

Regulations of 17 March 1987 No. 175 concerning the Manning of Norwegian Ships

Laid down by the Norwegian Maritime Directorate on 17 March 1987 pursuant to the Act of 9 June 1903 No. 7 relating to Public Control of the Seaworthiness of Ships, etc. Legal basis amended to Act of 16 February 2007 No. 9 relating to Ship Safety and Security (the Ship Safety and Security Act) Sections 2, 15, 16, 43 and 45, cf. Formal Delegation of 16 February 2007 No. 171 and Formal Delegation of 31 May 2007 No. 590. Amended 21 December 1987 No. 1110, 27 September 1991 No. 634, 15 September 1992 No. 703, 14 December 1995 No. 1099, 27 April 1999 No. 539, 29 December 2004 No. 1816, 4 February 2005 No. 98 (inter alia legal basis), 21 August 2006 No. 1058 and 29 June 2007 No. 1006 (i.a. legal basis).

§ 1

Definitions

For the purpose of these regulations the following definitions shall apply:

1. *Passenger ship*: a ship that can carry more than 12 passengers or which is required to have official permission to carry passengers.
 - 1.1. *Passenger high-speed craft*.
 - 1.1.1. *Foreign trade*: Passenger craft capable of a maximum speed, in metres per second (m/s), equal to or exceeding: $3.7 \nabla^{0.1667}$
where:
 ∇ = displacement corresponding to the design waterline (m³).
 - 1.1.2. *Domestic trade*: Passenger craft as specified in 1.1.1. and which is capable of a maximum speed of 20 knots or more.
2. *Other ships*: All ships except passenger ships.
3. *Trade areas*: As for the division of trade areas the provisions laid down in the regulations of 4 November 1981 concerning trade areas shall apply.
4. *Ton*: Gross tonnage in accordance with the International Convention on Tonnage Measurement of Ships, 1969, as amended, as indicated in the vessel's Tonnage Certificate. For vessels where national gross tonnage is entered in the remarks column, «ton» shall refer to such national tonnage.
5. *Propulsion power*: The total braking effect in KW of the propelling machinery as specified by the engine manufacturer (1 KW = 1.36 HP).
6. *Legislation relating to certification*: The Act in force at the time in question relating to the certification of personnel on Norwegian ships, drilling units and other mobile offshore installations, with appurtenant regulations.
7. *Heads of department*: Master, chief officer, chief engineer, second engineer, and chief catering officer.
8. *Catering*: Work and service in connection with the accommodation of persons on board.
9. *Alternation*: Alternate services in various functions.
10. *Day*: The period from 0000 to 2400 hours.
11. *Approved*: Approved by the Norwegian Maritime Directorate.

Amended by regulation 27 April 1999 No. 539 (in force 1 July 1999).

§ 2

Scope of application

1. These Regulations shall apply to Norwegian passenger ships, irrespective of size, and to other Norwegian ships of 50 tons or above, unless otherwise provided in the second paragraph or the following sections.
2. The Regulations shall apply to the Norwegian ships mentioned below only to the extent the Norwegian Maritime Directorate decides in the individual case:
 - 2.1. Other ships than passenger ships of less than 50 tons.
 - 2.2. Recreational craft.
 - 2.3. Ships which are used for training and teaching purposes only.
 - 2.4. Ships which are employed in the pilot or rescue service.
 - 2.5. Ships used commercially for catching fish, whales, seals or other living resources of the sea, including seaweed.
 - 2.6. Ships without mechanical propulsion.

¹ Amended by Regulation of 14 December 1995 No. 1099 (from 1 January 1996). For existing vessels with current certificates, the amended definition will nevertheless be binding for the next survey for the maintenance or issue of the certificate in question. Amended by Regulation of 29 June 2007 No. 1006 (in force on 1 July 2007).

§ 3

Working hours, hours of rest, and working hours arrangements

1. Working hours and hours of rest shall be in accordance with such provisions on working hours laid down in statutory instruments or valid collective bargaining agreements as are in force at the time in question.
2. The Norwegian Maritime Directorate shall at the determination of the minimum safe manning take into consideration the working hours arrangements to be applied and such provisions on working hours laid down in statutory instruments or valid collective bargaining agreements as are in force at the time in question. Information on working hours arrangements shall be forwarded by the shipping company before the determination of the minimum safe manning.

§ 4

The basic safety manning

1. For every ship to which these regulations apply the Norwegian Maritime Directorate shall by special evaluation determine the basic safety manning including job specifications and qualification requirements etc. which are necessary to maintain the safety of the ship and those on board.
2. On ships of 15 metres in overall length or above or on ships which according to a Tonnage Certificate issued before 16 December 1983 is of 25 gross register tons or above, any person serving as master or deck officer shall hold a certificate pursuant to applicable legislation on certification. On ships with a propulsion machinery of 750 kW and upwards, any person serving as engineer officer shall hold a certificate pursuant to applicable legislation on certification.
3. An engineer officer is not required in domestic trade on:
 - 3.1. passenger ships with multi-engine plants of less than 750 kW propulsion power and at least two independent engine-rooms,
 - 3.2. passenger high-speed craft with multi-engine plants of less than 1,500 kW propulsion power and at least two independent engine-rooms.
4. In individual cases, the Norwegian Maritime Directorate may decide that a certificate is required for service as engineer officer on ships of less propulsion power than provided in subsection 2, second paragraph where necessary on grounds of ship type, the vessel's activities, machinery, technical outfitting, trade area, area of operation or other special safety-related factors.
5. At the determination of the basic manning the evaluation will take into consideration the technical standard of the ships, the effect of the mechanical propulsion, administrative and organizational arrangements, alternations, job combinations or/and overlapping competence, tonnage, trade areas and the working hours arrangements to be applied in each case. The circumstances shall be adapted with the view to achieving the highest possible degree of wellbeing on board both in work and leisure.
6. The minimum safe manning determined in accordance with this Section shall cover such safety-related tasks as are appropriate to the vessel, including:
 - 6.1. Compulsory watchkeeping at sea and in port as provided in the regulations in force at the time in question concerning watchkeeping on passenger ships and cargo ships.
 - 6.2. Use and survey of life-saving and fire-fighting equipment, compulsory drills included.
 - 6.3. Use, operational/technical survey and inspection of machinery, automation, supervision and control systems.
 - 6.4. Use, operational/technical survey and control of navigational equipment and communication installations.
 - 6.5. Mooring of the ship.
 - 6.6. Catering requirements of the crew.
 - 6.7. Monitor the loading and securing of the cargo with regard to stability, trim, fire prevention, pollution, etc.
 - 6.7. Supervise loading and securing of the cargo with regard to stability, trim, fire, pollution, etc.
 - 6.8. Making the ship ready for the voyage (ship shape).
 - 6.9. Inspection of the intake of bunkers, supplies, equipment, etc.
 - 6.10. Required cleaning.
 - 6.11. Other safety operations.
7. In passenger ships, the minimum safe manning shall be such as to also ensure the safety of passengers during normal operation and in an emergency. For passenger ships in domestic trade:
 - 7.1. To document this, an evacuation analysis shall be submitted to the Norwegian Maritime Directorate.
 - 7.2. The evacuation analysis shall show the duties and use of the personnel throughout the entire evacuation process.
 - 7.3. To be able to verify the evacuation analysis, the Norwegian Maritime Directorate may also require a demonstration of the evacuation.
 - 7.4. In addition to the areas listed in subsection 6 of this Section, consideration shall also be given to the provisions in force at the time in question relating to radio personnel¹ and health personnel².
 - 7.5. Where a contribution towards the safety of passengers is sought through new equipment or new operational solutions, the minimum safe manning may be determined on a time-limited trial basis.

For ships in foreign trade, the applicable regulations of the International Convention for the Safety of Life at Sea (SOLAS'74), as amended by subsequent alterations and additions, shall be complied with.

8. When the sum of the effective rating of the electric generators exceeds 1200 kW and/or when the voltage is higher than 1000, an assessment shall be made in each individual case as to whether an electrician shall be required. The same applies to direct current installations regardless of effect or voltage.

Amended by regulation 27 April 1999 No. 539 (in force 1 July 1999).

¹ Regulations of 11 November 1991 No. 731 concerning radiotelephony and radiotelephony on passenger ships and cargo ships and regulations of 27 January 1999 No. 149 concerning radio installations and radio services on passenger ships and cargo ships to which the International Convention for the Safety of Life at Sea (SOLAS 1974) applies.

² Regulations of 2 October 1972 No. 4 concerning calculation of number of passengers and concerning passenger accommodation, etc.

§ 5

Specification of crew

1. Ships to which these regulations apply shall be provided with a specification of crew issued by the Norwegian Maritime Directorate. The specification shall contain information about the number and composition of the crew, qualification requirements, and area of operation or trade area, ref. § 4.
2. Specifications of crew issued by the Norwegian Maritime Directorate before the entry into force of these regulations are valid until a new specification of crew is issued and applied in accordance with these regulations.
3. The specification of crew shall be posted in the ship in such a manner that all persons on board can easily become acquainted with its contents. This also applies to any other official document referred to in the Specification.
4. Before basic safety manning is determined all the necessary information shall be forwarded to the Norwegian Maritime Directorate, also stating the preference for conventional job categories, alternation or ship mechanics, cf. sections 4 and 6.

Amended by regulation 27 April 1999 No. 539 (in force 1 July 1999).

§ 6

Qualification requirements

The qualifications of mandatory personnel as stipulated in the specification of crew shall be in accordance with applicable legislation on certification and regulations concerning radiotelegraphy and radiotelephony.

Amended by regulation 27 April 1999 No. 539 (in force 1 July 1999).

§ 7

Deficiencies of the prescribed manning

If circumstances should arise resulting in the ship not being manned in accordance with the stipulated minimum safe manning, the ship cannot leave the port, ref. § 10, unless for short passages where the areas listed in § 4 subsection 6 are attended to and provided that the working hours arrangements and provisions relating to hours of rest are not impinged upon. In such cases, an entry shall be made in the deck log concerning the deficiency. The Norwegian Maritime Directorate shall be notified through a transcript of the entry.

Amended by regulation 27 April 1999 No. 539 (in force 1 July 1999).

§ 8

Additional manning

Questions relating to the need for additional manning shall be settled by the master in agreement with the owners. Before a decision is made the opinions of the heads of department on board, the representatives from the organization of seamen or/and the Protection and Environment Committee on board shall be obtained. When the question of additional manning is being considered, special attention shall be given to the extent to which the crew is intended for other tasks than the ones stated in accordance with section 4.

The minimum safe manning and additional manning shall be sufficient to take account of the tasks, duties and responsibilities of the crew relative to the operation of the ship, on board or elsewhere, and to enable all personnel to which the provisions in force relating to hours of rest apply to comply with those provisions.

Amended by regulation 27 April 1999 No. 539 (in force 1 July 1999).

§ 9

Documentation

The Norwegian Maritime Directorate may at any time request documentation regarding manning, such as registration forms for working hours and hours of rest, collective bargaining agreements, qualifications, etc.

A list of the documentation etc. referred to in the first paragraph shall at all times be available on board. The list shall be drawn up on a form prepared by the Norwegian Maritime Directorate.

Amended by regulation 27 April 1999 No. 539 (in force 1 July 1999).

§ 10

Duties

The company, master and other persons working on board shall perform their duties in accordance with the Ship Safety and Security Act and the supplementary provisions laid down in this Regulation.

Amended by Regulations of 27 April 1999 No. 539 (in force on 1 July 1999) and 29 June 2007 No. 1006 (in force on 1 July 2007).

§ 11

Accommodation and equipment

When the ship is being constructed, or when the reconstruction of a ship calls for an evaluation of the number of crew, a preliminary letter of specification of crew shall be prepared as basis for the determination of the dimension of accommodation and equipment.

§ 12

Board of Experts- the Council of Maritime Education, Certification and Manning

Where a case raises questions of principle, the Norwegian Maritime Directorate may decide that the case should be referred to the Council on Maritime Education, Certification and Manning. The same also applies to other issues when this is considered advisable.

Amended by Regulations of 27 April 1999 No. 539 (in force on 1 July 1999) and 29 June 2007 No. 1006 (in force on 1 July 2007).

§ 13

Exemptions

1. The Norwegian Maritime Directorate may, in individual cases and upon written application, grant exemptions from the requirements of these regulations. There must be special reasons that make any such exemption necessary and it must be justifiable in terms of safety. An exemption may only be granted when this does not contravene international agreements to which Norway is a party.
2. For ships trading in war zones the manning may be determined specially; this manning may differ from the specification of crew applicable to the ship.

Amended by regulation 27 April 1999 No. 539 (in force 1 July 1999).

§ 14

Entry into force

1. These regulations enter into force immediately.
2. From the same date the regulations of 17 February 1983 relating to the manning of Norwegian ships are revoked.