

M-Notices - May 2010 Telegraph

MGN 408 (M+F) – The Merchant Shipping and Fishing Vessels (Health and Safety at Work) (Biological Agents) Regulations 2010

This note provides guidance for employers and seafarers in management roles about their obligations under new health and safety legislation. An assessment of health risks from biological agents is necessary for all crew members involved in the following:

- food preparation
- contact with animals and/or products of animal origin
- health care
- work with air conditioning and water supply systems
- work involving waste disposal and sewage plant

MGN 408 explains how to reduce risks and take precautionary measures, e.g. by implementing good hygiene practices and providing information and training for workers. The note also sets out the employer's legal obligations regarding record-keeping, upkeep of facilities and so on.

MGN 409 (M+F) – The Merchant Shipping and Fishing Vessels (Health and Safety at Work) (Chemical Agents) Regulations 2010

As with biological agents, new legislation has been introduced on the protection of workers from exposure to hazardous chemical agents. MGN 409 explains that hazardous chemical agent means 'any chemical element of compound with the potential to cause harm if inhaled, ingested or by coming into contact with or absorbed through the skin'. Substances likely to contain hazardous chemical agents include paints, cleaning materials, fumigants and pesticides.

Exposure to hazardous chemical agents could occur on any type of vessel, not just those carrying chemical cargoes covered by the IMDG Code, IBC Code or IGC Code. Risk assessments are therefore necessary for any crew member using chemicals for tasks such as disinfection or water treatment.

MGN 409 provides full details of the employer's obligations under the new legislation.

MGN 410 (M+F) – The Merchant Shipping and Fishing Vessels (Health and Safety at Work) (Work at Height) Regulations 2010

A third new set of maritime health and safety regulations relate to work at height. As MGN 410 points out, this does not only encompass working from a ladder or on scaffolding but may also include:

- working alongside an open hatch
- working in close proximity to, or supported from, a ship's side
- working in deep tanks
- working on a permanent stairway, gangway or accommodation ladder
- gaining access to certain points onboard ship not served by a stairway, gangway or accommodation ladder

As well as describing the employer's general legal obligations towards employees working at height, MGN 410 sets out detailed requirements for the use of ladders, scaffolding and ropes.

MIN 376 (M+F) – Sulphur Content of Liquid Fuels Directive, 1999/32/EC, as amended by 2005/33/EC Relating to the Sulphur Content of Marine Fuels – Ships at Berth

The notice gives interim guidance to ships at berth in UK ports on the European Union legal requirements to use low-sulphur fuel. This legislation came into effect around the EU on 1 January 2010.

MIN 379 (M) – Ship Security Officer Certification: Recognition

This note clarifies the legal position on UK recognition of ship security officer (SSO) certification from other countries. Essentially, if the MCA already accepts a country's certificates of competency (CoCs) and the SSO certificate has been issued under STCW code A-VI/5, then the SSO certificate will be acceptable. A list of accepted CoCs is included in MIN 379; the MCA will provide updates on request.

MIN 380 (M) – New Port State Control Directive

MIN 380 gives notice that EC directive 2009/16 on port state control will be implemented into UK law on 1 January 2011. The note explains how the port state control regime will change under the new law: essentially, this will involve a move from vessels being chosen at random for inspection to a system where 'high-risk' ships are targeted. MIN 380 gives the criteria for a vessel being classified as high or low risk, and describes the new categories of inspection: 'expanded', 'initial' or 'more detailed'.

MIN 381 (M+F) – Research Project 616: Lifejacket Wear: Behavioural Change

This notice gives information about a research project commissioned by the MCA as part of its three-year lifejacket awareness campaign. The study focussed on recreational boaters, to learn which people are not carrying and wearing lifejackets and discover the best way to encourage a change in behaviour.

The research found that age and location were not significant factors in lifejacket use: there are wearers and non-wearers throughout the boating community, and safety interventions should therefore be directed towards everyone.

The researchers further noted that the most effective way to change behaviour was to improve boaters' understanding of the danger of cold water shock.