B	Surveys and certificates	
 Regulation 6	Inspection and survey	25
 Regulation 7	Surveys of passenger ships	25
 Regulation 8	Surveys of life-saving appliances and other equipment of cargo ships	26
 Regulation 9	Surveys of radio installations of cargo ships	27
 Regulation 10	Surveys of structure, machinery and equipment of cargo ships	28
 Regulation 11	Maintenance of conditions after survey	29
 Regulation 12	Issue or endorsement of certificates	29
 Regulation 13	Issue or endorsement of certificates by another Government	30
 Regulation 14	Duration and validity of certificates	30
 Regulation 15	Forms of certificates and records of equipment	32
 Regulation 16	Availability of certificates	32
Regulation 17	Acceptance of certificates	32
Regulation 18	Qualification of certificates	32
 Regulation 19	Control	32
Regulation 20	Privileges	33
Part C	Casualties	
Regulation 21	Casualties	34

Part A

Application, definitions, etc.

Regulation 1

Application*

- (a) Unless expressly provided otherwise, the present regulations apply only to ships engaged on international voyages.
- (b) The classes of ships to which each chapter applies are more precisely defined, and the extent of the application is shown, in each chapter.

Regulation 2

Definitions

For the purpose of the present regulations, unless expressly provided otherwise:

- (a) *Regulations* means the regulations contained in the annex to the present Convention.
- (b) *Administration* means the Government of the State whose flag the ship is entitled to fly.
- (c) *Approved* means approved by the Administration.
- (d) *International voyage* means a voyage from a country to which the present Convention applies to a port outside such country, or conversely.
- (e) A *passenger* is every person other than:
 - (i) the master and the members of the crew or other persons employed or engaged in any capacity on board a ship on the business of that ship; and
 - (ii) a child under one year of age.
- (f) A *passenger ship* is a ship which carries more than twelve passengers.
- (g) A *cargo ship* is any ship which is not a passenger ship.
- (h) A *tanker* is a cargo ship constructed or adapted for the carriage in bulk of liquid cargoes of an inflammable[†] nature.
- (i) A *fishing vessel* is a vessel used for catching fish, whales, seals, walrus or other living resources of the sea.
- (j) A *nuclear ship* is a ship provided with a nuclear power plant.
- ^{PSB}(k) *New ship* means a ship the keel of which is laid or which is at a similar stage of construction on or after 25 May 1980.
- (l) *Existing ship* means a ship which is not a new ship.
- (m) A *mile* is 1,852 m or 6,080 ft.
- ^{PSB}(n) *Anniversary date* means the day and the month of each year which will correspond to the date of expiry of the relevant certificate.

* Refer to Unified interpretation of the application of regulations governed by the building contract date, the keel laying date and the delivery date for the requirements of the SOLAS and MARPOL Conventions (MSC-MEPC.5/Circ.8).

† "Inflammable" has the same meaning as "flammable".

Regulation 3 Exceptions

(a) The present regulations, unless expressly provided otherwise, do not apply to:

- (i) Ships of war and troopships.
- (ii) Cargo ships of less than 500 gross tonnage.
- (iii) Ships not propelled by mechanical means.
- (iv) Wooden ships of primitive build.
- (v) Pleasure yachts not engaged in trade.
- (vi) Fishing vessels.

(b) Except as expressly provided in chapter V, nothing herein shall apply to ships solely navigating the Great Lakes of North America and the River St Lawrence as far east as a straight line drawn from Cap des Rosiers to West Point, Anticosti Island and, on the north side of Anticosti Island, the 63rd meridian.

Regulation 4 Exemptions*

(a) A ship which is not normally engaged on international voyages but which, in exceptional circumstances, is required to undertake a single international voyage may be exempted by the Administration from any of the requirements of the present regulations provided that it complies with safety requirements which are adequate in the opinion of the Administration for the voyage which is to be undertaken by the ship.

(b) The Administration may exempt any ship which embodies features of a novel kind from any of the provisions of chapters II-1, II-2, III and IV of these regulations the application of which might seriously impede research into the development of such features and their incorporation in ships engaged on international voyages. Any such ship shall, however, comply with safety requirements which, in the opinion of that Administration, are adequate for the service for which it is intended and are such as to ensure the overall safety of the ship and which are acceptable to the Governments of the States to be visited by the ship. The Administration which allows any such exemption shall communicate to the Organization particulars of same and the reasons therefor which the Organization shall circulate to the Contracting Governments for their information.

Regulation 5 Equivalents

(a) Where the present regulations require that a particular fitting, material, appliance or apparatus, or type thereof, shall be fitted or carried in a ship; or that any particular provision shall be made, the Administration may allow any other fitting, material, appliance or apparatus, or type thereof, to be fitted or carried, or any other provision to be made in that ship, if it is satisfied by trial thereof or otherwise that such fitting, material, appliance or apparatus, or type thereof, or provision, is at least as effective as that required by the present regulations.

(b) Any Administration which so allows, in substitution, a fitting, material, appliance or apparatus, or type thereof, or provision, shall communicate to the Organization particulars thereof together with a report on any trials made and the Organization shall circulate such particulars to other Contracting Governments for the information of their officers.

* Refer to Issue of exemption certificates under the 1974 SOLAS Convention and amendments thereto, as amended (SLS.14/Circ.115) and Port State concurrence with SOLAS exemptions (MSC/Circ.606).

Part B

Surveys and certificates*

Regulation 6

Inspection and survey

(a) The inspection and survey of ships, so far as regards the enforcement of the provisions of the present regulations and the granting of exemptions therefrom, shall be carried out by officers of the Administration. The Administration may, however, entrust the inspections and surveys either to surveyors nominated for the purpose or to organizations recognized by it.

(b) An Administration nominating surveyors or recognizing organizations to conduct inspections and surveys as set forth in paragraph (a) shall as a minimum empower any nominated surveyor or recognized organization to:

- (i) require repairs to a ship;
- (ii) carry out inspections and surveys if requested by the appropriate authorities of a port State.

The Administration shall notify the Organization of the specific responsibilities and conditions of the authority delegated to nominated surveyors or recognized organizations.¹

(c) When a nominated surveyor or recognized organization determines that the condition of the ship or its equipment does not correspond substantially with the particulars of the certificate or is such that the ship is not fit to proceed to sea without danger to the ship, or persons on board, such surveyor or organization shall immediately ensure that corrective action is taken and shall in due course notify the Administration. If such corrective action is not taken the relevant certificate should be withdrawn and the Administration shall be notified immediately; and, if the ship is in the port of another Party, the appropriate authorities of the port State shall also be notified immediately. When an officer of the Administration, a nominated surveyor or a recognized organization has notified the appropriate authorities of the port State, the Government of the port State concerned shall give such officer, surveyor or organization any necessary assistance to carry out their obligations under this regulation. When applicable, the Government of the port State concerned shall ensure that the ship shall not sail until it can proceed to sea, or leave port for the purpose of proceeding to the appropriate repair yard, without danger to the ship or persons on board.

(d) In every case, the Administration shall fully guarantee the completeness and efficiency of the inspection and survey, and shall undertake to ensure the necessary arrangements to satisfy this obligation.

Regulation 7

Surveys of passenger ships[‡]

(a) A passenger ship shall be subject to the surveys specified below:

- (i) an initial survey before the ship is put in service;

* Refer to Global and uniform implementation of the harmonized system of survey and certification (HSSC) (resolution A.883(21)), Survey guidelines under the harmonized system of survey and certification (HSSC), 2011 (resolution A.1053(27), as may be amended), Guidelines for pre-planning of surveys in dry docks of ships which are not subject to the enhanced programme of inspections (MSC.1/Circ.1223), Unified interpretation of the term "first survey" referred to in SOLAS regulations (MSC.1/Circ.1290) and Guidelines for Administrations to ensure the adequacy of transfer of class-related matters between recognized organizations (ROs) (MSC-MEPC.5/Circ.2).

¹ Refer to Communication of information on the authorization of recognized organizations (ROs) (MSC/Circ.1010-MEPC/Circ.382) and the information collected via the Global Integrated Shipping Information System (GISIS).

[‡] Refer to Surveys and inspections of ro-ro passenger ships (resolution A.794(19)), Guidelines for unscheduled inspections of ro-ro passenger ships by flag States (MSC/Circ.956) and Guidelines for the assessment of technical provisions for the performance of an in-water survey in lieu of bottom inspection in dry-dock to permit one dry-dock examination in any five-year period for passenger ships other than ro-ro passenger ships (MSC.1/Circ.1348).



- (ii) a renewal survey once every 12 months, except where regulation 14(b), (e), (f) and (g) is applicable;
 - (iii) additional surveys, as occasion arises.
- (b) The surveys referred to above shall be carried out as follows:
- (i) the initial survey shall include a complete inspection of the ship's structure, machinery and equipment, including the outside of the ship's bottom and the inside and outside of the boilers. This survey shall be such as to ensure that the arrangements, materials and scantlings of the structure, boilers and other pressure vessels and their appurtenances, main and auxiliary machinery, electrical installation, radio installations including those used in life-saving appliances, fire protection, fire safety systems and appliances, life-saving appliances and arrangements, shipborne navigational equipment, nautical publications, means of embarkation for pilots and other equipment fully comply with the requirements of the present regulations, and of the laws, decrees, orders and regulations promulgated as a result thereof by the Administration for ships of the service for which it is intended. The survey shall also be such as to ensure that the workmanship of all parts of the ship and its equipment is in all respects satisfactory, and that the ship is provided with the lights, shapes, means of making sound signals and distress signals as required by the provisions of the present regulations and the International Regulations for Preventing Collisions at Sea in force;
 - (ii) the renewal survey shall include an inspection of the structure, boilers and other pressure vessels, machinery and equipment, including the outside of the ship's bottom. The survey shall be such as to ensure that the ship, as regards the structure, boilers and other pressure vessels and their appurtenances, main and auxiliary machinery, electrical installation, radio installations including those used in life-saving appliances, fire protection, fire safety systems and appliances, life-saving appliances and arrangements, shipborne navigational equipment, nautical publications, means of embarkation for pilots and other equipment is in satisfactory condition and is fit for the service for which it is intended, and that it complies with the requirements of the present regulations and of the laws, decrees, orders and regulations promulgated as a result thereof by the Administration. The lights, shapes, means of making sound signals and distress signals carried by the ship shall also be subject to the above-mentioned survey for the purpose of ensuring that they comply with the requirements of the present regulations and of the International Regulations for Preventing Collisions at Sea in force;
 - (iii) an additional survey either general or partial, according to the circumstances, shall be made after a repair resulting from investigations prescribed in regulation 11, or whenever any important repairs or renewals are made. The survey shall be such as to ensure that the necessary repairs or renewals have been effectively made, that the material and workmanship of such repairs or renewals are in all respects satisfactory, and that the ship complies in all respects with the provisions of the present regulations and of the International Regulations for Preventing Collisions at Sea in force, and of the laws, decrees, orders and regulations promulgated as a result thereof by the Administration;
- (c) (i) the laws, decrees, orders and regulations referred to in paragraph (b) of this regulation shall be in all respects such as to ensure that, from the point of view of safety of life, the ship is fit for the service for which it is intended;
- (ii) they shall among other things prescribe the requirements to be observed as to the initial and subsequent hydraulic or other acceptable alternative tests to which the main and auxiliary boilers, connections, steam pipes, high pressure receivers and fuel tanks for internal combustion engines are to be submitted including the test procedures to be followed and the intervals between two consecutive tests.

Regulation 8

Surveys of life-saving appliances and other equipment of cargo ships

- (a) The life-saving appliances and other equipment of cargo ships of 500 gross tonnage and upwards as referred to in paragraph (b)(i) shall be subject to the surveys specified below:
- (i) an initial survey before the ship is put in service;

- (ii) a renewal survey at intervals specified by the Administration but not exceeding 5 years, except where regulation 14(b), (e), (f) and (g) is applicable;
 - (iii) a periodical survey within three months before or after the second anniversary date or within three months before or after the third anniversary date of the Cargo Ship Safety Equipment Certificate which shall take the place of one of the annual surveys specified in paragraph (a)(iv);
 - (iv) an annual survey within 3 months before or after each anniversary date of the Cargo Ship Safety Equipment Certificate;
 - (v) an additional survey as prescribed for passenger ships in regulation 7(b)(iii).
- (b) The surveys referred to in paragraph (a) shall be carried out as follows:
- (i) the initial survey shall include a complete inspection of the fire safety systems and appliances, life-saving appliances and arrangements except radio installations, the shipborne navigational equipment, means of embarkation for pilots and other equipment to which chapters II-1, II-2, III and V apply to ensure that they comply with the requirements of the present regulations, are in satisfactory condition and are fit for the service for which the ship is intended. The fire control plans, nautical publications, lights, shapes, means of making sound signals and distress signals shall also be subject to the above-mentioned survey for the purpose of ensuring that they comply with the requirements of the present regulations and, where applicable, the International Regulations for Preventing Collisions at Sea in force;
 - (ii) the renewal and periodical surveys shall include an inspection of the equipment referred to in paragraph (b)(i) to ensure that it complies with the relevant requirements of the present regulations and the International Regulations for Preventing Collisions at Sea in force, is in satisfactory condition and is fit for the service for which the ship is intended;
 - (iii) the annual survey shall include a general inspection of the equipment referred to in paragraph (b)(i) to ensure that it has been maintained in accordance with regulation 11(a) and that it remains satisfactory for the service for which the ship is intended.
- (c) The periodical and annual surveys referred to in paragraphs (a)(iii) and (a)(iv) shall be endorsed on the Cargo Ship Safety Equipment Certificate.

Regulation 9

Surveys of radio installations of cargo ships

- (a) The radio installations, including those used in life-saving appliances, of cargo ships to which chapters III and IV apply shall be subject to the surveys specified below:
- (i) an initial survey before the ship is put in service;
 - (ii) a renewal survey at intervals specified by the Administration but not exceeding five years, except where regulation 14(b), (e), (f) and (g) is applicable;
 - (iii) a periodical survey within three months before or after each anniversary date of the Cargo Ship Safety Radio Certificate;
 - (iv) an additional survey as prescribed for passenger ships in regulation 7(b)(iii).
- (b) The surveys referred to in paragraph (a) shall be carried out as follows:
- (i) the initial survey shall include a complete inspection of the radio installations of cargo ships, including those used in life-saving appliances, to ensure that they comply with the requirements of the present regulations;
 - (ii) the renewal and periodical surveys shall include an inspection of the radio installations of cargo ships, including those used in life-saving appliances, to ensure that they comply with the requirements of the present regulations.
- (c) The periodical surveys referred to in paragraph (a)(iii) shall be endorsed on the Cargo Ship Safety Radio Certificate.



Regulation 10

*Surveys of structure, machinery and equipment of cargo ships**

(a) The structure, machinery and equipment (other than items in respect of which a Cargo Ship Safety Equipment Certificate and a Cargo Ship Safety Radio Certificate are issued) of a cargo ship as referred to in paragraph (b)(i) shall be subject to the surveys and inspections specified below:

- (i) an initial survey including an inspection of the outside of the ship's bottom before the ship is put in service;
- (ii) a renewal survey at intervals specified by the Administration but not exceeding 5 years, except where regulation 14(b), (e), (f) and (g) is applicable;
- (iii) an intermediate survey within three months before or after the second anniversary date or within three months before or after the third anniversary date of the Cargo Ship Safety Construction Certificate, which shall take the place of one of the annual surveys specified in paragraph (a)(iv);
- (iv) an annual survey within 3 months before or after each anniversary date of the Cargo Ship Safety Construction Certificate;
- (v) a minimum of two inspections of the outside of the ship's bottom during any five year period, except where regulation 14(e) or (f) is applicable. Where regulation 14(e) or (f) is applicable, this five-year period may be extended to coincide with the extended period of validity of the certificate. In all cases the interval between any two such inspections shall not exceed 36 months;
- (vi) an additional survey as prescribed for passenger ships in regulation 7(b)(iii).

(b) The surveys and inspections referred to in paragraph (a) shall be carried out as follows:

- (i) the initial survey shall include a complete inspection of the structure, machinery and equipment. This survey shall be such as to ensure that the arrangements, materials, scantlings and workmanship of the structure, boilers and other pressure vessels, their appurtenances, main and auxiliary machinery including steering gear and associated control systems, electrical installation and other equipment comply with the requirements of the present regulations, are in satisfactory condition and are fit for the service for which the ship is intended and that the required stability information is provided. In the case of tankers such a survey shall also include an inspection of the pump-rooms, cargo, bunker and ventilation piping systems and associated safety devices;
- (ii) the renewal survey shall include an inspection of the structure, machinery and equipment as referred to in paragraph (b)(i) to ensure that they comply with the requirements of the present regulations, are in satisfactory condition and are fit for the service for which the ship is intended;
- (iii) the intermediate survey shall include an inspection of the structure, boilers and other pressure vessels, machinery and equipment, the steering gear and the associated control systems and electrical installations to ensure that they remain satisfactory for the service for which the ship is intended. In the case of tankers, the survey shall also include an inspection of the pump-rooms, cargo, bunker and ventilation piping systems and associated safety devices and the testing of insulation resistance of electrical installations in dangerous zones;
- (iv) the annual survey shall include a general inspection of the structure, machinery and equipment referred to in paragraph (b)(i), to ensure that they have been maintained in accordance with regulation 11(a) and that they remain satisfactory for the service for which the ship is intended;
- (v) the inspection of the outside of the ship's bottom and the survey of related items inspected at the same time shall be such as to ensure that they remain satisfactory for the service for which the ship is intended.

(c) The intermediate and annual surveys and the inspections of the outside of the ship's bottom referred to in paragraphs (a)(iii), (a)(iv) and (a)(v) shall be endorsed on the Cargo Ship Safety Construction Certificate.

* Refer to Guidelines for bulk carrier hatch cover surveys and owners' inspections and maintenance (MSC/Circ.1071).

Regulation 11

*Maintenance of conditions after survey**

- (a) The condition of the ship and its equipment shall be maintained to conform with the provisions of the present regulations to ensure that the ship in all respects will remain fit to proceed to sea without danger to the ship or persons on board.
- (b) After any survey of the ship under regulations 7, 8, 9 or 10 has been completed, no change shall be made in the structural arrangements, machinery, equipment and other items covered by the survey, without the sanction of the Administration.
- (c) Whenever an accident occurs to a ship or a defect is discovered, either of which affects the safety of the ship or the efficiency or completeness of its life-saving appliances or other equipment, the master or owner of the ship shall report at the earliest opportunity to the Administration, the nominated surveyor or recognized organization responsible for issuing the relevant certificate, who shall cause investigations to be initiated to determine whether a survey, as required by regulations 7, 8, 9 or 10, is necessary. If the ship is in a port of another Contracting Government, the master or owner shall also report immediately to the appropriate authorities of the port State and the nominated surveyor or recognized organization shall ascertain that such a report has been made.

Regulation 12

Issue or endorsement of certificates†

- (a) (i) a certificate called a Passenger Ship Safety Certificate shall be issued after an initial or renewal survey to a passenger ship which complies with the relevant requirements of chapters II-1, II-2, III, IV and V and any other relevant requirements of the present regulations;
- (ii) a certificate called a Cargo Ship Safety Construction Certificate shall be issued after an initial or renewal survey to a cargo ship which complies with the relevant requirements of chapters II-1 and II-2 (other than those relating to fire safety systems and appliances and fire control plans) and any other relevant requirements of the present regulations;
- (iii) a certificate called a Cargo Ship Safety Equipment Certificate shall be issued after an initial or renewal survey to a cargo ship which complies with the relevant requirements of chapters II-1, II-2, III and V and any other relevant requirements of the present regulations;
- (iv) a certificate called a Cargo Ship Safety Radio Certificate shall be issued after an initial or renewal survey to a cargo ship which complies with the relevant requirements of chapter IV and any other relevant requirements of the present regulations;
- (v) (1) a certificate called a Cargo Ship Safety Certificate may be issued after an initial or renewal survey to a cargo ship which complies with the relevant requirements of chapters II-1, II-2, III, IV and V and any other relevant requirements of the present regulations, as an alternative to the certificates referred to in paragraph (a)(ii), (a)(iii) and (a)(iv);
- (2) whenever in this chapter reference is made to a Cargo Ship Safety Construction Certificate, Cargo Ship Safety Equipment Certificate or Cargo Ship Safety Radio Certificate, it shall apply to a Cargo Ship Safety Certificate, if it is used as an alternative to these certificates.
- (vi) the Passenger Ship Safety Certificate, the Cargo Ship Safety Equipment Certificate, the Cargo Ship Safety Radio Certificate and the Cargo Ship Safety Certificate, referred to in subparagraphs (i), (iii), (iv) and (v), shall be supplemented by a Record of Equipment;

* Refer to Ship design, construction, repair and maintenance (MSC/Circ.1070) and Shipboard technical operating and maintenance manuals (MSC.1/Circ.1253).

† Refer to Recommendation on the use of national tonnage in applying international conventions (resolution A.1073(28)).

- (vii) when an exemption is granted to a ship under and in accordance with the provisions of the present regulations, a certificate called an Exemption Certificate shall be issued in addition to the certificates prescribed in this paragraph;
 - (viii) the certificates referred to in this regulation shall be issued or endorsed either by the Administration or by any person or organization authorized by it. In every case, that Administration assumes full responsibility for the certificates.
- (b) A Contracting Government shall not issue certificates under, and in accordance with, the provisions of the International Convention for the Safety of Life at Sea, 1960, 1948 or 1929, after the date on which acceptance of the present Convention by the Government takes effect.

Regulation 13

Issue or endorsement of certificates by another Government

A Contracting Government may, at the request of the Administration, cause a ship to be surveyed and, if satisfied that the requirements of the present regulations are complied with, shall issue or authorize the issue of certificates to the ship and, where appropriate, endorse or authorize the endorsement of certificates on the ship in accordance with the present regulations. Any certificate so issued shall contain a statement to the effect that it has been issued at the request of the Government of the State the flag of which the ship is entitled to fly, and it shall have the same force and receive the same recognition as a certificate issued under regulation 12.

Regulation 14

*Duration and validity of certificates**

- (a) A Passenger Ship Safety Certificate shall be issued for a period not exceeding 12 months. A Cargo Ship Safety Construction Certificate, Cargo Ship Safety Equipment Certificate and Cargo Ship Safety Radio Certificate shall be issued for a period specified by the Administration which shall not exceed five years. An Exemption Certificate shall not be valid for longer than the period of the certificate to which it refers.
- (b) (i) notwithstanding the requirements of paragraph (a), when the renewal survey is completed within three months before the expiry date of the existing certificate, the new certificate shall be valid from the date of completion of the renewal survey to:
- (1) for a passenger ship, a date not exceeding 12 months from the date of expiry of the existing certificate;
 - (2) for a cargo ship, a date not exceeding five years from the date of expiry of the existing certificate;
- (ii) when the renewal survey is completed after the expiry date of the existing certificate, the new certificate shall be valid from the date of completion of the renewal survey to:
- (1) for a passenger ship, a date not exceeding 12 months from the date of expiry of the existing certificate;
 - (2) for a cargo ship, a date not exceeding five years from the date of expiry of the existing certificate;
- (iii) when the renewal survey is completed more than three months before the expiry date of the existing certificate, the new certificate shall be valid from the date of completion of the renewal survey to:
- (1) for a passenger ship, a date not exceeding 12 months from the date of completion of the renewal survey;
 - (2) for a cargo ship, a date not exceeding five years from the date of completion of the renewal survey.

* Refer to Recommended conditions for extending the period of validity of a certificate (MSC-MEPC.5/Circ.1) and Unified interpretation of the date of completion of the survey and verification on which the certificates are based (MSC-MEPC.5/Circ.3).

- (c) If a certificate other than a Passenger Ship Safety Certificate is issued for a period of less than five years, the Administration may extend the validity of the certificate beyond the expiry date to the maximum period specified in paragraph (a), provided that the surveys referred to in regulations 8, 9 and 10 applicable when a certificate is issued for a period of 5 years are carried out as appropriate.
- (d) If a renewal survey has been completed and a new certificate cannot be issued or placed on board the ship before the expiry date of the existing certificate, the person or organization authorized by the Administration may endorse the existing certificate and such a certificate shall be accepted as valid for a further period which shall not exceed 5 months from the expiry date.
- (e) If a ship at the time when a certificate expires is not in a port in which it is to be surveyed, the Administration may extend the period of validity of the certificate but this extension shall be granted only for the purpose of allowing the ship to complete its voyage to the port in which it is to be surveyed, and then only in cases where it appears proper and reasonable to do so. No certificate shall be extended for a period longer than three months, and a ship to which an extension is granted shall not, on its arrival in the port in which it is to be surveyed, be entitled by virtue of such extension to leave that port without having a new certificate. When the renewal survey is completed, the new certificate shall be valid to:
- (i) for a passenger ship, a date not exceeding 12 months from the date of expiry of the existing certificate before the extension was granted;
 - (ii) for a cargo ship, a date not exceeding 5 years from the date of expiry of the existing certificate before the extension was granted.
- (f) A certificate issued to a ship engaged on short voyages which has not been extended under the foregoing provisions of this regulation may be extended by the Administration for a period of grace of up to one month from the date of expiry stated on it. When the renewal survey is completed, the new certificate shall be valid to:
- (i) for a passenger ship, a date not exceeding 12 months from the date of expiry of the existing certificate before the extension was granted;
 - (ii) for a cargo ship, a date not exceeding 5 years from the date of expiry of the existing certificate before the extension was granted.
- (g) In special circumstances, as determined by the Administration, a new certificate need not be dated from the date of expiry of the existing certificate as required by paragraphs (b)(ii), (e) or (f). In these special circumstances, the new certificate shall be valid to:
- (i) for a passenger ship, a date not exceeding 12 months from the date of completion of the renewal survey;
 - (ii) for a cargo ship, a date not exceeding five years from the date of completion of the renewal survey.
- (h) If an annual, intermediate or periodical survey is completed before the period specified in the relevant regulations then:
- (i) the anniversary date shown on the relevant certificate shall be amended by endorsement to a date which shall not be more than three months later than the date on which the survey was completed;
 - (ii) the subsequent annual, intermediate or periodical survey required by the relevant regulations shall be completed at the intervals prescribed by these regulations using the new anniversary date;
 - (iii) the expiry date may remain unchanged provided one or more annual, intermediate or periodical surveys, as appropriate, are carried out so that the maximum intervals between the surveys prescribed by the relevant regulations are not exceeded.
- (i) A certificate issued under regulation 12 or 13 shall cease to be valid in any of the following cases:
- (i) if the relevant surveys and inspections are not completed within the periods specified under regulations 7(a), 8(a), 9(a) and 10(a);

- (ii) if the certificate is not endorsed in accordance with the present regulations;
- (iii) upon transfer of the ship to the flag of another State. A new certificate shall only be issued when the Government issuing the new certificate is fully satisfied that the ship is in compliance with the requirements of regulation 11(a) and (b). In the case of a transfer between Contracting Governments, if requested within three months after the transfer has taken place, the Government of the State whose flag the ship was formerly entitled to fly shall, as soon as possible, transmit to the Administration copies of the certificates carried by the ship before a transfer and, if available, copies of the relevant survey reports.

PRB Regulation 15
*Forms of certificates and records of equipment**

The certificates and records of equipment shall be drawn up in the form corresponding to the models given in the appendix to the annex to the present Convention. If the language used is neither English nor French, the text shall include a translation into one of these languages.†

PRB Regulation 16
Availability of certificates‡

The certificates issued under regulations 12 and 13 shall be readily available on board for examination at all times.

Regulation 17
Acceptance of certificates

Certificates issued under the authority of a Contracting Government shall be accepted by the other Contracting Governments for all purposes covered by the present Convention. They shall be regarded by the other Contracting Governments as having the same force as certificates issued by them.

Regulation 18
Qualification of certificates

(a) If in the course of a particular voyage a ship has on board a number of persons less than the total number stated in the Passenger Ship Safety Certificate and is in consequence, in accordance with the provisions of the present regulations, free to carry a smaller number of lifeboats and other life-saving appliances than that stated in the certificate, an annex may be issued by the Government, person or organization referred to in regulation 12 or 13 of this chapter.

(b) This annex shall state that in the circumstances there is no infringement of the provisions of the present regulations. It shall be annexed to the certificate and shall be substituted for it in so far as the life-saving appliances are concerned. It shall be valid only for the particular voyage for which it is issued.

* Refer to Guidance on the timing of replacement of existing certificates by the certificates issued after the entry into force of amendments to certificates in IMO instruments (MSC-MEPC.5/Circ.6).

† Refer to Translation of the text of certificates (resolution A.561(14)).

‡ Refer to Retention of original records/documents on board ships (MSC-MEPC.4/Circ.1) and Guidance on the timing of replacement of existing certificates by the certificates issued after the entry into force of amendments to certificates in IMO instruments (MSC-MEPC.5/Circ.6).

Regulation 19
Control*

- (a) Every ship when in a port of another Contracting Government is subject to control by officers duly authorized by such Government in so far as this control is directed towards verifying that the certificates issued under regulation 12 or regulation 13 are valid.
- (b) Such certificates, if valid, shall be accepted unless there are clear grounds for believing that the condition of the ship or of its equipment does not correspond substantially with the particulars of any of the certificates or that the ship and its equipment are not in compliance with the provisions of regulation 11(a) and (b).
- (c) In the circumstances given in paragraph (b) or where a certificate has expired or ceased to be valid, the officer carrying out the control shall take steps to ensure that the ship shall not sail until it can proceed to sea or leave the port for the purpose of proceeding to the appropriate repair yard without danger to the ship or persons on board.
- (d) In the event of this control giving rise to an intervention of any kind, the officer carrying out the control shall forthwith inform, in writing, the Consul or, in his absence, the nearest diplomatic representative of the State whose flag the ship is entitled to fly¹ of all the circumstances in which intervention was deemed necessary. In addition, nominated surveyors or recognized organizations responsible for the issue of the certificates shall also be notified. The facts concerning the intervention shall be reported to the Organization.
- (e) The port State authority concerned shall notify all relevant information about the ship to the authorities of the next port of call, in addition to parties mentioned in paragraph (d), if it is unable to take action as specified in paragraphs (c) and (d) or if the ship has been allowed to proceed to the next port of call.
- (f) When exercising control under this regulation all possible efforts shall be made to avoid a ship being unduly detained or delayed. If a ship is thereby unduly detained or delayed it shall be entitled to compensation for any loss or damage suffered.

Regulation 20
Privileges

The privileges of the present Convention may not be claimed in favour of any ship unless it holds appropriate valid certificates.

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* Refer to Procedures for port State control, 2011 (resolution A.1052(27)) and Code of good practice for port State control officers (MSC-MEPC.4/Circ.2).

¹ Refer to Measures to improve port State control procedures (MSC/Circ.1011-MEPC/Circ.383), to the MSC-MEPC.6 circular series, and to the information collected via the Global Integrated Shipping Information System (GISIS).

Part C Casualties

Regulation 21 *Casualties**

(a) Each Administration undertakes to conduct an investigation of any casualty occurring to any of its ships subject to the provisions of the present Convention when it judges that such an investigation may assist in determining what changes in the present regulations might be desirable.

(b) Each Contracting Government undertakes to supply the Organization with pertinent information concerning the findings of such investigations. No reports or recommendations of the Organization based upon such information shall disclose the identity or nationality of the ships concerned or in any manner fix or imply responsibility upon any ship or person.

* See additional requirements for the investigation of marine casualties and incidents in regulation XI-1/6.