



Instruction to RO's

Nr 14. Temporary reduction of the total number of persons on the PSSC of Curaçao flag passenger vessels in the event of damaged or otherwise not fit for service survival craft.

Date Entry Into Force: 01 September 2017

In accordance with art. 40 of the Ships decree 2004, a ship for which a passenger ship safety certificate is required shall satisfy a.o. the requirements of chapter III of the SOLAS Convention.

Furthermore, in accordance with article 4 of the agreement of June 13, 2012 between the Maritime Authority of Curaçao (MAC) and the RO's, RO's are permitted to withdraw the full term certificate on behalf of MAC in the case where the requirements of an applicable instrument cannot be met under particular circumstances, and issue a short-term certificate describing the required measures or supplementary equipment and the time limit for permanent repairs or rectification.

To avoid unnecessary delay and outside office hours, RO is allowed to issue short term certificates without prior consultation of the Administration, in which cases RO shall inform MAC afterwards as soon as possible.

In this respect the Recognized Organization may issue a short-term Passenger Ship Safety Certificate when survival craft is found damaged or otherwise not fit for service. In this case the following principles and procedures shall be followed:

Non-conformity and Temporary Reduction of Total Persons on Board

Survival craft found damaged or otherwise not fit for service effectively reduces the total number of persons the vessel may carry. If an RO surveyor finds survival craft damaged or otherwise not fit for service, the appropriate action would be repair or replacement of the defective survival craft. If this is not possible, the appropriate requirement would be a temporary reduction in the total persons on board (POB) allowed, depending on the configuration of the remaining survival craft capacity in proportion to the total number of persons on board.

Based on the argument that SOLAS requires equal distribution of lifeboat arrangements on both sides of the vessel, the reduction would be substantially more than the number of persons normally carried by the unfit lifeboat. However this particular SOLAS requirement is a design requirement for arranging lifeboats and stations on the vessel and this requirement does not apply to operational and temporary situations where individual lifesaving equipment is substandard.

Therefore the RO should not normally require equal distribution of lifeboat arrangement when considering a reduction of total POB allowed due to damaged or otherwise not fit for service lifeboats.

Consequently, when considering a reduction in the total number of POB allowed, the RO should ensure that the change is such that the capacity (as opposed to arrangement!) requirements of SOLAS chapter III are met.

This means that when a passenger vessel has one or more substandard lifeboats, the remaining lifeboat capacity divided by 0.75 gives in principle the maximum POB allowed, provided that the total remaining survival craft capacity accounts for 1.25 times POB allowed.

In short this means:



Total lifeboat capacity – substandard lifeboat capacity = remaining lifeboat capacity; and

Maximum number of POB allowed = remaining lifeboat capacity divided by 0.75

And in addition:

*Total required survival craft capacity = maximum number of POB allowed * 1.25*

Thus the liferaft capacity required = total required survival craft capacity – remaining lifeboat capacity

Implementation

If a surveyor finds a required lifeboat or life raft not fit for duty:

- a. Require repair or replacement of the substandard survival craft before allowing the vessel to sail.
- b. In cases where the vessel cannot repair or replace the substandard survival craft before sailing, require a reduction of total POB allowed commensurate with the provisions above. Subsequently issue a short-term PSSC, if time permits in consultation with MAC.
- c. In cases where the substandard lifeboat also serves as a rescue boat, arrangements shall be made to prepare one of the other lifeboats (on the same side) to serve as a rescue boat. In this respect the applicable requirements of SOLAS (i.e. a.o. reg. III/14 and III/17) and the LSA Code (ch.V) shall be met to the maximum extent possible. Navigational officers and the operating crew of the lifeboat/rescue boat shall be aware of any restrictions this change of application may incur.
- d. It should be noted that a change in LSA configuration in accordance with this I to RO may require a rearrangement of occupation of survival craft and crew duties in emergency/abandon ship procedures. An alteration of the muster list due to this fact should be accounted for, and crew and passengers involved shall be informed.
- e. This reduction in total persons allowed will remain effective until the vessel repairs or replaces the substandard lifesaving equipment. An appropriate period for temporary reductions in total persons allowed is 30 days. This period may be extended in exceptional cases.

Note: this instruction is not applicable to passenger ships engaged on short international voyages. On these ships the requirements of Solas regulation III/21.1.2 are fully applicable.