



BERMUDA

MERCHANT SHIPPING (EMERGENCY EQUIPMENT LOCKERS FOR RO-RO  
PASSENGER SHIPS) REGULATIONS 2020

BR 138 / 2020

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The Minister responsible for Maritime Administration, in exercise of the powers conferred by section 93(1) of the Merchant Shipping Act 2002, makes the following Regulations:

Citation

1 These Regulations may be cited as the Merchant Shipping (Emergency Equipment Lockers for Ro-Ro Passenger Ships) Regulations 2020.

Interpretation

2 (1) In these Regulations—

“Merchant Shipping Notice” means a Notice described as such and issued by the Chief Marine Surveyor, or the equivalent UK Merchant Shipping Notice, as applicable;

“ro-ro passenger ship” means a passenger ship provided with cargo or vehicle spaces not normally subdivided in any way, and extending to either a substantial length or the entire length of the ship, and in which vehicles or cargo can be loaded or unloaded in a horizontal direction.

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(2) Where a ship is managed by a person other than its owner (whether on behalf of the owner or another person or on his own behalf), a reference in these Regulations to the owner shall be construed as including a reference to that person.

### Application

3 These Regulations shall apply to—

- (a) a Bermuda ro-ro passenger ship operating on an international voyage; and
- (b) a non-Bermuda ro-ro passenger ship, whilst it is in the territorial waters of Bermuda.

### Emergency lockers

4 (1) Every ro-ro passenger ship to which these Regulations apply, shall be provided with at least one weathertight emergency locker constructed of steel or glass re-enforced plastic (GRP) or other suitable material, at each side of the ship.

(2) Such lockers shall contain the equipment specified in UK Merchant Shipping Notice No. M1359; such equipment shall be of good quality and shall be regularly maintained.

(3) The lockers shall be clearly marked and located on an open deck and be as high up in the ship and as near the ship's side as possible, that in all foreseeable circumstances, a locker on at least one side, will be accessible.

### Exemptions

5 The Minister may exempt any ship or description of ship from any of the requirements of these Regulations, subject to such conditions as he may specify, and may, on giving reasonable notice, alter or cancel any exemption so granted.

### Offences

6 (1) If there is any contravention of these Regulations in respect of a ship, the owner commits an offence and is liable on summary conviction, to a fine not exceeding \$10,000.

(2) If a ship to which these Regulations apply, proceeds on any voyage without complying with these Regulations, the owner and master of the ship, each commit an offence and is liable on summary conviction, to a fine not exceeding \$10,000 or on conviction on indictment, to imprisonment, for a term not exceeding two years or an unlimited fine, or to both.

(3) It shall be a good defence to a charge under this regulation, to prove that the person charged, took all reasonable steps to avoid committing the offence.

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Made this 22nd day of December 2020

Minister of Transport

[Operative Date: 29 December 2020]