

**SECOND SUPPLEMENT TO THE GIBRALTAR
GAZETTE**

No. 3521 of 9 March, 2006

LEGAL NOTICE NO. 21 OF 2006.

**GIBRALTAR MERCHANT SHIPPING (SAFETY, ETC)
ORDINANCE, 1993**

**GIBRALTAR MERCHANT SHIPPING (SAFETY RULES AND
STANDARDS FOR PASSENGER SHIPS ON DOMESTIC VOYAGES)
(AMENDMENT) REGULATIONS 2006**

In exercise of the powers conferred on it by sections 59, 62, 63 and 118 of the Gibraltar Merchant Shipping (Safety, etc.) Ordinance, 1993 and all other enabling powers, the Government, for the purposes of transposing Directive 2003/24/EC of the European Parliament and of the Council of 14 April 2003 amending Council Directive 98/18/EC on safety rules and standards for passenger ships into the law of Gibraltar, has made the following Regulations:

Title.

1. These Regulations may be cited as the Gibraltar Merchant Shipping (Safety Rules and Standards for Passenger Ships on Domestic Voyages) (Amendment) Regulations 2006.

Amendment to regulation 2.

2. Regulation 2(1) of the Gibraltar Merchant Shipping (Safety Rules and Standards for Passenger Ships on Domestic Voyages) Regulations, 2003 (“the principal Regulations”) is amended as follows—

(a) the following definition is inserted after the definition of “Administrative Instructions”—

““age” means the age of the ship, expressed in the number of years after the date of its delivery;”;

(b) the definition of “Directive” is amended by inserting “, and Directive 2003/24/EC of the European Parliament and of the Council of 14 April 2003 amending Council Directive

98/18/EC on safety rules and standards for passenger ships;”
after the words “prevention of pollution from ships”;

- (c) the following definition is inserted after the definition of “passenger ship”–

““persons with reduced mobility” means anyone who has a particular difficulty when using public transport, including elderly persons, disabled persons, persons with sensory impairments and wheelchair users, pregnant women and persons accompanying small children;”;

- (d) the following definition is inserted after the definition of “recognised organisation”–

““ro-ro passenger ship” means a ship carrying more than 12 passengers, having ro-ro cargo spaces or special category spaces, as defined in regulation II-2/A/2 contained in Annex I;”.

Amendment to regulation 5.

3. Regulation 5 of the principal Regulations is amended by inserting the following subregulation after subregulation (1)–

“(1A) The list of sea areas referred to in subregulation (1) shall be published in the database available on the internet website of the Government of Gibraltar, and the Maritime Administrator shall ensure that the Commission is duly notified of the location of such information, and when modifications are made to the list.”.

Insertion of regulations 11A and 11B.

4. The principal Regulations are amended by inserting the following regulations after regulation 11–

“Stability requirements and phasing-out of ro-ro passenger ships.

- 11A. The Maritime Administrator shall ensure that all ro-ro passenger ships–

- (a) of classes A, B, and C, the keels of which were laid or which were at a similar stage of construction on or after 1 October 2004 comply with regulations 6, 7, 8 and 9 of the Gibraltar Merchant Shipping (Stability Requirements for Ro-Ro Passenger Ships) Regulations 2005; and
- (b) of classes A and B, the keels of which were laid or which were at a similar stage of construction before 1 October 2004 comply with regulations 6, 7, 8 and 9 of the Gibraltar Merchant Shipping (Stability Requirements for Ro-Ro Passenger Ships) Regulations 2006 by 1 October 2010, unless they are phased out on that date or on a later date on which they reach the age of 30 years but in any case not later than 1 October 2015.

Safety requirements for persons with reduced mobility.

11B.(1) The Maritime Administrator shall ensure that appropriate measures are taken, based, where practicable, on the guidelines set out in Schedule 3, to enable persons with reduced mobility to have safe access to all passenger ships of classes A, B, C and D and to all high-speed passenger craft, used for public transport, the keels of which were laid or which are at a similar stage of construction on or after 1 October 2004.

(2) It shall be the duty of the Administration to cooperate with and consult organisations representing persons with reduced mobility on the implementation of the guidelines included in Schedule 3.

(3) The Administration shall, for the purpose of modification of passenger ships of Classes A, B, C and D and high-speed passenger craft, used for public transport, the keels of which were laid or which were at a similar stage of construction before 1 October 2004, apply the guidelines set out in Schedule 3 as far as reasonable and practicable in economic terms.”.

5. The principal Regulations are amended by inserting the following Schedule after Schedule 2–

“SCHEDULE 3

Regulation 11B

GUIDELINES FOR SAFETY REQUIREMENTS FOR PASSENGER SHIPS AND HIGH-SPEED PASSENGER CRAFT FOR PERSONS WITH REDUCED MOBILITY

In applying the guidelines of this Schedule, the Administration shall follow IMO circular MSC/735 of 24 June 1996 entitled "Recommendation on the design and operation of passenger ships to respond to elderly and disabled persons' needs".

Access to the ship.

1. Ships should be constructed and equipped in such a way that a person with reduced mobility can embark and disembark easily and safely, and can be ensured access between decks, either unassisted or by means of ramps, elevators or lifts. Directions to such access should be posted at the other accesses to the ship and at other appropriate locations throughout the ship.

Signs.

2. Signs provided on a ship to aid passengers should be accessible and easy to read for persons with reduced mobility, (including persons with sensory disabilities), and be positioned at key points.

Means to communicate messages.

3. The operator should have the means onboard the vessel visually and verbally to provide announcements, such as those regarding delays, schedule changes and on-board services, to persons with various forms of reduced mobility.

Alarm.

4. The alarm system and alarm buttons must be designed so as to be accessible by and to alert all passengers with reduced mobility, including persons with sensory disabilities and persons with learning disabilities.

Additional requirements ensuring mobility inside the ship.

5. Handrails, corridors and passageways, doorways and doors shall accommodate the movement of a person in a wheelchair. Elevators, vehicle decks, passenger lounges, accommodation and washrooms shall be designed in order to be accessible in a reasonable and proportionate manner to persons with reduced mobility.”.

Dated this 9th day of March, 2006.

J J HOLLIDAY,

Minister with responsibility for the Port and Shipping,

For the Government.

EXPLANATORY MEMORANDUM

These Regulations transpose into the law of Gibraltar Directive 2003/24/EC of 14 April 2003 amending Council Directive 98/18/EC on safety rules and standards for passenger ships.