



Marine Notice No. 02 of 2021

Notice to owners, operators and masters of passenger ships less than 24 metres in length

Merchant Shipping (Passenger Ships) Rules 2020

1. Purpose

The purpose of this Marine Notice is to draw attention to the Merchant Shipping (Passenger Ships) Rules 2020 ([S.I. No. 640 of 2020](#)) which were made on 15 December 2020.

The Rules provide a national regulatory regime for passenger ships (other than high-speed passenger craft to which the European Union (Passenger Ships) Regulations 2019 ([S.I. No. 676 of 2019](#)) apply) of less than 24 metres in length constructed of steel or aluminium on or after 1 July 1998 and engaged on domestic voyages. The Rules maintain an appropriate safety regime for such passenger ships following changes that have taken effect in 2019 in associated European Union legislation, i.e. [Directive 2009/45/EC of 6 May 2009](#) as amended by [Directive \(EU\) 2017/2108 of 15 November 2017](#). The Rules include safety standards and requirements in relation to ship construction, fire protection, life-saving appliances and radiocommunications.

2. Background

Directive 2009/45/EC of 6 May 2009 on safety rules and standards for passenger ships, as amended by [Commission Directive 2010/36/EU of 1 June 2010](#) and [Commission Directive \(EU\) 2016/844 of 27 May 2016](#), was transposed into Irish law by the European Communities (Passenger Ships) Regulations 2011 ([S.I. No. 322 of 2011](#)) and the European Union (Passenger Ships) (Amendment) Regulations 2017 ([S.I. No. 295 of 2017](#)). These Regulations set out safety rules and standards for all “new” passenger ships, i.e., passenger ships built on or after 1 July 1998, existing passenger ships of 24 metres in length and above and high-speed passenger craft when they are engaged on domestic voyages.

Directive 2009/45/EC was amended by Directive (EU) 2017/2108 of 15 November 2017 (which came into full effect on 21 December 2019) and arising from these amendments new passenger ships less than 24 metres in length were removed from the scope of Directive 2009/45/EC and individual EU Member States were then required to determine the specific safety standards that should apply having regard to local conditions. This meant that the less than 24 metres in length passenger ships fell to be regulated under national legislation.

The European Union (Passenger Ships) Regulations 2019 (S.I. No. 676 of 2019) were made in December 2019 to transpose Directive (EU) 2017/2108 in Irish law. This maintained a safety regime for new and existing passenger ships over 24 metres in length. As a result, the European Communities (Passenger Ships) Regulations 2011 (S.I. No. 322 of 2011) were

revoked and it was also necessary to make the Merchant Shipping (Passenger Ships) Rules 2020 to maintain an appropriate safety regime for new passenger ships less than 24 metres in length.

3. Application

The Merchant Shipping (Passenger Ships) Rules 2020 apply to new passenger ships (other than high-speed passenger craft) of less than 24 metres in length, constructed of steel or aluminium, regardless of their flag, when engaged on a domestic voyage.

4. Content Outline

The Rules are divided into five Parts and four Schedules as follows:

Part 1 - Preliminary and General Provisions (and associated Schedules 1, 2 and 3)

This Part includes the Interpretation and Application provisions for the Rules, as well as providing for the division of passenger ships into four different classes depending on the sea area in which the ship operates. It sets out general safety requirements for passenger ships and confirms that the survey and certification regime under the Merchant Shipping Act 1992 will continue to apply to passenger ships less than 24 metres in length;

Part 2 - Construction Rules (and associated Schedule 4)

Part 2 contains Construction Rules dealing with requirements in relation to such matters as ship structure, subdivision, stability, machinery and electrical installations;

Part 3 - Fire Protection Rules

Part 3 addresses Fire Protection Rules including fire detection and fire extinction;

Part 4 - Rules for Life-Saving Appliances

Part 4 includes Rules in relation to a range of life-saving appliances and equipment to be carried on board a new passenger ship, as well as emergency arrangements;

Part 5 - Radio Rules

Part 5 confirms the Radio communication Rules that apply to different classes of passenger ship.

5. General

Whereas the Rules generally correspond to the previous requirements that were in place pursuant to Directive 2009/45/EC, the Department's intention is to consider, where appropriate, updating the requirements of these Rules in line with future developments in IMO legislation and / or amendments to Directive 2009/45/EC.

This Marine Notice is designed to provide basic guidance and does not purport to be a legal interpretation of the Rules.

A copy of the Rules may be purchased by mail order from Government Publications, 52 St. Stephen's Green, Dublin 2, D02 DR67, Tel: 076 110 6834 or Email publications@opw.ie. The Rules are also available at: www.irishstatutebook.ie.

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