



STATUTORY INSTRUMENTS.

S.I. No. 452 of 2018



MERCHANT SHIPPING (RADIO) RULES 2018

MERCHANT SHIPPING (RADIO) RULES 2018

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MERCHANT SHIPPING (RADIO) RULES 2018

I, SHANE ROSS, Minister for Transport, Tourism and Sport, in exercise of the powers conferred on me by section 15 (inserted by section 8 of the Merchant Shipping Act 2010 (No. 14 of 2010)) of the Merchant Shipping (Safety Convention) Act 1952 (No. 29 of 1952) (as adapted by the Transport (Alteration of Name of Department and Title of Minister) Order 2011 (S.I. No. 141 of 2011)), and after consultation with the Minister for Communications, Climate Action and Environment (as adapted by the Communications, Energy and Natural Resources (Alteration of Name of Department and Title of Minister) Order 2016 (S.I. No. 421 of 2016)), hereby make the following rules:

PART 1

PRELIMINARY AND GENERAL

Citation

1. These Rules may be cited as the Merchant Shipping (Radio) Rules 2018.

Interpretation

2. In these Rules—

“assigned frequency” means the centre of a frequency band assigned in accordance with the Radio Regulations;

“bridge-to-bridge communications” means communications between ships from the positions from which the ships are normally navigated;

“cargo ship” means a ship other than a passenger ship;

“cargo ship construction and survey rules” means the rules made by the Minister under section 3 of the Merchant Shipping Act 1966 (No. 20 of 1966);

“constructed”, in relation to a ship, means—

(a) a ship the keel of which is laid, or

(b) a ship which is at a stage of construction at which construction, identifiable with a specific ship, has begun and assembly comprising at least 50 tonnes or 1 per cent of the estimated mass of all structural material, whichever is less, of the ship, has commenced;

“continuous watch” means a radio watch that is not interrupted or is interrupted for brief intervals when the ship's receiving capability is impaired or blocked by

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 16th November, 2018.*

its own communications or when the facilities are under periodical maintenance or checks;

“direct-printing telegraphy” means automated telegraphy techniques;

“DSC” means digital selective calling, a technique using digital codes which enables a radio station to establish contact with, and transfer information to, another station or group of stations;

“EPIRB” means an emergency position-indicating radio beacon;

“fishing vessel” means a vessel which is for the time being employed in sea fishing but does not include a vessel used otherwise than for profit;

“general radio communications” means operational and public correspondence traffic, other than distress, urgency and safety messages conducted by radio;

“HF” means high frequency, the frequency spectrum between 3000 kHz and 30 MHz;

“INMARSAT” means the International Maritime Satellite Organization established by the Convention on the International Maritime Satellite Organization done in London on the 3 September 1976 and amended at the 10th (extraordinary) Assembly held from 5 to 9 December 1994;

“international NAVTEX service” means the co-ordinated broadcast and automatic reception on 518 kHz of maritime safety information by means of narrow-band direct-printing telegraphy using the English language;

“locating” means finding ships, aircraft, units or persons in distress;

“Marine Notice” means a notice described as such, issued by the Minister and includes a subsequent Marine Notice amending or replacing a Marine Notice;

“maritime safety information” means navigational and meteorological warnings, meteorological forecasts and other urgent safety related messages that are broadcast to ships;

“MF” means medium frequency, the frequency spectrum between 300 kHz and 3000 kHz;

“partially smooth waters” means the areas of water so specified in a Marine Notice within the period or periods, if any, specified therein;

“passenger ship” means a ship carrying more than 12 passengers;

“pleasure craft” means a vessel (other than a passenger ship and a ship engaged in trade) used primarily for sport and recreation;

“polar orbiting satellite service” means a service which is based on polar orbiting satellites which receive and relay distress alerts from satellite EPIRBs and which provide their position;

“radar transponder” means a survival craft radar transponder for search and rescue between a survival craft and a ship or a survival craft and an aircraft;

“radio log-book” means a log-book required to be kept under section 242 or 256 of the Merchant Shipping Act 1894 (57 & 58 Vict. c. 60);

“Radio Regulations” means the Radio Regulations of the International Telecommunications Union annexed to the International Telecommunication Convention for the time being in force;

“radio communication” means telecommunication by means of radio waves;

“radio communication service” means a service as defined in the Radio Regulations involving the transmission, emission and reception of radio waves for specific telecommunication purposes;

“Regulations of 2011” means European Communities (Passenger Ships) Regulations 2011 (S.I. No. 322 of 2011);

“rules for life-saving appliances” means rules made, from time to time, by the Minister under section 82 of the Merchant Shipping Act 2010;

“satellite EPIRB” means an earth station in the mobile satellite service the emissions of which are intended to facilitate search and rescue operations;

“sea area A1” means an area, defined in a Marine Notice, that is within radiotelephone coverage of at least one land station in the maritime mobile service capable of transmitting and receiving in the VHF band and in which continuous DSC alerting is available;

“sea area A2” means an area, excluding sea area A1, defined in a Marine Notice, that is within radiotelephone coverage of at least one land station in the maritime mobile service capable of transmitting and receiving in the MF band and in which continuous DSC alerting is available;

“sea area A3” means an area, excluding sea areas A1 and A2, within the coverage of an INMARSAT geostationary satellite in which continuous alerting is available;

“sea area A4” means an area outside sea areas A1, A2 and A3;

“sea-going”, in relation to a ship, means—

- (a) a ship in respect of which load line certification is required to be in force in accordance with the Merchant Shipping (Load Lines) Act 1968 (No. 17 of 1968),
- (b) a passenger boat of—
 - (i) Class P3,
 - (ii) Class P4, which proceeds to sea,

- (iii) Class P5, or
- (iv) Class P6, which proceeds to sea,

in respect of which a passenger boat licence is required to be in force in accordance with the Merchant Shipping Act 1992 (No. 2 of 1992),

- (c) a passenger ship of Class I, II, II(A), III or VI in respect of which a passenger ship certificate is required to be in force in accordance with the Merchant Shipping Act 1992,
- (d) a passenger ship of Class A, B, C or D in respect of which a passenger ship safety certificate is required to be in force in accordance with the Regulations of 2011, or
- (e) any other vessel that proceeds to sea beyond the limits of smooth or partially smooth waters;

“ship earth station” means a mobile earth station in the maritime mobile-satellite service located on board a ship;

“ship station” means a mobile station in the maritime mobile service located on board a vessel which is not permanently moored other than a survival craft station;

“smooth waters” means any areas of water not being to sea or partially smooth waters, and in particular, the areas of water specified in a Marine Notice;

“survival craft” means a craft capable of sustaining the lives of persons in distress from the time of abandoning a ship;

“survival craft station” means a mobile station intended solely for survival and located on any survival craft;

“tons”, in relation to a ship, means gross tons and shall be ascertained in accordance with the Mercantile Marine (Tonnage) Regulations 2007 (S.I. No. 369 of 2007);

“VHF” means very high frequency, being the frequency spectrum between 30 MHz and 300 MHz.

Application

3. (1) Subject to paragraphs (2) and (3), these Rules apply to—

- (a) sea-going Irish ships on international voyages, and
- (b) other sea-going ships on international voyages while they are within any port in the State.

(2) These Rules shall not apply to sea-going Irish ships while such ships are being navigated within the Great Lakes of North America and their connecting

and tributary waters as far east as the lower exit of the St. Lambert Lock at Montreal in the Province of Quebec in Canada.

- (3) These Rules shall not apply to:
- (a) troopships;
 - (b) ships not propelled by mechanical means;
 - (c) pleasure craft;
 - (d) fishing vessels;
 - (e) subject to Rule 8(3), cargo ships of less than 300 tons.

Exemptions

4. (1) Subject to paragraph (2), the Minister may, having taken into account the effect that an exemption may have on the general efficiency of the service for the safety of all ships, exempt any Irish ship, that complies with Rule 5, from the requirements of Rules 8 to 12.

- (2) An exemption under paragraph (1) shall not be granted to a ship unless—
- (a) the Minister is satisfied that the conditions affecting safety are such as to render the application of Rules 8 to 12 to the ship unreasonable or unnecessary, or
 - (b) there are exceptional circumstances justifying the exemption for a single voyage outside the sea area for which the ship is equipped.

Functional requirements

5. (1) A ship while at sea, shall be capable of—
- (a) subject to Rules 9(2)(a) and 11(3)(d)(iii), transmitting ship-to-shore distress alerts by at least two separate and independent means, each using a different radio communication service,
 - (b) receiving shore-to-ship distress alerts,
 - (c) transmitting and receiving ship-to-ship distress alerts,
 - (d) transmitting and receiving search and rescue co-ordinating communications,
 - (e) transmitting and receiving on-scene communications,
 - (f) transmitting and receiving signals for locating,
 - (g) transmitting and receiving maritime safety information,

(h) subject to paragraph (2), transmitting and receiving general radio communications to and from shore-based radio systems or networks, and

(i) transmitting and receiving bridge-to-bridge communications.

(2) Where a ship is engaged on a voyage in sea areas A1 or A2 the ship shall meet the requirements referred to in paragraph (1) by using—

(a) duplication of radio equipment,

(b) shore-based maintenance,

(c) at-sea electronic maintenance capability, or

(d) any combination of subparagraphs (a) to (c) as may be specified in a Marine Notice.

(3) Where a ship is engaged on a voyage in sea areas A3 or A4 the ship shall meet the requirements referred to in paragraph (1) by using a combination of at least two of the methods referred to in paragraphs (2)(a) to (c) as may be specified in a Marine Notice.

PART 2

SHIP REQUIREMENTS

Licences

6. An owner or master of a ship, to which these Rules apply, shall not keep or possess a ship radio station save in so far as such is authorised by a licence granted under section 5 of the Wireless Telegraphy Act 1926 (No. 45 of 1926).

Installation, location and control of radio equipment

7. (1) A ship shall be provided with radio installations that comply with—

(a) the requirements specified in Rule 5, and

(b) unless exempted under Rule 4—

(i) the requirements of Rule 8, and

(ii) where applicable, the requirements of Rules 9, 10, 11 and 12.

(2) A radio installation shall—

(a) be located so as to ensure that there is no harmful interference of mechanical, electrical or other origin affecting its proper use and so as to ensure electromagnetic compatibility and avoidance of harmful interaction between it and other equipment and systems,

(b) be located so as to ensure the greatest possible degree of safety and operational availability,

- (c) be protected against harmful effects of water, extremes of temperature and other adverse environmental conditions,
 - (d) have reliable, permanently arranged electrical lighting, independent of the main and emergency sources of electrical power, for the adequate illumination of the radio controls and for its operation, and
 - (e) be clearly marked with the call sign and the ship station identity.
- (3) Control of VHF radiotelephone channels shall be immediately available on a navigating bridge convenient to the position from where a ship is normally navigated and, where such control is available, facilities shall be available to permit radio communications from the wings of the navigating bridge.
- (4) Portable VHF equipment may be used for the purposes of paragraph (3).
- (5) A radio transmitter and receiver shall be provided with a suitable antenna that shall be constructed and located to enable the radio transmitter and receiver to perform its communication function effectively.
- (6) Where wire antennas are provided as part of a radio installation—
- (a) they shall be fitted with suitable insulators and, if suspended between supports that are liable to whipping, they shall be protected against breakage, and
 - (b) a spare main transmitting wire antenna assembled for rapid replacement shall be carried on board.
- (7) Where MF or MF and HF radio installations are provided with an antenna that is not a supported wire antenna, a spare antenna of similar electrical characteristics shall be carried on board.
- (8) All reasonable measures shall be taken to ensure that there is no inadvertent activation of a distress button on any alerting equipment or distress panels.
- (9) Where a button on the alerting equipment or distress panels of a ship is activated information on the position of the ship shall be continuously and automatically provided to all relevant radio equipment included in the initial distress alert.
- (10) A distress panel of a ship shall—
- (a) contain—
 - (i) a single button for all radio installations on board, or
 - (ii) a separate button for each radio installation on board which when pressed shall initiate a distress alert using all radio installations required on board for that purpose,

- (b) clearly and visually indicate whenever any button mentioned in paragraph (a) has been pressed,
- (c) provide visual and aural indication of any distress alert received on board, and
- (d) indicate through which radio communication service the alert under paragraph (c) has been received.

(11) Where a satellite EPIRB is the secondary means of initiating a distress alert on a ship and it is not capable of being activated remotely, then an additional EPIRB shall be installed in the wheelhouse of the ship near the position from which the ship is normally navigated.

(12) A passenger ship shall have a distress panel installed at the position from which the ship is normally navigated.

Radio equipment for ships

8. (1) A ship shall be provided with—

- (a) a VHF radio installation capable of transmitting and receiving—
 - (i) DSC on the frequency 156.525 MHz (channel 70), and
 - (ii) radiotelephony on the frequencies 156.300 MHz (channel 6), 156.650 MHz (channel 13) and 156.800 MHz (channel 16),
- (b) a radio installation capable of maintaining a continuous DSC watch on VHF channel 70 which may be separate from or combined with that required by subparagraph (a)(i),
- (c) a radar transponder capable of operating in the 9 GHz band, which—
 - (i) shall be stowed in a manner that it can be easily utilised, and
 - (ii) may be one of those required by the rules for life-saving appliances for a survival craft,
- (d) a receiver capable of receiving international NAVTEX service broadcasts if the ship is engaged on voyages in any area in which an international NAVTEX service is provided,
- (e) a radio facility for reception of maritime safety information by the INMARSAT enhanced group calling system if the ship is engaged on voyages in any area of INMARSAT coverage in which an international NAVTEX service is not provided, and
- (f) a satellite EPIRB that shall be—
 - (i) capable of transmitting a distress alert either through the polar orbiting satellite service operating in the 406 MHz band or, in sea

areas A1, A2 and A3 only, through the INMARSAT geostationary satellite service operating in the 1.6 GHz band,

- (ii) installed in an easily accessible position,
- (iii) ready to be manually released and capable of being carried by one person into a survival craft,
- (iv) capable of floating free if the ship sinks and of being automatically activated when afloat, and
- (v) capable of being activated manually.

(2) A passenger ship shall be provided with means for two-way on-scene radio communications for search and rescue purposes capable of operating solely on the aeronautical frequencies 121.5 MHz and 123.1 MHz from the position from which the ship is normally navigated.

(3) In addition, a cargo ship of at least 150 tons but less than 300 tons shall be fitted with—

- (a) at least two portable and waterproof VHF radiotelephony units, and
- (b) at least two search and rescue radar transponders,

that conform to the requirements of the rules for life-saving appliances.

(4) Distress alerts on channel 70 may be transmitted from the position from which a ship is normally navigated.

(5) Notwithstanding the requirements of paragraph (1)(e), the Minister may exempt a ship from the requirements thereof if he or she is satisfied that the ship—

- (a) will be engaged on voyages exclusively in areas where a HF direct-printing telegraphy maritime safety information service is provided, and
- (b) is fitted with radio equipment capable of receiving such service.

Additional radio equipment for sea area A1

9. (1) This Rule applies to a ship engaged on a voyage exclusively in sea area A1.

(2) Notwithstanding Rule 8, a ship to which this Rule applies, shall be provided with a radio installation capable of initiating the transmission of ship-to-shore distress alerts from the position from which the ship is normally navigated, operating—

- (a) on VHF using DSC, installed close to or by remote activation from the position from which the ship is normally navigated,

- (b) through the polar orbiting satellite service on 406 MHz, by installing a satellite EPIRB, referred to in Rule 8(1)(f), close to, or by remote activation from, the position from which the ship is normally navigated,
- (c) if the ship is engaged on voyages within coverage of MF coast stations equipped with DSC, on MF using DSC,
- (d) on HF using DSC, and
- (e) through the INMARSAT geostationary satellite service by—
 - (i) an INMARSAT ship earth station, or
 - (ii) the satellite EPIRB, referred to in Rule 8(1)(f), installed close to, or by remote activation from, the position from which the ship is normally navigated.

(3) A ship, to which this Rule applies, shall be provided with a VHF radio that is capable of transmitting and receiving general radio communications using radiotelephony.

Additional radio equipment for sea area A2

10. (1) This Rule applies to a ship engaged on a voyage beyond sea area A1 but remaining within sea area A2.

(2) Notwithstanding the requirements of Rule 8, a ship, to which this Rule applies, shall be provided with—

- (a) an MF radio installation capable of transmitting and receiving, for distress and safety purposes, on the frequencies—
 - (i) 2,187.5 kHz (assigned frequency) using DSC, and
 - (ii) 2,182 kHz using radiotelephony,
- (b) a radio installation capable of maintaining a continuous DSC watch on the frequency 2,187.5 kHz (assigned frequency) which may be separate from or combined with that required by subparagraph (a)(i), and
- (c) the means of initiating the transmission of ship-to-shore distress alerts by a radio service other than MF operating—
 - (i) through the polar orbiting satellite service on 406 MHz, by installing a satellite EPIRB, referred to in Rule 8(1)(f), close to, or by remote activation from, the position from which the ship is normally navigated,
 - (ii) on HF using DSC, or
 - (iii) through the INMARSAT geostationary satellite service by—

(I) the radio equipment specified in paragraph (4)(b), or

(II) the satellite EPIRB, referred to in Rule 8(1)(f) installed close to, or by remote activation from, the position from which the ship is normally navigated.

(3) Distress alerts by the radio installations specified in subparagraphs (a) and (c) of paragraph (2) may be transmitted from the position from which the ship is normally navigated.

(4) A ship, to which this Rule applies, shall be capable of transmitting and receiving general radio communications using radiotelephony or direct-printing telegraphy via—

(a) a radio installation operating on working frequencies in the bands between 1,605 kHz and 4,000 kHz or between 4,000 kHz and 27,500 kHz, or

(b) an INMARSAT ship earth station.

(5) The requirement under paragraph (4)(a) may be fulfilled by the use of an installation referred to in paragraph (2)(a) with the necessary modifications as to capability.

Additional radio equipment for sea area A3

11. (1) This Rule applies to a ship engaged on a voyage beyond sea areas A1 and A2 but remaining within sea area A3.

(2) Notwithstanding the requirements of Rule 8, a ship, to which this Rule applies, shall be provided with the radio equipment specified in paragraph (3) or (4).

(3) A ship, to which this Rule applies, shall comply with paragraph (2) where it is provided with—

(a) an INMARSAT ship earth station capable of—

(i) transmitting and receiving distress and safety communications using direct-printing telegraphy,

(ii) initiating and receiving distress priority calls,

(iii) maintaining watch for shore-to-ship distress alerts, including those directed to specifically defined geographical areas, and

(iv) transmitting and receiving general radio communications, using either radiotelephony or direct-printing telegraphy,

(b) an MF radio installation capable of transmitting and receiving, for distress and safety purposes, on the frequencies—

(i) 2,187.5 kHz (assigned frequency) using DSC, and

- (ii) 2,182 kHz using radiotelephony,
 - (c) a radio installation capable of maintaining a continuous DSC watch on the frequency 2,187.5 kHz (assigned frequency) which may be separate from or combined with that required by subparagraph (b)(i), and
 - (d) the means of initiating the transmission of ship-to-shore distress alerts by a radio service operating—
 - (i) through the polar orbiting satellite service on 406 MHz, by installing a satellite EPIRB, referred to in Rule 8(1)(f), close to, or by remote activation from, the position from which the ship is normally navigated,
 - (ii) on HF using DSC, or
 - (iii) through the INMARSAT geostationary satellite service, by—
 - (I) additional ship earth station, or
 - (II) the satellite EPIRB, referred to in Rule 8(1)(f) installed close to, or by remote activation from, the position from which the ship is normally navigated.
- (4) A ship, to which this Rule applies, shall comply with paragraph (2) where it is provided with—
- (a) an MF and HF radio installation capable of transmitting and receiving, for distress and safety purposes, on all distress and safety frequencies in the bands between 1,605 kHz and 4,000 kHz and between 4,000 kHz and 27,500 kHz—
 - (i) using DSC,
 - (ii) using radiotelephony, and
 - (iii) using direct-printing telegraphy,
 - (b) equipment capable of maintaining DSC watch on 2,187.5 kHz, 8,414.5 kHz (assigned frequencies) and on at least one of the distress and safety DSC frequencies 4,207.5 kHz, 6,312 kHz, 12,577 kHz or 16,804.5 kHz (assigned frequencies), and
 - (c) the means of initiating the transmission of ship-to-shore distress alerts by a radio communication service other than HF operating—
 - (i) through the polar orbiting satellite service on 406 MHz, by installing a satellite EPIRB, referred to in Rule 8(1)(f), close to, or by remote activation from, the position from which the ship is normally navigated, or

(ii) through the INMARSAT geostationary satellite service by—

(I) an INMARSAT ship earth station, or

(II) the satellite EPIRB, required by Rule 8(1)(f), by installing it close to, or by remote activation from, the position from which the ship is normally navigated.

(5) A ship, to which this Rule applies, shall be capable of transmitting and receiving general radio communications using radiotelephony or direct-printing telegraphy by an MF and HF radio installation operating on working frequencies in the bands between 1,605 kHz and 4,000 kHz and between 4,000 kHz and 27,500 kHz.

(6) The equipment referred to in paragraph (4)(b) may be separate from or combined with the equipment referred to in paragraph (4)(a).

(7) Distress alerts may be transmitted by the radio installations specified in paragraphs (3)(a), (3)(b), (3)(d), (4)(a) and (4)(c) from the position from which the ship is normally navigated.

Additional radio equipment for sea areas A1, A2, A3 and A4

12. (1) This Rule applies to a ship engaged on a voyage in sea areas A1, A2, A3 and A4.

(2) Notwithstanding the requirements of Rules 8, 9, 10 and 11, a ship, to which this Rule relates, shall be provided with the radio installation specified in Rule 11(4)(c)(ii).

Radio watches

13. (1) This Rule applies to a ship while at sea.

(2) A ship shall maintain a continuous watch—

(a) on VHF DSC channel 70 where, in accordance with the requirements of Rule 8(1)(b), it is fitted with a VHF radio installation,

(b) on the distress and safety DSC frequency 2,187.5 kHz (assigned frequency) where, in accordance with the requirements of Rule 10(2)(b) or 11(3)(c), it is fitted with an MF radio installation,

(c) on the distress and safety DSC frequencies 2,187.5 kHz and 8,414.5 kHz (assigned frequencies) and on at least one of the distress and safety DSC frequencies 4,207.5 kHz, 6,312 kHz, 12,577 kHz or 16,804.5 kHz (assigned frequencies), appropriate to the time of day and the geographical position of the ship, where in accordance with the requirements of Rule 11(4)(b), it is fitted with an MF and HF radio installation, and

- (d) for satellite shore-to-ship distress alerts, if the ship, in accordance with the requirements of Rule 11(3)(a), is fitted with an INMARSAT ship earth station.

(3) A ship shall maintain a radio watch for broadcasts of maritime safety information on the appropriate frequency on which such information is broadcast for the area in which the ship is navigating.

(4) Where practicable, a ship shall maintain a continuous listening watch on VHF channel 16 at the position from which the ship is normally navigated.

(5) The watch referred to in paragraph (2)(c) may be kept by means of a scanning receiver.

Sources of energy

14. (1) When a ship is at sea it shall have a supply of electrical energy that is sufficient to—

- (a) operate the radio installations, and
- (b) charge any batteries used as part of a reserve source of energy for the radio installations.

(2) A ship shall be provided with a reserve source of energy to supply the radio installations in the event of failure of the ship's main and emergency sources of electrical power.

(3) A reserve source of energy shall be capable of simultaneously operating—

- (a) the VHF radio installation required by Rule 8(1)(a),
- (b) the MF radio installation required by Rule 10(2)(a), the MF and HF radio installation required by Rule 11(4)(a) or the INMARSAT ship earth station required by Rule 11(3)(a), as the case may be, and
- (c) any of the additional loads mentioned in paragraphs (5), (6) and (8) for a period of at least—
 - (i) one hour on a ship constructed on or after 1 February 1995,
 - (ii) one hour on a ship constructed before 1 February 1995 where the emergency source of electrical power complies with all relevant requirements of the cargo ship construction and survey rules and the requirements under these Rules to supply the radio installations, and
 - (iii) 6 hours on a ship constructed before 1 February 1995 where the emergency source of electrical power is not provided or does not comply with all relevant requirements of the cargo ship construction and survey rules and the requirements under these Rules to supply the radio installations.

- (4) A reserve source of energy shall be independent of the propelling power of a ship and its electrical system.
- (5) Where, in addition to the VHF radio installation referred to in paragraph (3)(a) at least two of the other radio installations referred to in paragraph (3)(b) can be connected to the reserve source of energy, that source shall be capable of simultaneously supplying, for the period specified in paragraph (3)(c)(i), (ii) or (iii), as the case may be—
- (a) the VHF radio installation, and
 - (b) (i) all other radio installations which can be connected to the reserve source of energy at the same time, or
 - (ii) where only one of the other radio installations can be connected to that source simultaneously with the VHF radio installation, the radio installation that will consume the most power.
- (6) A reserve source of energy may be used to supply the electrical lighting required by Rule 7(2)(d).
- (7) Where a reserve source of energy consists of a rechargeable accumulator battery or batteries—
- (a) a means of automatically charging such batteries shall be provided which shall be capable of recharging such batteries to minimum capacity requirements within 10 hours,
 - (b) the capacity of such batteries shall be checked at intervals not exceeding 12 months, and
 - (c) such batteries shall be located and installed so as to ensure—
 - (i) the highest degree of service,
 - (ii) a reasonable lifespan,
 - (iii) safety of persons and equipment,
 - (iv) that temperatures remain within the manufacturer's specifications whether or not under charge, and
 - (v) that when such batteries are fully charged, they will provide at least the minimum required hours of operation required under paragraph (3)(c)(i), (ii) or (iii), as the case may be, under all weather conditions.
- (8) Where a continuous supply of information from a ship's navigational (or other) equipment to a radio installation required by these Rules is needed to ensure the proper performance of the radio installation then means shall be provided to ensure the continuous supply of such information in the event of failure of the ship's main or emergency source of electrical power.

(9) For the purpose of calculating the required capacity of a reserve source of energy the total current used in calculations shall be equal to the highest sum of—

- (a) the current used for all the radio installations which can be connected simultaneously to the source of energy, based on the following—
 - (i) the current consumption of a VHF receiver,
 - (ii) one fifth of the current consumption of a VHF transmitter,
 - (iii) the current consumption of an MF or an MF and HF receiver and of the transmitter when it is in a condition such that operation of the “press to transmit” switch will render it ready for immediate transmission,
 - (iv) one third of the current which may be drawn by an MF or an MF and HF transmitter for speech transmission on the frequency at which the current consumption of a transmitter is at a maximum,
 - (v) the current consumption of an INMARSAT ship earth station when it is receiving transmissions, and
 - (vi) one quarter of the current which may be drawn by an INMARSAT ship earth station when it is transmitting in the mode at which the current consumption is at a maximum, and
- (b) the total current used for all additional loads to which the reserve source may supply energy in times of distress or emergency.

Performance standards

15. Radio equipment required under these Rules shall—

- (a) meet the requirements of the performance standards adopted by the International Maritime Organization, and
- (b) in the case of Irish ships, meet the requirements of the European Union (Marine Equipment) Regulations 2017 (S.I. No. 177 of 2017).

Maintenance requirements

16. (1) The main units of radio equipment on a ship, to which these Rules apply, shall be capable of replacement without elaborate recalibration or readjustment.

(2) Where radio equipment is subject to inspection it shall be accessible for inspection and on-board maintenance.

(3) Adequate information shall be provided to enable radio equipment to be properly operated and maintained.

(4) Tools and replacement parts shall be provided to enable radio equipment to be maintained.

(5) Radio equipment shall be maintained in order that it meets—

(a) the requirements under Rule 5, and

(b) the recommended performance standards of the radio equipment.

(6) Where a ship, to which these Rules apply, is at sea a person who is qualified within the meaning of Rule 17(1) and nominated by the master of the ship, shall carry out the tests and checks specified in Schedule 1.

(7) Where a radio installation on a ship required by these Rules is not in working order the master of the ship shall be informed.

Qualified person

17. (1) A person is qualified for the purposes of this Rule if he or she holds a certificate granted under Regulation 6 of the Wireless Telegraphy (Maritime Radio Operator) (Certificates of Competency) Regulations 2010 (S.I. No. 8 of 2010) that has been endorsed in accordance with the European Union (Training, Certification and Watchkeeping for Seafarers) Regulations 2014 (S.I. No. 242 of 2014) or is continued in force under Regulation 30(2) of the European Union (Training, Certification and Watchkeeping for Seafarers) Regulations 2014.

(2) An owner or master of a ship, to which these Rules apply, shall ensure that the ship shall carry a person who is qualified within the meaning of paragraph (1) and who has responsibility for radio communications during a distress incident.

(3) A passenger ship, to which these Rules apply, shall carry at least one person who is qualified within the meaning of paragraph (1) to perform exclusively radio communication duties referred to in Rule 5(1) during a distress incident.

(4) The person referred to in paragraphs (2) and (3) shall be a person other than the master of a ship.

Radio log-book

18. The master of a ship shall cause an entry to be made in the ship's radio log-book of the particulars specified in Schedule 2.

Position-updating

19. (1) Where a ship carries on board two-way communication equipment that is capable of automatically including the position of the ship in a distress alert that equipment shall be automatically provided with the position of the ship from an internal or external navigation receiver.

(2) Where a ship is under way and does not carry the equipment specified in paragraph (1), the position of the ship and the time at which the position is determined shall be manually updated and recorded in the radio log-book at intervals not exceeding 4 hours.

Responsible person

20. The owner or master, as the case may be, of a ship to which these Rules apply, shall ensure that the ship complies with these Rules.

Revocation and saver

21. (1) Subject to paragraph (2), the Merchant Shipping (Radio) Rules 1992 (S.I. No. 224 of 1992) are revoked.

(2) The revocation effected by paragraph (1) shall not apply in relation to Irish sea-going ships (other than those specified in Rule 1(4) of the Merchant Shipping (Radio) Rules 1992) which are not engaged on international voyages.

SCHEDULE 1

*Rule 16(6)***Equipment tests and reserve power checks**

1. Daily

- (a) The proper functioning of the DSC facilities shall be tested at least once daily without radiation of signals by use of the means provided by the equipment.
- (b) Batteries providing a source of energy for any part of the radio installations shall be tested daily and, where necessary, brought up to the fully charged condition.
- (c) Where the reserve source of energy is not a battery the reserve source of energy shall be tested daily.

2. Weekly

The proper operation of the DSC facilities shall be tested at least once a week by means of a live test call when within communication range of a coast radio station fitted with DSC equipment. Where a ship has been out of communication range of a coast radio station fitted with DSC equipment for a period of longer than one week a test call shall be made on the first occasion that the ship is within communication range of such a coast radio station.

3. Monthly

- (a) An EPIRB and satellite EPIRB shall be tested at least once a month to determine its capability to operate properly using the means provided on the device and without using the satellite system.
- (b) A search and rescue radar transponder shall be checked at least once a month for security and signs of damage.
- (c) A survival craft two-way VHF equipment shall be tested at least once a month on a frequency other than 156.800 MHz (VHF channel 16).
- (d) A check shall be made at least once a month on the security and condition of all batteries (including the battery connections and compartment) providing a source of energy for any part of a radio installation.

SCHEDULE 2

Rule 18

Radio log-book

The following shall be recorded in a radio log-book:

- (a) the time, source and summary of content of a communication relating to distress, urgency and safety traffic;
- (b) the occurrence and time of important radio service incidents;
- (c) subject to paragraph (d), the position, at least once a day, of the ship and the time at which it was in that position;
- (d) where a ship is under way and does not carry the equipment specified in Rule 19(1), the position of the ship and the time at which that position is determined at intervals not exceeding 4 hours;
- (e) the date and time of performance of the equipment tests and reserve power checks specified in Schedule 1.



GIVEN under my Official Seal,
9 November 2018.

SHANE ROSS,
Minister for Transport, Tourism and Sport.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation)

These Rules give effect to the provisions of Chapter IV of the Annex to the International Convention on the Safety of Life at Sea (SOLAS), 1974, which concerns radiocommunication services as well as ship requirements for carriage of radiocommunications equipment.

The Rules update existing legislation on the installation, location and control of radio equipment; radio equipment required for ships; additional radio equipment required for the various sea areas; radio watch requirements; sources of energy for radio installations; performance standards and maintenance requirements for radio equipment; qualified persons; radio log-books; position updating requirements; and responsible persons.

The Rules apply to certain categories of cargo ships and to passenger ships registered in the State while on international voyages and to other sea-going ships on international voyages while they are within a port in the State.

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