Regulations of 5 November 1999 No. 1167 concerning risk analyses for ro-ro passenger ships in domestic trade


§ 1
Scope of application

These Regulations shall apply to any new or existing Norwegian ro-ro passenger ship in domestic trade 24 metres or above in length (L) which maintains a regular service on fixed routes. These Regulations shall not apply to passenger high-speed craft.

Amended by Regulation of 29 June 2007 No. 1006 (in force on 1 July 2007).

§ 2
Definitions

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

a) Existing ship: A ro-ro passenger ship which is not a new ship.
b) Passenger high-speed craft: Any passenger craft capable of reaching a speed of 25 knots or more.
c) Length (L): As defined in the regulations currently in force concerning the measurement of ships.
d) New ship: A ro-ro passenger ship the keel of which is laid on or after the date of the entry into force of these regulations.
e) Passenger ship: A ship that can carry more than 12 passengers or which is required to have official permission to carry passengers.
f) Risk: An expression of the hazard represented by an incident to human beings, material and economic assets, or the marine environment. Risk is a function of the probability (frequency) and consequence of incidents.
g) Risk analysis: A systematic procedure to describe and calculate the risk to persons on board, the ship itself, and the marine environment. The risk analysis is performed by identifying potential incidents and the causes and consequences thereof.
h) Ro-ro passenger ship: Any passenger vessel with facilities to enable road or rail vehicles to roll on and roll off the vessel.
i) Regular service on fixed routes: The transport of passengers by ship between particular places or on particular routes according to a schedule.

§ 3
Duties

(1) 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.

(2) The company shall ensure, via its safety management system, the incorporation of additional requirements which the company considers necessary for the safe operation of the ship. Furthermore, the company shall ensure that all operational and structural restrictions imposed by the Norwegian Maritime Directorate, other authorities, classification societies, shipyards or equipment manufacturers are complied with.

Amended by Regulation of 29 June 2007 No. 1006 (in force on 1 July 2007).

§ 4
Exemptions

The Norwegian Maritime Directorate may, in individual cases and upon written application, grant exemption from the requirements of these regulations. There must be special reasons that make the exemption necessary and it must be justifiable in terms of safety. Exemptions can only be granted where they do not contravene international agreements to which Norway has acceded. 
§ 5

Documentation

(1) The shipping company shall submit the following documentation to the Norwegian Maritime Directorate:
   a) Necessary information about the ship, using the form prescribed by the Norwegian Maritime Directorate.
   b) Necessary information about the route serviced by the ship, using the form prescribed by the Norwegian Maritime Directorate.
   c) A map drawing, where the route serviced by the ship is clearly indicated.
   d) A program print-out with input data and calculation results. The program and version used must be clearly indicated.

(2) In addition a list is required, for existing passenger ships not complying with the requirements of § 7 and § 11, of the measures to be taken by the company in order to achieve a satisfactory personal risk value for the ship on the route concerned. The date of completion of each measure shall be indicated in the list. Measures may be related to the ship or the route (waters). A program print-out with corrected input data and calculation results shall be attached.

(3) By 1 April each year, a status report shall be submitted for each individual ferry and the routes serviced by that ferry. Changes of ferry or route likely to have an effect on the risk calculations shall be specified and new calculation results documented.

(4) An annual comprehensive report with updated values for risk figures at the national level shall be submitted by 1 June each year.

(5) If ships provided with novel arrangements or technical solutions that differ substantially from those forming the basis of the model are introduced, the Norwegian Maritime Directorate may require that special risk or malfunction analyses should be performed.

§ 6

Risk influence model

The risk analysis shall be performed by using a risk influence model prescribed by the Norwegian Maritime Directorate.

§ 7

Results obtained from the analysis

For each individual ferry link, the combination of a new ship and route shall not give a personal risk value higher than 1.0 fatality per billion passenger kilometres in excess of the value obtained by the model for the same route when using the best possible values for the ship. For ferry links serviced by existing ships, the personal risk value shall, within the time-limits prescribed in § 11, not exceed 5.0 fatalities per billion passenger kilometres.
§ 8

Time of completion of analysis and measures

(1) For new ro-ro passenger ships, a risk analysis shall be performed as soon as the ship’s arrangement and equipment are decided and documentation shall be submitted to the Norwegian Maritime Directorate together with the notification of newbuilding.

(2) Time-limits for performing a risk analysis for an existing ro-ro passenger ship are specified in § 11.

(3) The requirement for annual submission of updated documentation is contained in § 5.

§ 9

Other consequences of the results obtained

If necessary measures on existing ships taken to comply with the requirements of these regulations lead to substantial changes to the ship’s arrangement or equipment, changes in the ship’s minimum safe manning may be laid down on the initiative of the Norwegian Maritime Directorate, with or without an application from the company for such changes.

§ 10

Entry into force, etc.

(1) These regulations enter into force on 1 January 2000.

(2) A risk analysis for an existing ro-ro passenger ship shall be performed not later than on the date of the annual survey for the issue of a passenger certificate in the period from 1 January 2000 to 31 December 2000.

(3) For existing ships with a personal risk value higher than 6.0 fatalities per billion passenger kilometres, measures necessary to achieve a satisfactory personal risk value as indicated in § 7 above shall be completed by 1 January 2002.

(4) For other existing ro-ro passenger ships with a personal risk value higher than 5.0 fatalities per billion passenger kilometres, measures necessary to achieve a satisfactory personal risk value as indicated in § 7 shall be completed by 1 January 2003.

Appendix

Risk influence model for analysis of domestic ferry traffic

The Appendix is not included in this edition but an English-language version is obtainable from the Norwegian Maritime Directorate, P.O. Box 2222, N-5509 Haugesund, Norway. Telephone: + 47 52 74 50 00, fax: + 47 52 74 50 01 or postmottak@sjofartsdir.no