

## 582

**REGULATION OF THE GOVERNMENT****of the Slovak Republic**

of 11 October 2006,

**on safety requirements for passenger ships**

The Government of the Slovak Republic in accordance with Article 2 paragraph 1 letter j) of the Act No 19/2002 Coll. establishing the conditions for the issue of approximation regulations of the Government of the Slovak Republic, as amended by later regulations, shall enact:

## Article 1

(1) This Government regulation establishes criteria of safety of life and property on new and existing passenger ships and high speed passenger crafts engaged on domestic voyages.

(2) This regulation shall apply to:

- a) new passenger ships,
- b) existing passenger ships of 24 metres in length and above,
- c) high speed passenger crafts flying the flag of the Slovak Republic and engaged on domestic voyages.

(3) This regulation shall not apply to:

a) passenger ships, which are:

1. ships of war and troopships,
2. ships not propelled by mechanical means,
3. vessels constructed in material other than steel or equivalent and not covered by the Resolution of a Maritime Safety Committee of the International Maritime Organisation (hereinafter referred to as „Committee Resolution“) 36 (63) concerning high speed passenger crafts or by the Resolution of the International Maritime Organisation (hereinafter referred to as „Resolution“) A.373(X) concerning Dynamically Supported Crafts
4. wooden ships of primitive build,
5. originals or individual replicas of, historical ships built up before 1965 and predominantly with the original materials,
6. pleasure yachts without crew and carrying not more than 12 passengers for commercial purposes
7. ships exclusively engaged in port areas;

b) high speed passenger craft, which are:

1. craft of war and troopcraft,
2. pleasure craft without crew and carrying not more than 12 passengers for commercial purposes, and
3. ships exclusively engaged in port areas.

## Article 2

For the purpose of this regulation:

- a) passenger ship shall mean a ship which carries more than 12 passengers;
- b) ro-ro passenger ship shall mean a ship carrying more than 12 passengers, having ro-ro cargo spaces or special category spaces, as defined in international agreement,<sup>1)</sup>
- c) high speed passenger craft shall mean a high speed craft<sup>2)</sup> which carries more than 12 passengers; passenger ships engaged on domestic voyages in sea areas of Class B, C or D shall not be considered as high speed passenger craft when their displacement corresponding to the design waterline is less than 500 m<sup>3</sup>, and their maximum speed<sup>2)</sup> is less than 20 knots,
- d) new ship shall mean a ship the keel of which is laid or which is at a similar stage of construction on since 1 July 1998; a similar stage of construction means the stage at which construction identifiable with a specific ship begins, and assembly of that ship has commenced comprising at least 50 tonnes or 1 % of the estimated mass of all structural material, whichever is less,
- e) existing ship shall mean a ship which is not a new ship,
- f) age shall mean the age of the ship, expressed in number of years after the date of its delivery,
- g) passenger shall mean every person other than the master, officer corps, assistants, crewmembers, persons employed or engaged in any capacity on board a passenger ships or high-speed passenger crafts on the business of that ships and a child under one year of age,
- h) length of a ship, unless expressly provided otherwise, shall mean 96 % of the total length on a water line at 85 % of the least moulded depth measured from the top of the keel, or the length from the fore side of the stem to the axis of the rudder stock on that waterline, if that be greater; in ships designed with a rake of keel the waterline on which this length is measured shall be parallel to the designed waterline,
- i) bow height shall mean the vertical distance at the forward perpendicular between the waterline corresponding to the assigned summer freeboard and the designed trim and the top of the exposed deck of freeboard at the ship's side,
- j) ship with a full deck shall mean a ship that is provided with a complete deck, exposed to weather and sea, which has permanent means of closing all openings in the weatherpart thereof and below which all openings in the sides of the ship are fitted with permanent means of at least weathertight closing; the complete deck may be a watertight deck or equivalent structure consisting of a non-watertight deck completely covered by a weathertight structure of adequate strength to maintain the weathertight integrity and fitted with weathertight closing appliances,
- k) international voyage shall mean a voyage by sea from a port of a Member State of the European Union (hereinafter referred to as „the Member State“) to a port outside that Member State, or conversely,

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<sup>1)</sup> Chapter II-2 Regulation 3 of the International Convention for the Safety of Life at Sea (SOLAS 1974) as amended by later regulations (Communication No 165/2001 Coll.).

<sup>2)</sup> Chapter X Regulation 1 of the International Convention for the Safety of Life at Sea (SOLAS 1974) as amended by later regulations.

- l) domestic voyage shall mean a voyage in sea areas from a port of a Member State to the same or another port within that Member State,
- m) sea area shall mean an area as established pursuant to Article 3; in case of radiocommunication the sea areas will be those defined in international agreement,<sup>3)</sup>
- n) port area shall mean an area other than a sea area, as defined by the Member States, extending to the outermost permanent port facilities forming an integral part of the port system, or to the limits defined by natural geographical features protecting an estuary or similar sheltered area,
- o) place of refuge shall mean any naturally or artificially sheltered area which may be used as a shelter by a passenger ship or high-speed passenger craft under conditions likely to endanger its safety,
- p) host State shall mean a Member State to or from whose port a ship or craft, flying another flag than the flag of that Member State, is carrying out domestic voyage,
- q) mile shall mean 1 852 metres,
- r) significant wave height shall mean the average height of the one third highest observed wave heights over a given period,
- s) person with reduced mobility and orientation shall mean a person who has, with regard to his/her body, visual, aural or other healthy impairments eventually the age, a particular difficulty when using public transport, including persons with increased precaution such as pregnant women and persons accompanying small children of not more than ten years of age.

### Article 3

(1) Passenger ships are divided into the following classes according to the sea area in which they operate:

- a) passenger ship of Class A engaged on domestic voyages other than voyages covered by Classes B, C and D,
- b) passenger ship of Class B engaged on domestic voyages in the course of which it is at no time more than 20 miles from the line of coast, where shipwrecked persons can land, corresponding to the medium tide height,
- c) passenger ship of Class C engaged on domestic voyages in sea areas where the probability of exceeding 2,5 m significant wave height is smaller than 10 % over a one-year period for all-year-round operation, or over a specific restricted period of the year for operation exclusively in such period, e.g. summer period operation, in the course of which it is at no time more than 15 miles from a place of refuge, nor more than 5 miles from the line of coast, where shipwrecked persons can land, corresponding to the medium tide height,
- d) passenger ship of Class D engaged on domestic voyages in sea areas where the probability of exceeding 1,5 m significant wave height is smaller than 10 % over a one-year period for all-year-round operation, or over a specific restricted period of the year for operation exclusively in such period (e.g. summer period operation), in the course of which it is at no time more than 6 miles from a place of refuge, nor more than 3 miles from the line of coast, where shipwrecked persons can land, corresponding to the medium tide height.

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<sup>3)</sup> Chapter IV Regulation 2 of the International Convention for the Safety of Life at Sea (SOLAS 1974) as amended by later regulations.

(2) The categories defined in Chapter 1 points 1.4.10 and 1.4.11 of the International High Speed Craft Safety Code (hereinafter referred to as „the Safety Code“) approved by the Committee Resolution 36 (63) shall apply for high speed passenger crafts.

#### Article 4

(1) Both new and existing passenger ships and high speed passenger craft when engaged on domestic voyages shall comply with the relevant safety requirements laid down in this Government regulation.

(2) The operation of passenger ships or high speed passenger crafts, when engaged on domestic voyages, shall not be prohibited, if such ships and crafts comply with the requirements of this Government regulation including any additional requirements imposed by other Member States with regard to the special local circumstances or if their necessity has been proved.

(3) All shipborne marine equipment, as listed in special regulation<sup>4)</sup> and complying with the provisions of this special regulation, will be considered as marine equipment in conformity with the provisions of this Government regulation, whether or not in special regulation is required that this marine equipment must be subjected to tests and approved by an authorised person.<sup>5)</sup>

#### Article 5

(1) Both new and existing passenger ships of Classes A, B, C and D shall comply with the provisions of the international agreement<sup>6)</sup> and meet following technical requirements:

- a) the construction and maintenance of hull, main and auxiliary machinery, electrical and automatic plants shall comply with the standards specified in the rules of recognised classification societies,<sup>7)</sup>
- b) shipborne navigational equipment shall comply with the provisions of the international agreement.<sup>8)</sup>

(2) The new passenger ships shall comply with:

a) general requirements:

1. new passenger ships of Class A shall comply with the requirements of the international agreement<sup>9)</sup>, relevant specific requirements pursuant to this Government regulation and the technical requirements laid down in Annex I of the Council Directive 98/18/EC of 17 March 1998 on safety rules and standards for passenger ships, as amended by later regulations (hereinafter referred to as „the Directive“), in the international agreement<sup>9)</sup> and the Resolution A.746(18); in interpretations of the international agreement provisions, the procedures pursuant to Annex I of the Directive, the international agreement and the resolution A.749(18) shall apply,

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<sup>4)</sup> Annex No 1 of the Regulation of the Government of the Slovak Republic No 243/2001 Coll. establishing details on technical conformity assessment requirements and procedures for marine equipment, as amended by later regulations.

<sup>5)</sup> Regulation of the Government of the Slovak Republic No 243/2001 Coll., as amended by later regulations.

<sup>6)</sup> Chapters IV, V and VI of the International Convention for the Safety of Life at Sea (SOLAS 1974), as amended by later regulations.

<sup>7)</sup> Article 2 of the Act No 435/2000 Coll. on Maritime Navigation, as amended by later regulations.

<sup>8)</sup> Chapter V Regulation 12 letter r) of the International Convention for the Safety of Life at Sea (SOLAS 1974), as amended by later regulations.

<sup>9)</sup> International Convention for the Safety of Life at Sea (SOLAS 1974), as amended by later regulations.

2. new passenger ships of Classes B, C, and D shall comply with the specific relevant requirements specified in this Government regulation, Annex I of the Directive, the international agreement<sup>9)</sup> and the Resolution A.749(18),
- b) load line requirements:
1. new passenger ships of 24 metres in length and above shall comply with the international agreement requirement
  2. new passenger ships of less than 24 metres in length, in relation to length and Class, shall comply with the requirements the criteria of which relating to the safety level, are equivalent to criteria specified in the international agreement,<sup>10)</sup>
  3. notwithstanding points 1 and 2, new passenger ships of Class D are exempted from the minimum bow height requirement laid down in the international agreement,<sup>10)</sup>
  4. new passenger ships of Classes A, B, C, and D shall have a full deck.
- (3) Existing passenger ships shall comply with following requirements:
- a) existing passenger ships of Class A shall comply with the regulations for existing passenger ships defined in the international agreement<sup>9)</sup>, the relevant specific requirements pursuant to this Government regulation, in Annex I of the Directive, in the international agreement<sup>9)</sup> and the Resolution A.746(18); in interpretations of the international agreement provisions<sup>10)</sup>, the procedures pursuant to Annex I of the Directive, the international agreement and the Resolution A.749(18) shall apply,
  - b) existing passenger ships of Class B shall comply with the specific relevant requirements of this Government regulation and Annex I of the Directive, the international agreement<sup>9)</sup> and the resolution A.749(18),
  - c) existing passenger ships of Classes C and D shall comply with the specific relevant requirements of this Government regulation, Chapter III of Annex I of the Directive and the international agreement<sup>9)</sup> and in respect of matters not covered by such requirements with the requirements specified by the Ministry of Transport, Posts and Telecommunications (hereinafter referred to as „the Ministry“); such requirements shall provide an equivalent level of safety to those of Chapters II-1 and II-2 of Annex I of the Directive, the international agreement<sup>9)</sup> and the Resolution A.749(18), while taking into account the specific local operational conditions related to the sea areas in which ships of Classes C and D may operate; existing passenger ships of Classes C and D can be engaged on regular domestic voyages in a host State, if such a host State shall agree with requirements specified by the Ministry.
- (4) If a Ministry is of the view that requirements of a host State pursuant to paragraph 3 letter c) are unreasonable, it shall immediately notify the European Commission thereof.
- (5) Repairs, alterations and modifications of a major character and outfitting related thereto shall be in compliance with the requirements for new ships as prescribed in paragraph 2 letter a); alterations made to an existing ship which are intended solely to achieve a higher standard of chance to rescue persons on the passenger ship possibility, shall not be regarded as modifications of a major character.
- (6) High speed passenger crafts shall comply with these requirements:

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<sup>10)</sup> International Convention on Load Lines (Communication No 165/2001 Coll.).

<sup>9)</sup> International Convention for the Safety of Life at Sea (SOLAS 1974), as amended by later regulations.

a) high speed passenger crafts constructed or subjected to repairs, alterations or modifications of a major character, on or after 1 January 1996, shall comply with the requirements of international agreement<sup>11)</sup> unless

1. their keel was laid or was at a similar stage of construction before 4 June 1998,
2. their delivery and putting into service have been carried out not later than 4 December 1998, and
3. they comply with the requirements of the Resolution A.373(X),

b) the construction and maintenance of high speed passenger craft and its equipment shall comply with the classification rules of a recognised organisation relating to the high speed passenger crafts

#### Article 6

Ro-ro passenger ships of Classes A, B, and C, the keel of which is laid or which are at a similar stage of construction on or after 1 October 2004 shall comply with requirements of a special regulation.<sup>12)</sup>

#### Article 7

(1) Passenger ships of Classes A, B, C and D and high-speed passenger crafts, used for public transport, the keel of which is laid or which are at a similar stage of construction on or after 1 October 2004, shall be, in respect of persons with reduced mobility and orientation, constructed and equipped in accordance with general principles of safety requirements for passenger ships and high-speed passenger crafts listed in Annex No 1.

(2) The ministry shall cooperate with and consult all organisations representing persons with reduced mobility on the implementation of the general principles listed in Annex No 1.

(3) The general principles listed in Annex No 1 shall refer to the alteration of passenger ships of Classes A, B, C and D and high-speed passenger crafts, used for public transport, the keel of which is laid or which are at a similar stage of construction before 1 October 2004, as far as it is reasonable and practicable in economic terms. The Ministry shall send to the European Commission a prepared national action plan on how the general principles shall be applied to such passenger ships and high-speed passenger crafts.

#### Article 8

(1) The new passenger ship shall be subjected to the detailed surveys conducted by the Ministry:

- a) before the ship is put into service
- b) every 12 months,
- c) if they are reasonable.

(2) The existing passenger ship shall be subjected to the detailed surveys conducted by the Ministry:

- a) before the ship is put into service on domestic voyages in a host State,
- b) every 12 months,

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<sup>11)</sup> Chapter X Regulations 3 of the International Convention for the Safety of Life at Sea) (SOLAS 1974), as amended by later regulations.

<sup>12)</sup> Articles 5, 7 paragraphs 1 to 3 and Article 8 of the Regulation of the Government of the Slovak Republik No 580/2006 Coll. on specific stability requirements for ro-ro passenger ships.

c) if they are reasonable.

(3) The high speed passenger craft having to comply the requirements of Article 10 paragraph 2, shall be subjected to the surveys conducted by the Ministry in accordance with Committee Resolution 36 (63). The high speed passenger craft having to comply, the requirements of Article 10 paragraph 3, shall be subjected to the surveys conducted by the Ministry in accordance with Resolution A.373(X).

(4) The paragraphs 1 to 3 shall have no impact on the provisions for surveys necessary to obtain the Passenger Ship Safety Certificate (hereinafter referred to as „the certificate“) specified in Resolution A.746(18) or procedures designed to achieve the same goal.

(5) The surveys mentioned in paragraphs 1 to 3 shall be carried out by the competent surveyors of the recognised organisations or of the Member State authorised by the Ministry to carry out surveys, with the purpose of ensuring that all applicable requirements of this Government Regulation complied with.

#### Article 9

(1) New and existing passenger ships shall be provided with a certificate issued by the Ministry after a survey, as described in Article 8 paragraph 1 letter a) and paragraph 2 letter a), has been carried out. The certificate shall have a format as laid down in Annex II of the Directive.

(2) The Certificate shall be issued for a period not exceeding 12 months. The period of validity of the certificate may be extended for a period of one month from the date of expiry stated on it. When an extension has been granted, the new period of validity of the certificate starts from the expiry date of the existing certificate before its extension. The new certificate shall be issued after a periodical survey, as described in Article 8 paragraph 1 letter b) a paragraph 2 letter b), has been carried out.

(3) For high speed passenger crafts complying with the requirements of the Committee Resolution 36 (63), a High Speed Craft Safety Certificate and a Permit to Operate High Speed Crafts shall be issued by the Ministry, in accordance with the provisions of the Committee Resolution 36 (63).

(4) For high speed passenger crafts complying with the requirements of the Resolution A.373(X) a Code of Safety Construction and Equipment for Dynamically Supported Craft and a Permit to Operate for Dynamically Supported Craft shall be issued by the Ministry in accordance with the Resolution A.373(X).

(5) Before issuing the Permit to Operate for high speed passenger crafts engaged on domestic voyages in a host State, the Ministry shall concur with the host State on any operational conditions associated with operation of the craft in a host State; any such conditions shall be shown by the Ministry on the Permit to Operate or high speed passenger crafts.

#### Article 10

(1) The provision of Article 5 paragraph 3 letter a), unless earlier dates are specified in international agreement<sup>9)</sup> and the provisions of Article 5 paragraph 3 letters b) a c), unless earlier dates are specified in the Annex I of the Directive and Resolution A.749(18) shall not be applied in relation to a ship whose keel was laid or which was at a similar stage of construction:

1. on or after 1 January 1940, but before 31 December 1962: until 1 July 2007,
2. on or after 1 January 1963, but before 31 December 1974: until 1 July 2008,

3. on or after 1 January 1975, but before 31 December 1984: until 1 July 2009;
4. on or after 1 January 1985, but before 1 July 1998: until 1 July 2010.

(2) High speed passenger crafts constructed before 1 January 1996 and complying with the requirements of the Code of Safety may continue in operation in accordance with this Code of Safety.

(3) High speed passenger crafts constructed before 1 January 1996 and not complying with the requirements of the Code of Safety may not be engaged on domestic voyages, unless they were already in operation on domestic voyages in a Member State before 4 June 1998; in such a case they may be allowed to continue their domestic operation in that Member State; such high speed passenger crafts shall comply with the requirements of Resolution A.373(X).

(4) Ro-ro passenger ships of Classes A and B, the keel of which is laid or which are at a similar stage of construction before 1 October 2004, shall comply with the requirements of a special regulation 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.

#### Article 11

Legal Act of the European Communities listed in Annex No 2 is transposed by this Government regulation.

#### Article 12

This Government regulation shall enter into force on 1 November 2006.

**Robert Fico** s. m.



**Annex No 1**  
**to the Government regulation No 582/2006 Coll.**

**GENERAL PRINCIPLES OF SAFETY REQUIREMENTS FOR PASSENGER SHIPS  
AND HIGH-SPEED PASSENGER CRAFTS IN RESPECT OF PERSONS WITH  
REDUCED MOBILITY AND ORIENTATION**

In applying the general principles, the Circular of Maritime Safety Committee of International Maritime Organisation No 735 of 24 June 1996 entitled 'Recommendation on the design and operation of passenger ships to respond to elderly and disabled persons' needs' shall be observed.

1. Access to the passenger ship or high-speed passenger craft:

The passenger ship or high-speed passenger craft should be constructed and equipped in such a way that a person with reduced mobility and orientation 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 all such accesses to the passenger ship or high-speed passenger craft and at other appropriate locations throughout the passenger ship or high-speed passenger craft.

2. Signs

Signs provided on a passenger ship or high-speed passenger craft to aid passengers should be accessible and easy to read for persons with reduced mobility and orientation as well as persons with sensory disabilities, and be positioned at public accessible and well visible points.

3. Means to communicate messages

The means for visually and verbally announcements such as those regarding delays, schedule changes and on-board services, to persons with reduced mobility and orientation shall be onboard the passenger ship or high-speed passenger craft.

4. Alarm

The alarm system and alarm buttons must be designed so as to be accessible by and to alert all passengers with reduced mobility and orientation.

5. Additional requirements ensuring mobility inside the passenger ship or high-speed passenger craft

Handrails, corridors and passageways, doorways and doors shall enable 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 and orientation.

**Annex No 2**  
**to the Government regulation No 582/2006 Coll.**

**LIST OF TRANSPOSED LEGAL ACTS OF THE EUROPEAN COMMUNITIES**

Council Directive 98/18/EC of 17 March 1998 on safety rules and standards for passenger ships (Special edition OJ EU, 7/Vol. 4.) as amended by Commission Directive 2002/25/EC of 5 March 2002 (Special edition OJ EU, 7/Vol. 6.), Directive 2002/84/EC of the European Parliament and of the Council of 5 November 2002 (Special edition OJ EU, 7/Vol. 7.), Directive 2003/24/ES of the European Parliament and of the Council of 14 April 2003 (Special edition OJ EU, 7/Vol. 7.) and Commission Directive 2003/75/ES of 29 July 2003 (Special edition OJ EU, 7/Vol. 7.).