



## MERCHANT SHIPPING (MEDICAL STORES) REGULATIONS 2015

### Index

Regulation	Page
1 Title .....	3
2 Commencement.....	3
3 Application .....	3
4 Interpretation .....	3
5 Shipowner and master's responsibility .....	4
6 Provisions relating to offences.....	5
7 Exemptions .....	5
8 Requirement to carry medical stores.....	6
9 Medical stores to be carried on a ship transporting dangerous goods .....	6
10 Emergency medical kit for Ro-Ro passenger ships not normally carrying a medical doctor .....	7
11 First aid kits .....	7
12 Standards of medical stores.....	7
13 Publications .....	8
14 Medical stores inventory .....	8
15 Storage of medicines.....	8
16 Expired medical stores .....	8
17 Inspection of medical stores .....	9
18 Revocation .....	9
19 Consequential amendments .....	9
<b>SCHEDULE</b>	<b>11</b>
<b>CONSEQUENTIAL AMENDMENTS</b>	<b>11</b>



Statutory Document No. 2015/0055



*Merchant Shipping Act 1985*

## **MERCHANT SHIPPING (MEDICAL STORES) REGULATIONS 2015**

*Coming into Operation:*

*1 July 2015*

The Department of Economic Development, having carried out the consultations required by section 2(2) of the Merchant Shipping Act 1985, makes the following Regulations under sections 1 and 2 of that Act.

### **1 Title**

These Regulations are the Merchant Shipping (Medical Stores) Regulations 2015.

### **2 Commencement**

These Regulations come into operation on 1 July 2015.

### **3 Application**

- (1) Unless provided otherwise, these Regulations apply to a Manx ship wherever it may be.
- (2) These Regulations do not apply to –
  - (a) pleasure vessels;
  - (b) ships engaged in fishing or similar pursuits;
  - (c) ships of traditional build such as dhows and junks; warships or naval auxiliaries; or
  - (d) ships which navigate exclusively within 60 nautical miles of the Island's coast.

### **4 Interpretation**

In these Regulations –

“**dangerous goods**” means the substances, materials and articles covered by the IMDG Code;

- “**Department**” means the Department of Economic Development<sup>1</sup>;
- “**IMDG Code**” has the meaning given by regulation 4 of the Merchant Shipping (SOLAS VII – Carriage of Dangerous Goods) Regulations 2022<sup>2</sup>;
- “**IMO**” means the International Maritime Organization;
- “**Manx ship**” has the meaning given by section 1 of the Merchant Shipping Registration Act 1991 and includes a ship registered under Part IV of that Act (the Demise Charter Register);
- “**Maritime Labour Convention**” means the Convention adopted on the 23 February 2006 by the General Conference of the International Labour Organization;
- “**MFAG**” means the latest edition as specified in MLN 4.1 of the Medical First Aid Guide for Use in Accidents Involving Dangerous Goods which is the Chemicals Supplement to the International Medical Guide for Ships, published by the World Health Organization;
- “**MLN**” means a Maritime Labour Notice issued by the Department and includes any document amending the same;
- “**medical stores**” means medicines, medical equipment and antidotes;
- “**passenger ship**” means a ship carrying more than 12 passengers;
- “**pleasure vessel**” has the meaning given by regulation 6 of the Merchant Shipping (Pleasure Vessel) Regulations 2003<sup>3</sup>;
- “**Ro-Ro passenger ship**” means a passenger ship with ro-ro cargo spaces or special category spaces; and
- “**shipowner**” means the owner of the ship or another organisation or person, such as the manager, agent or bareboat charterer, who has assumed the responsibility for the operation of the ship from the owner and who, on assuming that responsibility, has agreed to take over the duties and responsibilities imposed on the shipowner in accordance with the Maritime Labour Convention, regardless of whether any other organisation or person fulfils certain of the duties or responsibilities on behalf of the shipowner.

## 5 Shipowner and master’s responsibility

- (1) A shipowner and a master must ensure a ship is equipped and operated in accordance with these Regulations.

---

<sup>1</sup> Functions transferred from the Department of Economic Development to the Department for Enterprise by the Transfer of Functions (Economic Development and Education) Order 2017 (SD2017/0325) ) with effect from 24 November 2017

<sup>2</sup> SD2022/0294

<sup>3</sup> SD 396/03



- (2) Paragraph (1) applies whether or not these Regulations impose an obligation on another person.
- (3) A shipowner or a master who fails to comply with paragraph (1) commits an offence and is liable –
  - (a) on conviction on information, to custody for not more than 2 years, a fine, or both;
  - (b) on summary conviction, to a fine not exceeding **£10,000<sup>4</sup>**.

## 6 Provisions relating to offences

- (1) It is a defence for a person charged under these Regulations to show that he or she took all reasonable steps to avoid the commission of the offence.
- (2) If the commission by any person of an offence under these Regulations is due to the act or default of some other person, that other person is guilty of the offence and a person may be charged with and convicted of the offence by virtue of this regulation whether or not proceedings are taken against the first-mentioned person.
- (3) If a body corporate is guilty of an offence under these Regulations, and that offence is proved to have been committed with the consent or connivance of, or to have been attributable to any neglect on the part of a director, manager, secretary or other similar officer of the body corporate, or any person who was purporting to act in any such capacity, he or she, as well as the body corporate, is guilty of that offence and is liable to be proceeded against and punished accordingly.
- (4) If the affairs of a body corporate are managed by its members, paragraph (3) applies in relation to the acts and defaults of a member in connection with his or her functions of management as if the member were a director of the body corporate.
- (5) For the purposes of this regulation, “**body corporate**” includes a limited liability company constituted under the Limited Liability Companies Act 1996 and, in relation to that company, any reference to a director or other officer of a body corporate is a reference to a member and to the company’s manager and registered agent.

## 7 Exemptions

- (1) The Department may grant an exemption from specified provisions of these Regulations for individual cases or classes of ship on such terms (if any) as may be specified.
- (2) An exemption is only valid –

---

<sup>4</sup> Increased to a fine not exceeding £10,000 by section 55 of the Interpretation Act 2015 with effect from 1 January 2018

- (a) if it is in writing;
- (b) from the date stated in it; and
- (c) if any conditions stated in it are complied with.

## **8 Requirement to carry medical stores**

- (1) A ship which operates 30 nautical miles or less from the nearest port with adequate medical facilities must carry medical stores of Category C.
- (2) A ship which operates more than 30 nautical miles but less than 150 nautical miles from the nearest port with adequate medical facilities must carry medical stores of Category B.
- (3) All other ships must carry medical stores of Category A.
- (4) Subject to paragraph (5), Category A, B and C medical stores must contain the medicines and equipment in the quantities prescribed in MLN 4.1.
- (5) A shipowner, on the advice of a qualified medical practitioner or pharmacist, may –
  - (a) determine whether any additional or different quantities, products or equipment are required from those prescribed in MLN 4.1 for Category A, B or C medical stores, having taken into account the nature of the voyage, and, in particular –
    - (i) ports of call;
    - (ii) destination;
    - (iii) duration;
    - (iv) type of work to be carried out during a voyage;
    - (v) nature of the cargo;
    - (vi) number of persons working on board; and
    - (vii) anti-malarial drugs if operating in tropical areas;
  - (b) substitute exact equivalents to the medicine and dosage prescribed by MLN 4.1 for Category A, B or C medical stores provided the equivalent level of treatment is assured.

## **9 Medical stores to be carried on a ship transporting dangerous goods**

- (1) In addition to the medical stores required by regulation 8, a ship transporting dangerous goods in excess of the limited quantities permitted in the IMDG Code must –
  - (a) carry the correct medicines and equipment in the quantities specified in MFAG for the type of dangerous goods carried; and
  - (b) have an up to date copy of MFAG available on-board.

- (2) If the medicines and equipment specified in MFAG in accordance with paragraph (1) are already included in the ship's medical stores, additional stocks do not have to be carried.

## **10 Emergency medical kit for Ro-Ro passenger ships not normally carrying a medical doctor**

- (1) A Ro-Ro passenger ship not normally carrying a medical doctor must carry an emergency medical kit or bag on board ship which must –
  - (a) be portable;
  - (b) contain the medical equipment and medicine specified in the appendix to MSC/Circ.1042;
  - (c) be kept securely;
  - (d) be labelled as follows –

“The medicines in this bag are to be used by a qualified medical practitioner or a registered general nurse, a qualified paramedic or a ship personnel in charge of the medical care on board under the direct supervision of a medical practitioner on board the ship or under telemedical advice/prescription by a TeleMedical Advice Service (TMAS);” and

- (e) be maintained by the master or a person authorised by the master.
- (2) In this Regulation, MSC/Circ.1042 means the document entitled ‘List of Contents of the “Emergency Medical Kit/Bag” and Medical Consideration for its Use on Ro-Ro Passenger Ships Not Normally Carrying a Medical Doctor’ published by the Maritime Safety Committee of IMO on 28 May 2002.

## **11 First aid kits**

- (1) In addition to any other requirement of these Regulations, all ships of –
  - (a) less than 500 gross tonnage must carry 1 first aid kit; and
  - (b) 500 gross tonnage or more must carry 3 first aid kits.
- (2) First aid kits must be portable and enclosed in a waterproof container.
- (3) First aid kits must be stored in accordance with, and contain the medicines and equipment prescribed by MLN 4.1.

## **12 Standards of medical stores**

All medical stores must conform to the standards and requirements of the –

- (a) British Pharmacopeia;
- (b) European Pharmacopeia; or
- (c) United States Pharmacopeia.

**13 Publications**

A ship must carry an up to date copy of the –

- (a) International Medical Guide for Ships published by the World Health Organization; or
- (b) Ship Captain's Medical Guide published by the UK's Maritime and Coastguard Agency.

**14 Medical stores inventory**

- (1) An inventory of the medical stores which are carried on a ship must be maintained on board the ship by the master, or a person authorised by the master.
- (2) The inventory must be updated each time an item of medical stores is purchased, disposed of, or used.
- (3) The inventory must include, for each item of medical stores –
  - (a) the generic name
  - (b) the expiry date, if any; and
  - (c) quantities.

**15 Storage of medicines**

- (1) All medicines must be stored and kept in a locked cabinet in accordance with the requirements MLN 4.1.
- (2) Paragraph (1) does not apply to medicines contained in the emergency medical kit required by regulation 10, or the first aid kits required by regulation 11.

**16 Expired medical stores**

- (1) Expired medical stores must be –
  - (a) withdrawn from use;
  - (b) placed in a separate secure container; and
  - (c) clearly marked as expired on the packaging.
- (2) Expired medical stores must be disposed of at the first port of call after expiry where disposal is permitted, but in any event within 3 months of expiry.
- (3) Except for expired medical stores which are controlled drugs specified in Schedule 2 of the Misuse of Drugs Regulations 2001<sup>5</sup>, when it is not possible to dispose of expired medical stores on shore, expired medical stores may be incinerated at sea.

---

<sup>5</sup> SI 2001/3998 as it is applied to the Island by SD 72/02



**17 Inspection of medical stores**

- (1) Medical stores must be inspected on an annual basis to ensure –
  - (a) the ship is carrying the correct category of medical stores;
  - (b) medical stores are in date;
  - (c) medical stores are correctly stored;
  - (d) the inventory of medical stores is up to date;
  - (e) the controlled drugs register is up to date; and
  - (f) expired medical stores have been withdrawn from use.
- (2) The inspection in accordance with paragraph (1) may be carried out by –
  - (a) the master, a medical doctor or a qualified pharmacist; or
  - (b) a person authorised by the master, providing there are written procedures on board for inspecting all the requirements in paragraph (1).

**18 Revocation**

The Merchant Shipping (Medical Stores) Regulations 2001<sup>6</sup> are revoked.

**19 Consequential amendments**

The Schedule (consequential amendments) has effect.

MADE 26 FEBRUARY 2015

**LAURENCE SKELLY**  
*Minister for Economic Development*

---

<sup>6</sup> SD 735/01



## SCHEDULE

## CONSEQUENTIAL AMENDMENTS

## REGULATION 19

1. The Merchant Shipping (Crew Accommodation) Regulations 1978<sup>7</sup>, as they apply to the Island by virtue of the Merchant Shipping (Masters and Seamen) (Application) Order 1980<sup>8</sup> are amended as follows.

(1) For regulation 36, substitute –

**36.** (1) A ship must carry a medical cabinet in accordance with the requirements of MLN 4.1.

(2) In this Regulation, “MLN” means a Maritime Labour Notice issued by the Department of Economic Development and includes any document amending the same. **22**

2. The Merchant Shipping (Pleasure Vessel) Regulations 2003<sup>9</sup> are amended as follows.

In Schedule 1, omit –

Merchant Shipping (Medical Stores) Regulations 2001	735/01	2 (1)
---	--------	-------

3. The Merchant Shipping (Maritime Labour Convention) Regulations 2013<sup>10</sup> are amended as follows.

(2) In regulation 90, for paragraph (2) substitute –

**33** (2) Compliance with the requirements of the Merchant Shipping (Medical Stores) Regulations 2015<sup>11</sup> meets the requirements of paragraph (1). **22**

<sup>7</sup> SI 1978 No. 795

<sup>8</sup> GC168/80

<sup>9</sup> SD 396/03

<sup>10</sup> SD 0234/13

<sup>11</sup> SD 2015/0055

**EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations require a Manx ship wherever it may be to carry Category A, B or C medical stores which must contain the medicines and equipment prescribed in MLN 4.1 (regulation 8).

The Regulations do not apply to pleasure vessels, ships engaged in fishing or similar pursuits, ships of traditional build such as dhows and junks, warships or naval auxiliaries, or ships which navigate exclusively within 60 nautical miles of the Island's coast (regulation 3).

The Regulations prescribe additional requirements for ships transporting dangerous goods (regulation 9), and require Ro-Ro passenger ships not normally carrying a medical doctor to carry an emergency medical kit (regulation 10).

In addition, the Regulations prescribe requirements for first aid kits (regulation 11), standards of medical stores (regulation 12), publications to be carried (regulation 13), medical stores inventory (regulation 14), storage of medicines (regulation 15), expired medical stores (regulation 16), and inspection (regulation 17).

These Regulations revoke and replace the Merchant Shipping (Medical Stores) Regulations 2001<sup>12</sup> and come into effect on 1 July 2015.

By complying with these Regulations, a Manx ship meets the requirements of regulation 90 of the Merchant Shipping (Maritime Labour Convention) Regulations 2013<sup>13</sup>.

Copies of this document and Maritime Labour Notices (MLN) are obtainable from the Isle of Man Ship Registry, Department of Economic Development, St Georges Court, Upper Church Street, Douglas, Isle of Man, IM1 1EX and can be accessed via the website: <http://www.iomshipregistry.com>

**Amendments:**

These Regulations are marked with amendments (*in bold italics*) made to them by -

SD2022/0294 Merchant Shipping (SOLAS VII – Carriage of Dangerous Goods) Regulations 2022

Section 55 of the Interpretation Act 2015 which increased the fines with effect from 1 January 2018.

The functions in these Regulations have been transferred from the Department of Economic Development to the Department for Enterprise by the Transfer of Functions

---

<sup>12</sup> SD 735/01

<sup>13</sup> SD 0234/13

(Economic Development and Education) Order 2017 (SD2017/0325) with effect from 24 November 2017.