



STATUTORY INSTRUMENTS.

S.I. No. 381 of 2025

MERCHANT SHIPPING (CARGO SHIP SAFETY EQUIPMENT SURVEY)
REGULATIONS 2025

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I, SEÁN CANNEY, Minister of State at the Department of Transport, in exercise of the powers conferred on me by section 418(1) of the Merchant Shipping Act 1894 (inserted by section 52(1)(a) of the Merchant Shipping (Investigation of Marine Accidents) Act 2025 (No. 2 of 2025) (“Act of 2025”)), section 34(1) of the Maritime Safety Act 2005 (No. 11 of 2005) (inserted by section 52(4)(a) of the Act of 2025), and the Maritime Transport, Safety and Security (Transfer of Departmental Administration and Ministerial Functions) Order 2005 (S.I. No. 842 of 2005) (as adapted by the Transport, Tourism and Sport (Alteration of Name of Department and Title of Minister) Order 2020 (S.I. No. 351 of 2020)) and the Transport (Delegation of Ministerial Functions) Order 2025 (S.I. No. 144 of 2025), hereby make the following regulations:

Citation

1. These Regulations may be cited as the Merchant Shipping (Cargo Ship Safety Equipment Survey) Regulations 2025.

Definitions

2. In these Regulations—

“anniversary date” means the date in each year corresponding to the date of expiry of the cargo ship safety equipment certificate issued in respect of a ship;

“cargo ship” means a ship which is not a passenger ship or fishing vessel;

“cargo ship safety equipment certificate” means the certificate issued under section 22 of the Merchant Shipping (Safety Convention) Act 1952 (No. 29 of 1952);

“Harmonised System of Survey and Certification” means the harmonised system of survey and certification under the International Convention for the Safety of Life at Sea 1974 (1974 SOLAS Convention), adopted by the Protocol of 1988 relating to the International Convention for the Safety of Life at Sea 1974 (1988 SOLAS Protocol) at the International Conference on the Harmonised System of Survey and Certification 1988 (1988 HSSC Conference);

“passenger ship” means a ship which carries more than 12 passengers;

“recognised organisation” means an organisation recognised in accordance with Regulation (EC) No. 391/2009 of the European Parliament and of the Council of 23 April 2009¹, and authorised by the Minister under Regulation 4(1) of the European Communities (Ship Inspection and Survey Organisations) Regulations 2011 (S.I. No. 275 of 2011) to undertake, in whole or in part, surveys for the purpose of issuing a cargo ship safety equipment certificate;

¹ OJ No. L 131, 28.05.2009, p. 11

“safety equipment and systems” means the equipment and systems applicable to cargo ships as required under the following:

- (a) the Merchant Shipping (Collision Regulations) (Ships and Water Craft on the Water) Order 2012 (S.I. No. 507 of 2012), and
- (b) the Merchant Shipping (Carriage of Nautical Charts and Publications) Regulations 2021 (S.I. No. 149 of 2021).

Application

3. These Regulations apply to Irish seagoing cargo ships of 500 gross tonnage and over.

Survey of safety equipment and systems

4. (1) The owner of every cargo ship shall cause the safety equipment and systems to be surveyed at the intervals specified in Regulation 5.

(2) Every application for the survey of a ship under this Regulation shall be accompanied by—

- (a) such information relating to the ship as the Minister or a recognised organisation may require for the purposes of the survey, and
- (b) the appropriate fee prescribed under the Merchant Shipping (Fees) Order 2010 (S.I. No. 594 of 2010).

Survey intervals

5. (1) The owner of every cargo ship shall make an application to the Minister or a recognised organisation, as appropriate, for the survey of the safety equipment and systems on board the ship at the following intervals:

- (a) an initial survey before the ship is put into service;
- (b) a renewal survey at least once every 5 years, subject to the validity period of the cargo ship safety equipment certificate, or where the cargo ship safety equipment certificate has been revoked and a new certificate is sought;
- (c) an annual survey within 3 months before or after each anniversary date of the cargo ship safety equipment certificate;
- (d) a periodical survey within 3 months before or after the second or third anniversary of the issue of the cargo ship safety equipment certificate, which shall take the place of the annual survey which would otherwise be due that year.

(2) Where a renewal survey is carried out under subparagraph (1)(b)—

- (a) within 3 months of the expiry date of the existing certificate, the new certificate shall be valid for a period of no more than 5 years from the original expiry date, or

- (b) more than 3 months before the expiry date of the existing certificate, the new certificate shall be valid for a period not exceeding 5 years from the date of the completion of the renewal survey.

(3) Where a change, replacement or significant repair of the safety equipment and systems takes place, other than to replace or repair any defective safety equipment or systems which shall be of the same or a higher standard, the owner shall inform the Minister and make an application for the survey of the safety equipment and systems to ensure that the cargo ship safety equipment certificate may continue in force.

(4) Where a complaint is made to the Minister concerning the safety equipment and systems, the Minister may cause a survey or inspection to be undertaken to ensure the safety equipment and systems remain fit for the service for which the ship was intended.

Declaration of survey and endorsement

6. (1) Upon receipt of an application for the survey of a ship, the Minister or a recognised organisation, as appropriate, shall cause a survey to be undertaken. A surveyor of ships or a recognised organisation shall survey the ship and be satisfied that the safety equipment and systems are in satisfactory condition and fit for the service for which the ship is intended.

(2) In the case of an initial or renewal survey, the surveyor of ships, if satisfied on the survey that he or she may properly do so, shall forward to the Minister a declaration of survey containing such particulars of the ship and its safety equipment and systems as are required by the Minister to allow for the issue of a cargo ship safety equipment certificate in respect of the ship.

(3) On completion of a satisfactory annual or periodic survey, a surveyor of ships or a recognised organisation shall endorse the attachment to the cargo ship safety equipment certificate confirming that safety equipment and systems remain fit for the service for which the ship is intended.

(4) The Minister may delegate the survey of the safety equipment and systems on board cargo ships and issue of the cargo ship safety equipment certificate to a recognised organisation. In such cases an owner shall apply directly to a recognised organisation for a survey.

(5) Surveys to be carried out under this Regulation shall be undertaken in accordance with the Harmonised System of Survey and Certification.

(6) A cargo ship safety equipment certificate shall not be issued in respect of a ship unless a survey of the ship has been undertaken to the satisfaction of a surveyor of ships or a recognised organisation in accordance with this Regulation and Rule 6 of the Merchant Shipping (Cargo Ship Safety Equipment Survey) Rules 2025 (S.I. No. 382 of 2025).

Duty of the owner and master

7. (1) The owner and master of every ship in relation to which these Regulations apply shall ensure that:

- (a) the condition of the safety equipment and systems is maintained so as to remain fit for the service for which the ship is intended;
- (b) after any survey required by these Regulations has been completed, no material change, replacement or significant repair shall be made to the safety equipment and systems without the approval of the Minister, other than to replace or repair any defective safety equipment or systems which shall be of the same or a higher standard in order to ensure that the safety of the vessel is maintained;
- (c) the safety equipment and systems are in compliance with the European Union (Marine Equipment) Regulations 2017 (S.I. No. 177 of 2017); and
- (d) whenever an incident occurs to a ship or a defect is discovered, either of which affects the safety of the ship or the efficiency or completeness of its safety equipment and systems, it shall be reported at the earliest opportunity to the Minister or to the recognised organisation that issued the cargo ship safety equipment certificate, who shall determine whether a survey is necessary and shall in that event require such a survey to be carried out. If the ship is in a port outside the State the master or owner shall, in addition, make such a report immediately to the appropriate authorities of the country in which the port is situated.

(2) The Minister or a recognised organisation, as appropriate, shall ascertain that the report to the appropriate authorities of the country in which the port is situated, referred to in subparagraph (1)(d), has been made.

Exemption

8. The Minister may grant exemptions from all or any of the provisions of these Regulations (as may be specified in the exemption) for classes of cases or individual cases on such terms (if any) as he or she may so specify and may, subject to giving reasonable notice, alter or cancel any such exemption.



GIVEN under my Official Seal,
29 July, 2025.

SEÁN CANNEY,
Minister of State at the Department of Transport.

EXPLANATORY NOTE

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

These Regulations apply to Irish cargo ships of 500 gross tonnage and over. They set out the requirement for a shipowner to ensure that the safety equipment and systems on board the ship are surveyed at regular intervals in conjunction with the Merchant Shipping (Cargo Ship Safety Equipment Survey) Rules 2025. Such surveys may be undertaken by a surveyor of ships from the Marine Survey Office or a recognised organisation on behalf of the Minister.

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