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Requirements for Conditions of Accommodation of Crew Members on Board Ships¹

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RT I, 12.07.2014, 174
Entry into force 15.07.2014

Amended by the following acts

Passed	Published	Entry into force
12.03.2020	RT I, 17.03.2020, 6	20.03.2020

This Regulation is established under § 29 (2) of the Seafarers Employment Act.

§ 1. Scope of regulation

This Regulation establishes conditions of accommodation of crew members working and living on ships used for merchant shipping and ships engaged in commercial fishing that are entered in the Estonian ship registry or register of bareboat chartered ships.

§ 2. Scope of application

(1) This Regulation is not applied to fishing vessels less than 24 metres in length, unless provided otherwise in this Regulation.

[RT I, 17.03.2020, 6 – entry into force 20.03.2020]

(2) The requirements set out in § 6 (3), § 7 (2) and (3) and § 8 (3) and (4) are not applied to fishing vessels.

(3) The requirements set out in § 5 (1), § 8 (8) and § 9 are not applied to vessels with a gross tonnage of less than 200.

(3¹) The requirements set out in § 3 (1), (3) through (5), (7), (8), (10) through (14) and (17), § 4 (1), (2) 3) and (3) and (4), § 5 (2), (4) and (7), § 6 (1) and (4), § 8 (1), (5) through (7) and (10), § 11 (2) and § 12 (2) and (3) are also applied to fishing vessels less than 24 metres in length. These requirements are not applied to a fishing vessel less than 24 metres in length that remains at sea for less than 24 hours, or to a fishing vessel less than 24 metres in length if the fishermen do not stay on board the vessel overnight in port.

[RT I, 17.03.2020, 6 – entry into force 20.03.2020]

(3²) The provisions of subsection (3¹) are applied to fishing vessels in respect of which a building contract or a building contract for major modifications is concluded:

1) before 20 March 2020 and which are finished after 20 March 2023;

2) after 20 March 2020.

[RT I, 17.03.2020, 6 – entry into force 20.03.2020]

(4) The requirements of this Regulation are applied to conditions of accommodation of crew members on board fishing vessels insofar as not otherwise provided by the Government of the Republic Regulation No. 173 “Occupational health and safety requirements for fishing vessels” of 17 May 2001.

§ 3. General requirements for accommodation space

(1) Safe and decent accommodation space that meets the requirements of this Regulation shall be ensured for accommodating crew members on board ships.

(2) On board ships, crew members shall have access to at least the following: a sleeping room, mess room, recreation room and sanitary facilities (hereinafter ‘*crew’s accommodation space*’) with adequate equipment and technological communications.

(3) Crew’s accommodation space shall be isolated from passenger rooms and on fishing vessels from fish processing rooms.

(4) Sleeping rooms shall be situated above the load line amidships or aft.

(5) In passenger ships and in exceptional cases where the size, type or intended service of the ship renders any other location impracticable, sleeping rooms may be located in the fore part of the ship, but not forward of the collision bulk-head.

(6) In passenger ships and in special purpose ships the Estonian Maritime Administration may permit the location of sleeping rooms below the load line, but they shall not be located immediately beneath working alleyways.

(7) There shall be no direct openings into sleeping rooms from cargo and machinery spaces or from galleys, storerooms, drying rooms or communal sanitary areas. That part of a bulkhead separating such places from sleeping rooms and external bulkheads shall be efficiently constructed of steel or other approved substance and be watertight and gas-tight.

(8) Crew’s accommodation space should be located as far as practicable from the engines, steering gear rooms, deck winches, ventilation, heating and airconditioning equipment and other noisy and vibrating machinery and apparatus.

(9) The headroom in crew’s accommodation space, internal passageways and escape routes shall be no less than 203 cm.

(10) The headroom in crew’s accommodation space, internal passageways and escape routes on fishing vessels shall be no less than 200 cm.

(11) Crew’s accommodation space shall be heatable and with proper lighting, ventilation and water drainage.

(12) The bulkhead surfaces and deckheads in crew’s accommodation space shall be capable of being easily kept clean and light in colour with a durable indoor finish.

(13) The materials used to construct internal bulkheads, panelling and sheeting, floors and joinings in crew’s accommodation space shall be suitable for the purpose and conducive to ensuring a healthy environment, allow wet cleaning and disinfection and prevent the accumulation of static electricity.

(14) On ships trading to gnat and mosquito-infested areas, the entrances to and portholes that can be opened and ventilation ports of crew’s accommodation space shall have insect-proof screens to protect from gnats and mosquitoes.

(15) On-board cleaning equipment, devices and agents and disinfectants shall be stored in a separate room or a ventilated cabinet.

(16) For the deck department and fishermen there shall be an on-board storage room for work clothes and a well-ventilated drying room or drying machine for drying work clothes.

(17) Compliance of crew’s accommodation space with the requirements of this Regulation shall be checked when a ship is registered or re-registered and after the accommodation space or recreation rooms of a crew member have been substantially altered.

(18) Whether crew’s accommodation space is clean and in a good state shall be inspected by the master of the ship or an officer appointed thereby along with a crew member once a week. The inspection results shall be recorded in a format that can be reproduced in writing and this record shall be available to the relevant supervisory authority.

(19) On board fishing vessels, crew members shall be given reasonable access to communication facilities to the extent practicable. A reasonable fee may be charged for using communication facilities, but no more than the total cost incurred by the operator.

[RT I, 17.03.2020, 6 – entry into force 20.03.2020]

§ 4. Sleeping rooms

(1) On board ship, every crew member shall be accommodated in a sleeping room that is of adequate size and properly equipped so as to ensure reasonable comfort and tidiness.

(2) A sleeping room may accommodate:

1) one crew member, in general;

- 2) up to two crew members on ships of less than 3,000 gross tonnage;
- 3) up to four crew members on passenger ships and fishing vessels;
- 4) more than four persons on special purpose ships, but in that case the floor area of such sleeping rooms shall not be less than 3.6 square metres per crew member.

(3) Separate sleeping rooms shall be provided for men and for women.

(4) If separate sleeping rooms cannot be provided for men and for women on a fishing vessel, the sleeping room shall be equipped so as to ensure adequate privacy.

(5) On ships of 3,000 gross tonnage or over, the master, the chief engineer and the chief navigating officer shall have, in addition to their sleeping rooms, an adjoining sitting room, day room or equivalent additional space.

§ 5. Requirements for sleeping rooms

(1) The floor area of a crew member's sleeping room shall meet at least the requirements set out in Annex 1.

(2) Each sleeping room shall be provided with a table or desk, which may be of the fixed, drop-leaf or slide-out type, and with comfortable seating accommodation as necessary, a mirror, a cabinet for personal belongings and a sufficient number of coat hooks.

(3) For each occupant, sleeping rooms shall include a clothes locker with a shelf and a drawer or equivalent space. The minimum volume of a clothes locker shall be 475 litres and the minimum volume of a drawer or equivalent space shall be 56 litres. If the drawer or equivalent space is incorporated in the clothes locker then the combined minimum volume of the clothes locker shall be 500 litres.

(4) A separate sleeping place (hereinafter 'berth') shall be provided for each crew member.

(5) The minimum inside dimensions of a berth shall be at least 198 centimetres by 80 centimetres.

(6) The following requirements apply to the arrangement of berths:

- 1) berths should not be arranged in tiers of more than two. Berths shall not be adjoined in a manner where a berth is accessible over another berth;
- 2) in the case of berths placed along the ship's side, there should be only a single tier where a sidelight is situated above a berth;
- 3) the lower berth in a double tier should be not less than 30 centimetres above the floor and the upper berth should be placed approximately midway between the bottom of the lower berth and the deckhead.

(7) For each crew member, the operator shall ensure on-board bedding, towels and toiletries.

§ 6. Requirements applied to rooms intended for catering

(1) The galley and the mess room or rooms intended for catering and the number, size and equipment of ancillary premises shall be designed considering the number of crew members, the duration of the voyage, the navigation area, pretreatment of food and possibilities for replenishing food supplies.

(2) The arrangement of rooms shall ensure the continuity of the technological process of food handling as well as food safety.

(3) On ships of 3,000 gross tonnage or over, mess rooms shall be located apart from the sleeping rooms and as close as practicable to the galley. The mess rooms shall be accessible from the passageway without having to go through the galley or exit to the weather deck.

(4) Mess rooms shall be of adequate size and properly furnished and equipped, taking account of the number of crew members using them at any one time.

(5) Mess rooms shall be furnished with fixed or movable tables and seats the number of which is adequate for the number of crew members using the mess rooms at any one time.

(6) Separate mess rooms or separate facilities within mess rooms are to be provided and furnished for master and officers and other crew members, where possible.

(7) Mess rooms shall be equipped with facilities for hot beverages and cool water facilities and a common refrigerator for all crew members which should be of sufficient capacity for the number of persons using the mess room or mess rooms.

§ 7. Crew's recreation room

(1) On board ships, crew members shall have access to a recreation room, recreational facilities and recreational services adapted to meet the needs of crew members working and living on a ship. Where there is no recreation room, facilities for resting shall be ensured in the mess room.

(2) Ships shall have a space or spaces on open deck to which the crew members can have access when off duty, which are of adequate area having regard to the size of the ship and the number of crew members on board.

(3) Furnishings for recreation rooms should as a minimum include a bookcase and facilities for reading, writing and the following recreational facilities shall be set up for crew members free of charge:

- 1) television viewing and the reception of radio broadcasts;
- 2) sports equipment, including exercise equipment and table games.

§ 8. Crew's sanitary facilities

(1) Crew members shall have access to sanitary facilities with at least a toilet, a washbasin and a bathtub or a shower. The operator shall ensure the availability of soap and toilet paper.

(2) Crew members whose sleeping room does not include sanitary facilities shall have access on board the ship to communal sanitary facilities with a minimum of one washbasin and one tub or shower and one toilet for every six crew members. Fishing vessels shall have a minimum of one toilet for eight crew members.

(3) Separate communal sanitary facilities shall be provided for men and for women.

(4) On ships of 3,000 gross tonnage or over there shall be communal sanitary facilities within easy access of the navigating bridge and the machinery space or near the engine room control centre.

(5) Sanitary facilities shall be equipped with an exhaust ventilation system, independently of any other part of the accommodation space.

(6) For the purpose of better cleaning, the joints between the floor and walls in sanitary facilities shall be curved, where possible.

(7) Where there is more than one toilet in sanitary facilities, they should be sufficiently screened to ensure privacy.

(8) With the exception of passenger ships, each sleeping room shall be provided with a washbasin having hot and cold running drinking water, except where such a washbasin is situated in the sleeping room's sanitary facilities.

(9) Washbasins and tub baths should be constructed of material that is easy to clean, has a smooth surface and, where necessary, can be disinfected. Tub baths shall not be liable to crack or corrode.

(10) Hot and cold running drinking water shall be available in all wash places.

§ 9. Laundry facilities

(1) Appropriately situated and furnished laundry facilities shall be available to crew members on board ships for washing and drying their laundry, including ironing.

(2) Work and protective clothes shall be washed separately of crew members' other laundry.

(3) Ships shall have rooms or facilities for separate storage of clean and dirty laundry.

§ 10. Swimming pool

Where a ship has a swimming pool, the water therein shall meet the requirements for the quality of pool water established under the Public Health Act, unless sea water is used in the pool. Sea water for a pool may be drawn no less than 12 nautical miles from the shore.

§ 11. Indoor climate

(1) The following standards shall be met in crew's accommodation space:

- 1) air temperature 21 °C, with permitted deviation of 3 °C;
- 2) relative air humidity 40–60%, with permitted deviation of 10%;
- 3) air velocity not exceeding 0.25 m/s.

(2) Sleeping rooms and mess rooms shall have ventilation systems ensuring adequate air exchange that should be controlled so as to maintain the air in a satisfactory condition and to ensure a sufficiency of air movement in all conditions of weather and climate.

(3) Crew's accommodation space shall be equipped with air-conditioning systems, except for ships regularly engaged in trade where temperate climatic conditions do not require this.

(4) Within crew members' accommodation area, steam should not be used as a medium for heat transmission.

§ 12. Lighting

(1) Crew's accommodation space shall be equipped with round-the-clock electric light, ensuring the minimum lighting set out in Annex 2.

(2) Sleeping rooms and mess rooms shall have natural light, unless these are located below load line.

(3) In sleeping rooms a reading lamp should be installed at the head of each berth, providing adequate light.

§ 13. Noise level and vibration

(1) Noise level in crew's rooms shall not exceed the following limits:

- 1) 60 dB in sleeping rooms;
- 2) 65 dB in mess rooms;
- 3) 75 dB in the galley.

(2) In crew's accommodation space, the level of vibration, infrasound and ultrasound and ionizing and non-ionizing radiation may not endanger the life or health of crew members.

§ 14. Water supply

(1) Water used for drinking, cooking and washing the dishes and for other welfare needs shall meet the drinking water requirements established under the Water Act. Sea water may only be used for toilets and swimming pools.

(2) Drinking water supplies to be used as water intended for human consumption shall be determined on the basis of the purpose of the ship, the duration of the voyage, the number of the crew and passengers, the navigation area and the possibilities of stocking drinking water.

(3) Drinking water shall be taken into closed drinking water containers only from port's public water supply in a recognised manner or drinking water shall be prepared on board using desalination equipment. Drinking water containers shall be labelled in Estonian and in English (*joogivesi*– drinking water) and the air ducts of the containers shall be protected against external sources of contamination, such as pests.

(4) For making drinking water using desalination equipment, sea water shall be drawn off-shore at least 25 nautical miles from the shore, far enough from other sources of pollution and areas of contaminated water.

(5) Desalinated sea water shall be disinfected and mineralized with an appropriate reagent before the water is used as drinking water. Biocidal products meeting the requirements of the Biocidal Products Regulation (EU) No. 528/2012 shall be used when disinfecting drinking water made out of desalinated sea water.

(6) If drinking water is obtained at a port where there is a risk of intestinal infection or if there is reason to doubt the compliance of the drinking water with the quality requirements, the drinking water shall be disinfected or boiled before use.

§ 15. Implementing provisions

(1) A ship built according to building design documentation submitted for applying for a building permit before the entry into force of this Regulation shall also be deemed to comply with this Regulation if it meets the building requirements applicable to ships at the moment the building design documentation submitted for applying for a building permit was prepared.

(2) Conditions of accommodation on board ships built according to building design documentation submitted for applying for a building permit before the entry into force of this Regulation shall meet the requirements that were in force at the moment of construction or designing.

¹Council Directive (EU) 2017/159 implementing the Agreement concerning the implementation of the Work in Fishing Convention, 2007 of the International Labour Organisation, concluded on 21 May 2012 between the General Confederation of Agricultural Cooperatives in the European Union (Cogeca), the European Transport Workers' Federation (ETF) and the Association of National Organisations of Fishing Enterprises in the European Union (Europêche) (OJ L 25, 31.01.2017, pp. 12–35). [RT I, 17.03.2020, 6 – entry into force 20.03.2020]

[Annex 1](#) Floor area of crew members' sleeping rooms

[Annex 2](#) Minimum lighting of rooms on ships