



**JABATAN LAUT MALAYSIA
MARINE DEPARTMENT MALAYSIA**

MALAYSIAN SHIPPING NOTICE

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Notis kepada pemilik kapal serta orang yang mempunyai kepentingan kepada kebenaran pengeluaran sijil-sijil statutory.

Notice to ship owners and persons with interest toward the delegation of statutory certification.

**IMPLEMENTATION OF THE INTERNATIONAL CONVENTION FOR THE SAFETY
OF LIFE AT SEA (SOLAS) 1974/78 AS AMENDED**

1. International Convention for the Safety of Life at Sea (SOLAS) 1974/78 came into effect for Malaysia since 19th January 1984. The enforcement of the SOLAS for Malaysia is done by way of the Merchant Shipping Ordinance 1952.
2. Pursuant to the above, the detail requirements and standards for the implementation of the SOLAS 1974/78 **Chapter I - General provisions** for Malaysian Ship as attached in **Appendix 1**.
3. This notice is applicable throughout Malaysia and to all Malaysian ships and all ships while in Malaysian waters.

Ketua Pengarah Laut/ Director General of Marine
Tarikh/Date: 24 DECEMBER 2008

Chapter I - General provisions**Part A - Application, definitions, etc****Regulation 1 - Application**

- (a). Unless expressly provided otherwise, the present regulations apply only to ships engaged on international voyages.
- (b). The classes of ships to which each chapter applies are more precisely defined, and the extent of the application is shown, in each chapter.

Regulation 2 - Definitions

For the purpose of the present regulations, unless expressly provided otherwise:

- (a). *Regulations* means the regulations contained in the annex to the present Convention.
- (b). *Administration* means the Surveyor General of Malaysia Marine Department.
- (c). *Approved* means approved by the Surveyor General.
- (d). *International voyage* means a voyage from a country to which the present Convention applies to a port outside such country, or conversely.
- (e). A *passenger* is every person other than:
 - (i). the master and the members of the crew or other persons employed or engaged in any capacity on board a ship on the business of that ship; and
 - (ii). a child under one year of age.
- (f). A *passenger ship* is a ship which carries more than twelve passengers.
- (g). A *cargo ship* is any ship which is not a passenger ship.
- (h). A *tanker* is a cargo ship constructed or adapted for the carriage in bulk of liquid cargoes of an inflammable nature.
- (i). A *fishing vessel* is a vessel used for catching fish, whales, seals, walrus or other living resources of the sea.
- (j). A *nuclear ship* is a ship provided with a nuclear power plant.
- (k). *New ship* means a ship the keel of which is laid or which is at a similar stage of construction on or after 25 May 1980.
- (l). *Existing ship* means a ship which is not a new ship.
- (m). A *mile* is 1,852 m or 6,080 ft.

(n). *Anniversary date* means the day and the month of each year which will correspond to the date of expiry of the relevant certificate.

Regulation 3 - Exceptions

(a). The present regulations, unless expressly provided otherwise, do not apply to:

- (i). Ships of war and troopships.
- (ii). Cargo ships of less than 500 tons gross tonnage.
- (iii). Ships not propelled by mechanical means.
- (iv). Wooden ships of primitive build.
- (v). Pleasure yachts not engaged in trade.
- (vi). Fishing vessels.

(b). Except as expressly provided in chapter V, nothing herein shall apply to ships solely navigating the Great Lakes of North America and the River St Lawrence as far east as a straight line drawn from Cap des Rosiers to West Point, Anticosti Island and, on the north side of Anticosti Island, the 63rd meridian.

Regulation 4 - Exemptions

(a). A ship which is not normally engaged on international voyages but which, in exceptional circumstances, is required to undertake a single international voyage may be exempted by the Surveyor General from any of the requirements of the present regulations provided that it complies with safety requirements which are adequate in the opinion of the Surveyor General for the voyage which is to be undertaken by the ship.

(b). The Surveyor General may exempt any ship which embodies features of a novel kind from any of the provisions of chapters II-1, II-2, III and IV of these regulations the application of which might seriously impede research into the development of such features and their incorporation in ships engaged on international voyages. Any such ship shall, however, comply with safety requirements which, in the opinion of that Surveyor General, are adequate for the service for which it is intended and are such as to ensure the overall safety of the ship and which are acceptable to the Governments of the States to be visited by the ship. The Surveyor General which allows any such exemption shall communicate to the International Maritime Organization particulars of same and the reasons therefor which the International Maritime Organization shall circulate to the Contracting Governments for their information.

Regulation 5 - Equivalents

(a). Where the present regulations require that a particular fitting, material, appliance or apparatus, or type thereof, shall be fitted or carried in a ship, or that any particular provision shall be made, the Surveyor General may allow any other fitting, material, appliance or apparatus, or type thereof, to be fitted or carried, or any other provision to be made in that ship, if it is satisfied by trial thereof or otherwise that such fitting, material, appliance or apparatus, or type thereof, or provision, is at least as effective as that required by the present regulations.

(b). Any Administration which so allows, in substitution, a fitting, material, appliance or apparatus, or type thereof, or provision, shall communicate to the International Maritime Organization

particulars thereof together with a report on any trials made and the International Maritime Organization shall circulate such particulars to other Contracting Governments for the information of their officers.

Part B - Surveys and certificates [Non-harmonised 1978 Protocol Requirements]

Regulation 6 - Inspection and survey

(a). The inspection and survey of ships, so far as regards the enforcement of the provisions of the present regulations and the granting of exemptions therefrom, shall be carried out by officers of the Surveyor General. The Surveyor General may, however, entrust the inspections and surveys either to surveyors nominated for the purpose or to organizations recognized by it.

(b). The Surveyor General shall institute arrangements for unscheduled inspections to be carried out during the period of validity of the certificate. Such inspections shall ensure that the ship and its equipment remain in all respects satisfactory for the service for which the ship is intended. These inspections may be carried out by the Surveyor General's own inspection services, or by nominated surveyors, or by recognized organizations, or by other Parties upon request of the Surveyor General. Where the Administration, under the provisions of regulations 8 and 10 of this chapter, establishes mandatory annual surveys, the above unscheduled inspections shall not be obligatory.

(c). Surveyor General nominating surveyors or recognizing organizations to conduct inspections and surveys as set forth in paragraphs (a) and (b) shall as a minimum empower any nominated surveyor or recognized organization to:

(i). require repairs to a ship, and

(ii). carry out inspections and surveys if requested by the appropriate authorities of a port State.

The Surveyor General shall notify the International Maritime Organization of the specific responsibilities and conditions of the authority delegated to nominated surveyors or recognized organizations.

(d). When a nominated surveyor or recognized organization determines that the condition of the ship or its equipment does not correspond substantially with the particulars of the certificate or is such that the ship is not fit to proceed to sea without danger to the ship, or persons on board, such surveyor or organization shall immediately ensure that corrective action is taken and shall in due course notify the Surveyor General. If such corrective action is not taken the relevant certificate should be withdrawn and the Surveyor General shall be notified immediately; and, if the ship is in the port of another Party, the appropriate authorities of the port State shall also be notified immediately. When an officer of the Surveyor General, a nominated surveyor or recognized organization has notified the appropriate authorities of the port State, the Government of the port State concerned shall give such officer, surveyor or organization any necessary assistance to carry out their obligations under this regulation. When applicable, the Government of the port State concerned shall ensure that the ship shall not sail until it can proceed to sea, or leave port for the purpose of proceeding to the appropriate repair yard, without danger to the ship or persons on board.

(e). In every case, the Surveyor General shall fully guarantee the completeness and efficiency of the inspection and survey, and shall undertake to ensure the necessary arrangements to satisfy this obligation.

Regulation 7 - Surveys of passenger ships

(a). A passenger ship shall be subjected to the surveys specified below:

- (i). A survey before the ship is put in service.
- (ii). A periodical survey once every 12 months.
- (iii). Additional surveys, as occasion arises.

(b). The surveys referred to above shall be carried out as follows:

- (i). The survey before the ship is put in service shall include a complete inspection of its structure, machinery and equipment, including the outside of the ship's bottom and the inside and outside of the boilers. This survey shall be such as to ensure that the arrangements, material, and scantlings of the structure, boilers and other pressure vessels and their appurtenances, main and auxiliary machinery, electrical installation, radio installations including those used in life-saving appliances, fire protection, fire safety systems and appliances, life-saving appliances and arrangements, shipborne navigational equipment, nautical publications, means of embarkation for pilots and other equipment fully comply with the requirements of the present regulations, and of the laws, decrees, orders and regulations promulgated as a result thereof by the Surveyor General for ships of the service for which it is intended. The survey shall also be such as to ensure that the workmanship of all parts of the ship and its equipment is in all respects satisfactory, and that the ship is provided with the lights, shapes, means of making sound signals and distress signals as required by the provisions of the present regulations and the International Regulations for Preventing Collisions at Sea in force.
- (ii). The periodical survey shall include an inspection of the structure, boilers and other pressure vessels, machinery and equipment, including the outside of the ship's bottom. The survey shall be such as to ensure that the ship, as regards the structure, boilers and other pressure vessels and their appurtenances, main and auxiliary machinery, electrical installation, radio installations including those used in life-saving appliances, fire protection, fire safety systems and appliances, life-saving appliances and arrangements, shipborne navigational equipment, nautical publications, means of embarkation for pilots and other equipment is in satisfactory condition and fit for the service for which it is intended, and that it complies with the requirements of the present regulations, and of the laws, decrees, orders and regulations promulgated as a result thereof by the Surveyor General. The lights, shapes and means of making sound signals and the distress signals carried by the ship shall also be subject to the above-mentioned survey for the purpose of ensuring that they comply with the requirements of the present regulations and of the International Regulations for Preventing Collisions at Sea in force.
- (iii). A survey either general or partial, according to the circumstances, shall be made after a repair resulting from investigations prescribed in regulation 11 of this chapter, or whenever any important repairs or renewals are made. The survey shall be such as to ensure that the necessary repairs or renewals have been effectively made, that the material and workmanship of such repairs or renewals are in all respects satisfactory, and that the ship complies in all respects with the provisions of the present regulations and of the International Regulations for Preventing Collisions at Sea in force, and of the laws, decrees, orders and regulations promulgated as a result thereof by the Surveyor General.

(c).

- (i). The laws, decrees, orders and regulations referred to in paragraph (b) of this regulation shall be in all respects such as to ensure that, from the point of view of safety of life, the ship is fit for the service for which it is intended.
- (ii). They shall among other things prescribe the requirements to be observed as to the initial and subsequent hydraulic or other acceptable alternative tests to which the main and auxiliary boilers, connections, steam pipes, high pressure receivers, and fuel tanks for internal combustion engines are to be submitted including the test procedures to be followed and the intervals between two consecutive tests.

Regulation 8 - Surveys of life-saving appliances and other equipment of cargo ships

(a). The life-saving appliances and arrangements (except radio installations), the shipborne navigational equipment, the fire safety systems and appliances and the inert gas system of cargo ships of 500 gross tonnage and upwards to which chapters II-1, II-2, III and V apply, shall be subject to initial and subsequent surveys as prescribed for passenger ships in regulation 7 of this chapter with the substitution of 24 months for 12 months in subparagraph (a)(ii) of that regulation. The fire control plans in new ships and means of embarkation of pilots, nautical publications, lights, shapes and means of making sound signals carried by new and existing ships shall be included in the surveys for the purpose of ensuring that they comply fully with the requirements of the present regulations and, where applicable, the International Regulations for Preventing Collisions at Sea in force.

(b). Intermediate surveys shall be made for tankers of ten years of age and over, within three months before or after the anniversary date of the Cargo Ship Safety Equipment Certificate, to ensure that equipment specified in paragraph (a) of this regulation has been maintained in accordance with regulation 11 of this chapter and that it is in good working condition. Such intermediate surveys shall be endorsed on the Cargo Ship Safety Equipment Certificate issued in accordance with regulation 12(a)(iii) of this chapter.

Regulation 9 - Surveys of radio installations of cargo ships

The radio installations of cargo ships, including those used in life-saving appliances, to which chapters III and IV apply, shall be subject to initial and subsequent surveys as provided for passenger ships in regulation 7 of this chapter.

Regulation 10 - Surveys of hull, machinery and equipment of cargo ships

(a). The hull, machinery and equipment (other than items in respect of which Cargo Ship Safety Equipment Certificates or Cargo Ship Safety Radio Certificates are issued) of a cargo ship shall be surveyed on completion and thereafter in such a manner as the Surveyor General may consider necessary in order to ensure that their condition is in all respects satisfactory and at the following intervals:

- (i). at intervals specified by the Surveyor General but not exceeding five years (periodical surveys);
- (ii). in addition to such periodical surveys a tanker of ten years of age and over shall undergo a minimum of one intermediate survey during the period of validity of its Cargo Ship Safety Construction Certificate. In cases where only one such intermediate survey is carried out in any one certificate validity period, it shall be held not before six months prior to, nor later than six months after, the half-way date of the certificate's period of validity.

(b). The initial and periodical survey shall be such as to ensure that the arrangements, material and scantlings of the structure, boilers and other pressure vessels, their arrangements, main and auxiliary machinery including steering gear and associated control systems, electrical installation and other equipment are in all respects satisfactory for the service for which the ship is intended. Such surveys shall, in the case of tankers, also include inspection of the outside of the ship's bottom, pump-rooms, cargo and bunker piping systems, vent piping, pressure vacuum valves and flame screens.

(c). The intermediate survey of tankers of ten years of age and over shall include inspection of steering gear equipment and associated control systems, pump-rooms, cargo and bunker piping systems on deck and in pump-rooms, vent piping, pressure vacuum valves and flame screens, the electrical installations in dangerous zones, and the outside of the ship's bottom. In addition to the visual inspection of the electrical installation, the insulation resistance of the electrical equipment in dangerous zones is to be tested. If, upon examination, there should be any doubt as to the condition of the piping, extra measures, such as pressure tests and thickness determination, shall be taken as necessary. Such intermediate surveys shall be endorsed on the Cargo Ship Safety Construction Certificate issued in accordance with regulation 12(a)(ii) of this chapter.

(d). A survey, either general or partial according to the circumstances, shall be made when required after an investigation prescribed in regulation 11 of this chapter, or whenever any important repairs or renewals are made. The survey shall be such as to ensure that the necessary repairs or renewals have been effectively made, that the material and workmanship of such repairs or renewals are in all respects satisfactory, and that the ship is fit to proceed to sea without danger to the ship or persons on board.

Regulation 11 - Maintenance of conditions after survey

(a). The condition of the ship and its equipment shall be maintained to conform with the provisions of the present regulations to ensure that the ship in all respects will remain fit to proceed to sea without danger to the ship or persons on board.

(b). After any survey of the ship under regulations 6, 7, 8, 9 or 10 of this chapter has been completed, no change shall be made in the structural arrangement, machinery, equipment and other items covered by the survey, without the sanction of the Surveyor General.

(c). Whenever an accident occurs to a ship or a defect is discovered, either of which affects the safety of the ship or the efficiency or completeness of its life-saving appliances or other equipment, the master or owner of the ship shall report at the earliest opportunity to the Surveyor General, the nominated surveyor or recognized organization responsible for issuing the relevant certificate, who shall cause investigations to be initiated to determine whether a survey, as required by regulations 6, 7, 8, 9 or 10 of this chapter, is necessary. If the ship is in a port of another Party, the master or owner shall also report immediately to the appropriate authorities of the port State and the nominated surveyor or recognized organization shall ascertain that such a report has been made.

Regulation 12 - Issue of certificates

(a).

(i). A certificate called a Passenger Ship Safety Certificate shall be issued after inspection and survey to a passenger ship which complies with the requirements of chapters II-1, II-2, III and IV and any other relevant requirements of the present regulations.

(ii). A certificate called a Cargo Ship Safety Construction Certificate shall be issued after survey to a cargo ship which satisfies the requirements for cargo ships on survey set out

in regulation 10 of this chapter and complies with the applicable requirements of chapters II-1 and II-2 other than those relating to fire-extinguishing appliances and fire control plans.

- (iii). A certificate called a Cargo Ship Safety Equipment Certificate shall be issued after inspection to a cargo ship which complies with the relevant requirements of chapters II-1, II-2 and III and any other relevant requirements of the present regulations.
- (iv). A certificate called a Cargo Ship Safety Radio Certificate shall be issued to a cargo ship which complies with the requirements of chapter IV and any other relevant requirements of the present regulations.
- (v). The Passenger Ship Safety Certificate, the Cargo Ship Safety Equipment Certificate and the Cargo Ship Safety Radio Certificate, referred to in subparagraphs (i), (iii) and (iv), shall be supplemented by a Record of Equipment adopted by the Conference of Contracting Governments to the International Convention for the Safety of Life at Sea, 1974, on the Global Maritime Distress and Safety System, 1988, by resolution 2 as it may be amended.
- (vi). When an exemption is granted to a ship under and in accordance with the provisions of the present regulations, a certificate called an Exemption Certificate shall be issued in addition to the certificates prescribed in this paragraph.
- (vii). Passenger Ship Safety Certificates, Cargo Ship Safety Construction Certificates, Cargo Ship Safety Equipment Certificates, Cargo Ship Safety Radio Certificates and Exemption Certificates shall be issued either by the Surveyor General or by any person or organization duly authorized by it. In every case, that Surveyor General assumes full responsibility for the certificate.

(b). Notwithstanding any other provisions of the present Convention, any certificate which is issued under, and in accordance with, the provisions of the Convention and which is current on 1 February 1992 shall remain valid until it expires.

(c). A Contracting Government shall not issue certificates under, and in accordance with, the provisions of the International Convention for the Safety of Life at Sea, 1960, 1948 or 1929, after the date on which acceptance of the present Convention by the Government takes effect.

Regulation 13 - Issue of certificate by another Government

A Contracting Government may, at the request of the Surveyor General, cause a ship to be surveyed and, if satisfied that the requirements of the present regulations are complied with, shall issue certificates to the ship in accordance with the present regulations. Any certificate so issued must contain a statement to the effect that it has been issued at the request of the Government of the State whose flag the ship is or will be entitled to fly and it shall have the same force and receive the same recognition as a certificate issued under regulation 12 of this chapter.

Regulation 14 - Duration and validity of certificates

(a). Certificates other than the Cargo Ship Safety Construction Certificate, the Cargo Ship Safety Equipment Certificate and any Exemption Certificate shall be issued for a period not exceeding 12 months. The Cargo Ship Safety Construction Certificate shall be issued for a period not exceeding five years. The Cargo Ship Safety Equipment Certificate shall be issued for a period not exceeding 24 months. Exemption Certificates shall not be valid for longer than the period of the certificates to which they refer.

(b). No extension of the five-year period of validity of the Cargo Ship Safety Construction Certificate shall be permitted.

(c). If a survey takes place within two months before the end of the period for which a Cargo Ship Safety Radio Certificate issued in respect of cargo ships of 300 gross tonnage and upwards, but less than 500 gross tonnage, was originally issued, that certificate may be withdrawn, and a new certificate may be issued which shall expire 12 months after the end of the said period.

(d). If the ship at the time when a certificate, other than that referred to in paragraph (b) of this regulation, expires is not in a port of the State whose flag it is entitled to fly or in which it is to be surveyed, the Surveyor General may extend the certificate, but such extension shall be granted only for the purpose of allowing the ship to complete its voyage to the State whose flag it is entitled to fly or in which it is to be surveyed, and then only in cases where it appears proper and reasonable to do so.

(e). No certificate shall be extended under the provisions of paragraph (d) of this regulation for a longer period than five months, and a ship to which an extension is granted shall not, on its arrival in the State whose flag it is entitled to fly or the port in which it is to be surveyed, be entitled by virtue of such extension to leave that port or State without having obtained a new certificate.

(f). A certificate, other than that referred to in paragraph (b) of this regulation, which has not been extended under the foregoing provisions of this regulation, may be extended by the Surveyor General for a period of grace up to one month from the date of expiry stated on it.

(g). A certificate shall cease to be valid:

(i). if the inspections and surveys are not carried out within the periods specified under regulations 7(a), 8, 9 and 10(a) of this chapter or as they may have been extended in accordance with paragraphs (d), (e) or (f) of this regulation, or

(ii). upon transfer of the ship to the flag of another Government. A new certificate shall only be issued when the Government issuing the new certificate is fully satisfied that the ship is in compliance with the requirements of regulation 11 (a) and (b) of this chapter. In the case of a transfer between Parties, if requested within three months after the transfer has taken place, the Government of the Party whose flag the ship was formerly entitled to fly shall, as soon as possible, transmit to the Surveyor General copies of the certificates carried by the ship before the transfer and, if available, copies of the relevant survey reports.

Regulation 15 - Form of certificates

(a). All certificates shall be drawn up in the official language or languages of the country by which they are issued.

(b). The form of the certificates shall be that of the models given in the appendix to the present regulations. The arrangement of the printed part of the model certificates shall be exactly reproduced in the certificates issued, or in certified copies thereof, and the particulars inserted in the certificates issued, or in certified copies thereof, shall be in Roman characters and Arabic figures.

Regulation 16 - Posting up of certificates

All certificates or certified copies thereof issued under the present regulations shall be posted up in a prominent and accessible place in the ship.

Regulation 17 - Acceptance of certificates

Certificates issued under the authority of a Contracting Government shall be accepted by the other Contracting Governments for all purposes covered by the present Convention. They shall be regarded by the other Contracting Governments as having the same force as certificates issued by them.

Regulation 18 - Qualification of certificates

(a). If in the course of a particular voyage a ship has on board a number of persons less than the total number stated in the Passenger Ship Safety Certificate and is in consequence, in accordance with the provisions of the present regulations, free to carry a smaller number of lifeboats and other life-saving appliances than that stated in the certificate, an annex may be issued by the Government, person or organization referred to in regulation 12 or 13 of this chapter.

(b). This annex shall state that in the circumstances there is no infringement of the provisions of the present regulations. It shall be annexed to the certificate and shall be substituted for it in so far as the life-saving appliances are concerned. It shall be valid only for the particular voyage for which it is issued.

Regulation 19 - Control

(a). Every ship when in a port of another Party is subject to control by officers duly authorized by such Government in so far as this control is directed towards verifying that the certificates issued under regulation 12 or regulation 13 of this chapter are valid.

(b). Such certificates, if valid, shall be accepted unless there are clear grounds for believing that the condition of the ship or of its equipment does not correspond substantially with the particulars of any of the certificates or that the ship and its equipment are not in compliance with the provisions of regulation 11 (a) and (b) of this chapter.

(c). In the circumstances given in paragraph (b) of this regulation or where a certificate has expired or ceased to be valid, the officer carrying out the control shall take steps to ensure that the ship shall not sail until it can proceed to sea or leave the port for the purpose of proceeding to the appropriate repair yard without danger to the ship or persons on board.

(d). In the event of this control giving rise to an intervention of any kind, the officer carrying out the control shall forthwith inform, in writing, the Consul or, in his absence, the nearest diplomatic representative of the State whose flag the ship is entitled to fly of all the circumstances in which intervention was deemed necessary. In addition, nominated surveyors or recognized organizations responsible for the issue of the certificates shall also be notified. The facts concerning the intervention shall be reported to the International Maritime Organization.

(e). The port State authority concerned shall notify all relevant information about the ship to the authorities of the next port of call, in addition to parties mentioned in paragraph (d) of this regulation, if it is unable to take action as specified in paragraphs (c) and (d) of this regulation or if the ship has been allowed to proceed to the next port of call.

(f). When exercising control under this regulation all possible efforts shall be made to avoid a ship being unduly detained or delayed. If a ship is thereby unduly detained or delayed it shall be entitled to compensation for any loss or damage suffered.

Regulation 20 - Privileges

The privileges of the present Convention may not be claimed in favour of any ship unless it holds appropriate valid certificates.

Part C - Casualties

Regulation 21 - Casualties

(a). Each Administration undertakes to conduct an investigation of any casualty occurring to any of its ships subject to the provisions of the present Convention when it judges that such an investigation may assist in determining what changes in the present regulations might be desirable.

(b). Each Contracting Government undertakes to supply the International Maritime Organization with pertinent information concerning the findings of such investigations. No reports or recommendations of the International Maritime Organization based upon such information shall disclose the identity or nationality of the ships concerned or in any manner fix or imply responsibility upon any ship or person.