

# Working translation of

## Ship Safety Ordinance

of 20 March 2020

### Annex 1a

#### Part 7

#### Load line requirements

(in any case the German will prevail)

## 1. Area of application

### 1.1 This part shall apply to

1. cargo and passenger ships undertaking domestic voyages, irrespective of their length;
2. cargo and passenger ships undertaking international voyages where the Convention on Load Lines does not apply;

### 1.2 This part shall not apply to

- .1 Federal German Navy ships and German Maritime Search and Rescue Service ships;
- .2 inland waterway vessels with a technical approval for waterways in zones 1 and 2 pursuant to Appendix 1 to the "Binnenschiffsuntersuchungsordnung" (Inland Waterway Vessel Inspection Ordinance) of 21 September 2018 ("Bundesgesetzblatt I" – Federal Law Gazette I p.1398), as amended, on voyage on these waterways;
- .3 recreational craft as defined by the "See-Sportbootverordnung" (Ordinance on seagoing recreational craft);
- .4 small craft which are used non-commercially and solely for sport or recreational purposes;
- .5 traditional ships subject to part 3;
- .6 workboats up to 8 m in length; and
- .7 fishing vessels.

## 2. Definitions

### 2.1 For the purposes of this part, the following definitions apply:

1. **Passenger ship:** a ship carrying more than 12 passengers or which is authorised to carry more than 12 passengers;
2. **Cargo ship:** a ship which is not a passenger ship;

3. **High-speed craft:** a craft which attains a maximum speed in m/s equal to or more than  $3.7\sqrt[0.1667]{\nabla}$   
where:  
 $\nabla$  = the volume of displacement corresponding to the designed waterline (m<sup>3</sup>), with the exception of craft where the hull is kept entirely above the surface of the water in the non-displacement state by means of aerodynamic forces which are generated by the ground effect;
4. **Dredger:** a manned, self-propelled vessel which is suitable for loading dredged material at sea and which is equipped with hinged bottom doors or which can be opened;
5. **Small craft:** a cargo ship with a gross tonnage of up to 100;
6. **Workboat:** an open or partly covered craft for use in transport, rescue, salvage and work operations and similar purposes, in a limited scope and over short distances inshore, or as a dinghy within sight of the mother ship;
7. **New ship:** a ship, the keel of which was laid on or after 01 October 2015 or which was at a similar stage of construction at this time; a 'similar stage of construction' means the stage at which
  - a) start of construction of a specific ship or craft can be identified, and
  - b) assembly of that ship has commenced, comprising at least 50 t or 1 % of the estimated mass of all structural material, whichever is less;
8. **Existing ship:** a ship which is not a new ship;
9. **Domestic voyage:** a voyage in sea areas from a German port to the same or to another German port;
10. **International voyage:** the voyage in sea areas from a German port to a port outside of Germany, or conversely;
11. **Inshore:** a distance of no more than 5 nautical miles from the coastline at mean high water;
12. **Convention on Load Lines:** International Convention on Load Lines from 1966, including Annex and Protocol from 1988 (LL 66, Federal Law Gazette 1969 II p. 249, 1977 II p. 164, 1994 II p. 2457 and Annex), as amended;
13. **Dredger guideline:** " Richtlinie des Bundesministeriums für Verkehr und digitale Infrastruktur für die Erteilung verminderter Freiborde für Schwimmbagger DR-68" (Guideline DR-68 from the Federal Ministry of Transport and Digital Infrastructure concerning the assignment of reduced load lines to dredgers) ("Verkehrsblatt" – Transport Gazette 2013 p. 1198), as amended;
14. **Directive 2009/45/EC:** Directive 2009/45/EC of the European Council of 6 May 2009 on safety rules and standards for passenger ships (Revision) (OJ L 163/1 of 25 June 2009), as amended;
15. **HSC Code:** International Code of Safety for High-Speed Craft
  - a) for ships built prior to 1 January 2002: International Code for High-Speed Craft (HSC Code 1994, Resolution MSC.36(63)), adopted on 20 May 1994

("Bundesanzeiger" – Federal Gazette No. 21 a of 31 January 1996),

- b) for ships built on or after 1 January 2002: International Code of Safety for High-Speed Craft (HSC Code 2000, Resolution MSC.97(73)), adopted on 5 December 2000 (Verkehrsblatt 2002, p. 449);
  - 16. **Ordinance on seagoing recreational craft:** See-Sportbootverordnung - ordinance pertaining to the commissioning, hiring out and commercial use of recreational craft and jet skis in coastal waters (Ordinance on seagoing recreational craft) of 29 August 2002 (Bundesgesetzblatt I p. 3457), as amended;
  - 17. **BG Verkehr:** the Ship Safety Division of the German Social Accident Insurance Institution for Commercial Transport, Postal Logistics and Telecommunication (BG Verkehr);
  - 18. **Recognised organisation:** a classification society recognised in conformity with Directive 2009/15/EC of the European Parliament and of the Council of 23 April 2009 on common rules and standards for ship inspection and survey organisations and for the relevant activities of maritime administrations (OJ L 131 of 28 May 2009, p. 47), in the current version to be applied each time, by means of which the working relationship as defined by Article 5(2) of Directive 2009/15/EC has been substantiated.
- 2.2 Otherwise, the definitions specified in the Convention on Load Lines shall apply.

### **3. Requirements in terms of the load line**

- 3.1 Article 10 and Annexes I and II of the Convention on Load Lines shall apply accordingly to cargo and passenger ships as per regulation 1.1 of this part, unless otherwise specified in the following provisions.
- 3.2 For vessels of less than 24 m load line length, the requirements laid down in the Appendix to this part shall apply to the heights of the coamings of access openings which lead to spaces below the weather deck (freeboard deck) as well as to the design of guard rails, windows, sill-free mounting openings and flush deck hatches.
- 3.3 For vessels of less than 18 m load line length, the freeboard is determined based on the stability requirements. Chapter III of Annex I to the Convention on Load Lines shall not apply.
- 3.4 For cargo ships undertaking domestic voyages, the minimum bow height can be reduced by up to 50 %.
- 3.5 By way of derogation from regulations 3.1 to 3.3, the requirements of the HSC Code shall apply to high-speed craft.

### **4. Special regulations for passenger ships**

For passenger ships undertaking domestic voyages, the provisions of Directive 2009/45/EC and part 1 shall take precedence over the opposing provisions of this part.

### **5. Minimum freeboard and load line mark**

- 5.1. For all vessels, effective weathertight integrity is a precondition for the assignment of the load line. The weathertight integrity and the compliance with the regulations

of this part must be documented in a closing appliances plan.

- 5.2 The BG Verkehr shall assign a minimum freeboard. For craft which receive a load line certificate, the BG Verkehr shall assign a load line mark. The load line mark corresponds to the form in the National Load Line Certificate as per the model in accordance with regulation 9 of this part. It shall be affixed to the craft at half the load line length.
- 5.3 On request, the BG Verkehr can assign to dredgers and other cargo ships which transport dredged material a dredger load line under the preconditions of the dredger guideline.

## **6. Exemptions and equivalents**

- 6.1 The BG Verkehr may exempt any ship which embodies features of a novel kind from any of the provisions of this part, the application of which might seriously impede research into the development of such features and their incorporation on ships. Any such ship shall, however, comply with safety requirements which, in the opinion of the BG Verkehr, are adequate for the service for which it is intended and ensure the overall safety of the ship.
- 6.2 If, in view of the low danger and the specific conditions associated with the journey, the BG Verkehr considers the application of certain provisions of this directive to be impractical or unnecessary, it may exempt individual vessels which, in the course of their journey, do not travel further than 3 nautical miles from the nearest land, from complying with these provisions.
- 6.3 The BG Verkehr may allow any fittings, materials, appliances or devices to be installed, or any other provision to be made in a ship, other than that required by the present part, if it is satisfied by trial thereof or otherwise, that such fittings, materials, appliances or devices, or relevant provisions, are at least as effective as that required by this part.

## **7. Existing rights**

- 7.1 Regarding existing ships, the BG Verkehr may grant the preservation of the status quo by way of deviation from regulation 3 provided these vessels satisfy the provisions and technical regulations applicable to them previously. A load line certificate assigned on this basis may involve incidental provisions if the purpose of this part necessitates this.

## **8. Surveys and the issue of certificates**

- 8.1 Cargo and passenger ships shall be surveyed in accordance with Article 14 of the Convention on Load Lines.
- 8.2 The applicant may also commission a recognised organisation to conduct the survey as per regulation 8.1.
- 8.3 Once a survey has been carried out, no modifications may be made to the construction, the equipment, the general arrangement, the materials or the materials' strength covered by the survey without the approval of the BG Verkehr.
- 8.4 If the survey reveals compliance with the applicable provisions of this part, the BG Verkehr shall issue a National Load Line Certificate as per the model in

Regulation 9. Articles 16 and 19 of the Convention on Load Lines shall apply accordingly.

- 8.5 For craft of less than 18 m load line length and as regards high-speed craft built on or after 1 January 2002, no load line certificate is issued. The load line must be entered in the safety certificate.
- 8.6 Obligations to conduct surveys and issue certificates arising from other legal provisions shall not be affected.
- 8.7 Certificates and attestations awarded up to 30 September 2015 on the basis of the Ship Safety Ordinance in the version published on 3 September 1997 (Bundesgesetzblatt I p. 2217), as last amended by the Ordinance of 19 June 1998 (Bundesgesetzblatt I 1431), shall remain in force until they expire.

## **9. Model certificate**

- 9.1 The model of the National Load Line Certificate is published in the German Verkehrsblatt in accordance with this Ordinance.

**Appendix: Load line requirements and closing appliances based on the ship's length "L"**

Openings	Ship's length: L < 12 m	Ship's length: 12 m ≤ L < 18 m		Ship's length: 18m ≤ L < 24 m	
	Heights of the coaming of weatherproof openings which lead to spaces below the weather deck.				
	Position 1 <sup>a</sup>	Position 1 <sup>a</sup>	Position 2 <sup>b</sup>	Position 1 <sup>a</sup>	Position 2 <sup>b</sup>
Doors (Regulations <sup>c</sup> 12, 17, 18)	300 mm	400 mm	230 mm	500 mm	300 mm
Hatchways (Regulation <sup>c</sup> 14-1)	300 mm	400 mm	230 mm	500 mm	300 mm
Emergency exits	300 mm	400 mm	230 mm	500 mm	300 mm
Air and sounding pipes (Regulation <sup>c</sup> 20)	760 mm	760 mm	450 mm	760 mm	450 mm
Closable ventilators (Regulations <sup>c</sup> 17, 18)	760 mm	800 mm	550 mm	850 mm	650 mm
Ventilators which may not be closed during operation (engine room ventilators, Regulation <sup>c</sup> 19(3))	900 mm	2 100 mm	1 100 mm	3 300 mm	1 700 mm
Guard rails (Regulations <sup>c</sup> 24, 25, 26, 27)	The guard rails must be at least 1 000 mm in height. At least 3 rails must be present.			Guard rails must be designed in accordance with the Convention on Load Lines (e.g. DIN 81702).	
Minimum freeboard	The freeboard must be at least 5 % of the ship's breadth, but not less than 200 mm, unless a larger value ensues as a result of complying with the stability criteria.			The freeboard must be determined in accordance with the International Convention on Load Lines (ICLL 1966/88), as amended.	
Minimum bow height (Regulation <sup>c</sup> 39)				The minimum bow height must be determined in accordance with the requirements under the International Convention on Load Lines (ICLL 1966/88). As regards national voyages, the required bow height may be reduced by up to 50 %.	

Windows (Regulation <sup>c</sup> 23)	The windows must be set in metal frames and the window glass must consist of safety glass (e.g. DIN ISO 3903, 21005). Windows with rubber clamping profiles are not permitted.	
Side scuttles (Regulation <sup>c</sup> 23)	Only side scuttles with a maximum diameter of 250 mm may be arranged beneath the freeboard deck. The side scuttles must be provided with permanently fixed deadlights. The distance to the water line may not be less than 300 mm in any operating state.	As regards the arrangement and designs (e.g. DIN ISO 1751) of the side scuttles, the provisions of the International Convention on Load Lines (ICLL 1966/88), as amended, must be observed.
Sill-free mounting openings and flush deck hatches	Sill-free mounting openings and flush deck hatches must be capable of being closed in a watertight manner (e.g. tightly screwed, distance between the bolts approx. 10 x the bolt diameter). The hatchways and mounting openings must have the same strength as the surrounding ship's structure. Regarding the watertightness of the closed hatchways, evidence must be provided. As regards the open state, protection against falling from heights (e.g. DIN 81705) must be provided. The hatchways must always be kept shut while at sea and marked accordingly.	
Manholes	Manholes must be capable of being sealed in a watertight manner (e.g. DIN 83402 / DIN 83412, or proof of an equivalent safety level must be available from the manufacturer in the form of corresponding certificates).	

a Position 1: On the weather deck (freeboard deck) and on the 1st superstructure deck up to a distance of 25 % of the ship's length from the forward perpendicular.

b Position 2: On the 1st superstructure deck (at least 1 800 mm above position 1) and on the 2nd superstructure deck up to a distance of 25 % of the ship's length from the forward perpendicular.

c Regulation: Corresponding Regulation of the International Convention on Load Lines