

Ordinance *
on Accommodation and Recreational Facilities for
Crew Members on Board of Merchant Vessels
(Ordinance on Accommodation in Maritime Shipping)
(MaritimeAccommodationO)

Dated 25 July 2013

The Federal Ministry of Labour and Social Affairs decrees by reason of

- § 96 of the Maritime Labour Act of 20 April 2013 (Federal Law Gazette I page 868) in agreement with the Federal Ministry of Transport, Building and Urban Development, the Federal Ministry of Food, Agriculture and Consumer Protection and the Federal Ministry of Health and also
- § 113 (2) of the Maritime Labour Act of 20 April 2013 (Federal Law Gazette I, page 868):

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* The translation is intended solely as a convenience to the non-German-reading public. Any discrepancies or differences that may arise in the translation are not binding and have no legal effect for compliance or enforcement purposes.

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Section 1
General Provisions

§1

Scope

(1) This Ordinance applies to Accommodation, Recreational Facilities and medical spaces for Crew Members on Board of Merchant Vessels:

- .1 flying the German flag, and
- .2 the keel of which was laid after 31 July 2013.

(2) This Ordinance does not apply to fishing vessels of less than 24 m in length.

§ 2

Definitions

(1) In the meaning of this Ordinance, Accommodation and Recreational Facilities include:

- .1 Accommodation spaces
 - (a) sleeping rooms and living rooms,
 - (b) mess rooms, pantries and other living spaces/lounges,
 - (c) recreational spaces,
 - (d) offices,
 - (e) galleys,
 - (f) changing rooms,
 - (g) toilets and lavatories including spaces or facilities for washing, drying and ironing of laundry (sanitary facilities),
 - (h) medical spaces, and
 - (i) alleyways in areas of the ship where the crew is accommodated (working alleyways),
- .2 recreational areas on deck,
- .3 storerooms and refrigeration compartments, and
- .4 facilities for drinking water supply.

(2) A passenger ship is a ship which is certified to carry more than 12 passengers.

(3) Special purpose ships are ships according to the IMO Code of Safety for Special Purpose Ships (Traffic Gazette 3/2009 No. 22, page 84) which are intended to carry more than 12 special personnel.

(4) In the meaning of this Ordinance, Occupational Accident Insurance Fund (Berufsgenossenschaft) means the Occupational Accident Insurance Fund for Transport and Traffic (Berufsgenossenschaft für Transport und Verkehrswirtschaft).

§ 3

General requirements for accommodation and recreational facilities

The shipowner shall ensure that accommodation and recreational facilities:

- .1 are provided on board and maintained in good order,

- .2 comply with the effective state of technology at the actual date the keel of a ship was laid, and
- .3 are suitable for a decent and health-appropriate accommodation or meals of the crew members as far as provided for that purpose.

§ 4

Notification

On every ship, the wording of this ordinance shall be made available to the crew members in the working language used in service on board.

Section 2

Permits, exceptions

§ 5

Permit prior to construction or substantial alteration of a ship

(1) Everybody who orders the construction of a ship shall submit all required plans and documentation of accommodation and recreational facilities to the Occupational Accident Insurance Fund prior to construction, and shall seek acceptance from it for this purpose. Plans and documentation shall show:

- .1 the designated number of crew members,
- .2 the expected trading areas,
- .3 the location of accommodation and recreational facilities on board,
- .4 the designated use of each room on board,
- .5 the arrangement of furnishings, and
- .6 the type and arrangement of supply systems for ventilation, lighting, heating, climate (air conditioning), and drinking water.

(2) Subparagraph (1) applies accordingly if it is intended to alter substantially the accommodation and recreational facilities of a ship.

(3) During the construction work, it is not permitted to differ from the plans without acceptance of the Occupational Accident Insurance Fund..

§ 6

Exceptions

(1) The Occupational Accident Insurance Fund may exempt any ship, on which interests of crew members with different religious and social practices have to be taken into consideration, from any of the requirements of this ordinance for the purpose of avoiding discrimination provided that the resulting conditions as a whole in that case are not less favourable than the condition which would be achieved when applying this ordinance.

(2) The Occupational Accident Insurance Fund may exempt any ship on the first conveyance, for which the ship was entitled to fly the German flag in accordance with § 10 of the Law of the Flag Act (Flaggenrechtsgesetz), from any of the requirements of this ordinance provided that provisioning, health and medical care as well as the consideration of social and religious practices of the crew members are ensured for the duration of the conveyance.

(3) The following requirements are not applicable for ships of less than 200 gross tonnage:

- .1 Equipment of air conditioning systems (§ 11),

- .2 floor areas (§ 16 subparagraphs (1), (3), (4), and (5)),
- .3 private washbasin (§ 20 subparagraph (2)), and
- .4 laundry facilities (§ 26).

Section 3

Requirements for construction, equipment and maintenance of accommodation and recreational facilities

Subsection 1

Walls, ceilings, floors, insulation, appropriate protection devices

§ 7

Walls, ceilings, floors

- (1) An adequate deck height shall be kept in all accommodation spaces. The headroom shall be at least 203 cm in all accommodation spaces where full and free movement is required. The Occupational Accident Insurance Fund may permit a smaller minimum headroom if the health and well-being of the crew members will not be affected thereby.
- (2) Outer bulkheads and bulkheads of cargo spaces, machinery spaces, storerooms, refrigeration compartments and spaces for drying of laundry (drying rooms), galleys and jointly used toilets and lavatories towards the sleeping rooms shall be constructed of steel or other equivalent material and shall be watertight and gas tight. Inner walls and ceilings of the accommodation spaces, except galleys and toilets, shall be covered with linings/panels.
- (3) Open decks above accommodation spaces shall be provided with a timber planking or equivalent material, and also with a footfall sound insulation as far as accommodation spaces are designed for permanent stay of crew members.
- (4) Floors, bulkheads/walls and ceilings shall have no sharp edges. They shall be designed such that they can be easily cleaned. Floors shall provide a non-slip surface and be impervious to damp. Water shall be able to drain. The surfaces of bulkheads/walls and ceilings shall be designed to be light and waterproof.
- (5) Joinings between floors made of composite materials and bulkheads/walls shall be provided with profiles (skirting boards) to avoid gaps as far as possible.

§ 8

Insulation

Accommodation spaces shall be effectively insulated against cold and heat taking effect from outside or adjacent spaces. The insulation shall not create water condensation. Technical appliances/systems which may affect the temperature within the accommodation spaces shall be insulated.

§ 9

Protection devices against vermin

- (1) Accommodation spaces, store rooms and refrigeration compartments shall be protected against vermin entering and nesting.
- (2) Proper insect protection shall be fitted closely in front of windows, ventilation openings and external doors on ships which are employed in trading areas or call at ports where insects may transfer tropical diseases. Resistant insect filters shall be fitted in front of air intakes of

systems concerning ventilation and air conditioning. In the case of air conditioning systems the additional insect protection may be omitted if they are equipped with a stand-by motor.

Subsection 2

Lighting, ventilation, air conditioning, heating, pipes

§ 10

Lighting

- (1) Sleeping rooms, living rooms, mess rooms and other lounges shall be lit reasonably by natural light; this is not applicable to passenger ships where these rooms are permitted exceptionally to be located below the load line.
- (2) Electrical installations shall be provided for adequate lighting in accommodation spaces, store rooms and refrigeration compartments. Tables and desks for reading and writing within accommodation spaces shall be capable of being adequately lit. A lamp adequate for reading shall be installed at the head of each berth.
- (3) An emergency electric lighting system shall be installed in accommodation spaces if there are not two sources of electrical power independent of each other.
- (4) In case of fishing vessels, if there is no emergency lighting system in mess rooms, alleyways and other spaces which are used as emergency exits, a permanent night-time lighting shall be provided in such rooms.

§ 11

Air purification, systems concerning ventilation and air conditioning

- (1) Accommodation spaces shall be located and equipped such that they are protected against air pollution from other parts of the ship, in particular against exhaust gas from machinery, exhaust air from tanks, galleys and medical spaces as well as sanitary facilities.
- (2) Accommodation spaces shall be provided with systems concerning ventilation and air conditioning, especially air conditioning systems or mechanical ventilation systems. Systems concerning ventilation and air conditioning shall be maintained serviceable at all times and operated whenever crew members are staying on board.
- (3) All ships, except those engaged in trades where temperate climatic conditions do not require this, shall be equipped with air conditioning systems for accommodation spaces and for the engine control room.
- (4) Systems concerning ventilation and air conditioning shall be conditioned such that
 - .1 an air quality beneficial to health as well as sufficient air changes in accommodation spaces are ensured as compared to outside air conditions,
 - .2 they take account of the particular characteristics of ship operation at sea and do not produce excessive sounds, vibrations or draught, and
 - .3 they facilitate easy cleaning and disinfection to prevent adverse effects to the health and well-being of the crew members.
- (5) There shall be additional means of ventilation for accommodation spaces in case of failure of systems concerning ventilation and air conditioning.
- (6) The shipowner shall ensure through cleaning and maintaining the systems concerning ventilation and air conditioning that adverse effects to the health of the crew members are avoided.

§ 12**Heating system**

- (1) On all ships, except those engaged exclusively on voyages in tropical climates, accommodation spaces shall be provided with a heating system that ensures a health beneficial temperature in the weather and climate conditions the ship will be exposed to during its voyage. The heating system shall be in operation at all times when crew members stay on board and the weather conditions require it.
- (2) Within the accommodation spaces the heat supply shall be carried out only by means of hot water, warm air or electricity
- (3) Radiators and other heating apparatuses shall be placed and shielded such as to avoid fire risk or danger or discomfort to the crew members.

§ 13**Pipes**

Pipes containing gases or liquids hazardous to health or pipes which are subjected to a high pressure such that they can endanger the life or health of the crew members in case of a leakage shall not be installed in accommodation spaces except in galleys.

Subsection 3**Noise and vibrations****§ 14****Prevention of noise and vibrations**

- (1) Accommodation spaces and recreation areas on deck may not be exposed to noise or vibrations detrimental to the health and well-being of the crew members.
- (2) Accommodation spaces and recreation areas on deck shall be located as far as practicable from the engine room, the steering gear room, cargo winches, heating equipment, systems concerning ventilation and air conditioning and any other noisy machinery or installations.
- (3) Acoustic insulation and other appropriate sound-absorbing materials shall be used in the construction and finishing of bulkheads/walls, ceilings and floors within the noise-producing spaces as well as self-closing sound-proof doors for engine rooms.

Subsection 4**Sleeping rooms, floor areas, berths, equipment****§ 15****Sleeping rooms**

- (1) Sleeping rooms shall be provided for the crew members if the operating circumstances necessitate an overnight stay on board.
- (2) On ships, a private sleeping room shall be provided for each crew member. Notwithstanding sentence 1, sleeping rooms, separate for men and for women, may be:
 - .1 occupied by up to two crew members on special purpose ships and on ships of less than 3,000 gross tonnage,
 - .2 occupied by up to four crew members, but not more than two officers, on passenger ships,

- .3 occupied by up to four crew members, but not more than two officers, on fishing vessels, and
- .4 occupied by up to two apprentices when apprentices are trained on board and the sleeping rooms are fitted with a private bathroom and a private toilet.

The requirements for minimum floor areas referred to in § 16 subparagraph (4) number 1 apply accordingly.

(3) As far as possible, sleeping rooms shall be fitted with a private bathroom and a private toilet. § 20 subparagraphs (5) and (6) shall remain unaffected.

(4) Sleeping rooms shall be located above the load line amidships or aft. Where in exceptional cases an arrangement according to sentence 1 is impracticable due to the size, the type or the intended service of the ship, sleeping rooms may be located in the fore part of the ship, but in no case forward of the collision bulkhead. In passenger ships and special purpose ships, the Occupational Accident Insurance Fund may permit that the sleeping rooms are located below the load line when arrangements are made for satisfactory lighting and ventilation and at least one lounge lit by natural light is available. In the case of sentence 3, spaces shall not be located immediately beneath working alleyways.

(5) It shall be possible that sleeping rooms can be entered from working alleyways located within the living areas. Common working alleyways or double door systems shall be located between sleeping rooms and any other rooms. In order to arrange bathrooms and toilets that may be used collectively from two sleeping rooms respectively sentence 2 need not be complied with.

(6) As far as practicable, the occupation of sleeping rooms by crew members shall be so arranged that watches are separated and that no crew members working during the day share a sleeping room with watchkeepers.

(7) As far as practicable, the design of sleeping rooms on board shall take into account that crew members may be accompanied by their partners.

§ 16

Floor areas

(1) In single berth sleeping rooms, the floor area shall not be less than:

- .1 4.5 square metres on ships of less than 3,000 gross tonnage,
- .2 5.5 square metres on ships of 3,000 gross tonnage or over, but less than 10,000 gross tonnage,
- .3 7 square metres on ships of 10,000 gross tonnage or over.

Notwithstanding sentence 1, the floor area per crew member in sleeping rooms excluding the area occupied by berths, lockers, drawers and seats shall not be less than 2.5 square metres on fishing vessels.

(2) Notwithstanding sentence 1, in individual cases the Occupational Accident Insurance Fund may allow a reduced minimum size of the floor area on ships of less than 3,000 gross tonnage, on passenger ships and on special purpose ships in order to provide a private sleeping room to each crew member if the health and well-being of the crew members will not be affected thereby.

(3) On ships of less than 3,000 gross tonnage other than passenger ships and on special purpose ships, the floor area of sleeping rooms which are occupied by two crew members according to § 15 subparagraph (2) sentence 2 number 1 shall not be less than 7 square metres.

(4) On passenger ships and special purpose ships, the floor area of sleeping rooms for crew members not performing the duties of ships' officers shall not be less than:

- .1 7.5 square metres in rooms accommodating two crew members,
- .2 11.5 square metres in rooms accommodating three crew members,
- .3 14.5 square metres in rooms accommodating four crew members.

(5) The floor area of sleeping rooms for crew members who perform the duties of ships' officers and where in addition to the sleeping room no private living room or day room is provided for them, shall not be less than:

- .1 7.5 square metres on ships of less than 3,000 gross tonnage,
- .2 8.5 square metres on ships of 3,000 gross tonnage or over, but less than 10,000 gross tonnage,
- .3 10 square metres on ships of 10,000 gross tonnage or over.

Notwithstanding sentence 1, the floor area of sleeping rooms for crew members who perform the duties of ships' officers and where in addition to the sleeping room no private living room or day room is provided for them, shall not be less than 6.5 square metres in fishing vessels.

(6) On passenger ships and special purpose ships, the floor area of sleeping rooms for crew members performing the duties of ships' officers at the operational level shall not be less than 7.5 square metres and for crew members performing the duties of ships' officers at the management level shall not be less than 8.5 square metres where in addition to the sleeping room no private living room or day room is provided for them.

(7) The floor area occupied by berths, lockers, chests of drawers and seats shall be included in the measurement of the floor area. But small or irregularly shaped spaces that do not add effectively to the space available for free movement and cannot be used for installing furniture shall be excluded.

(8) The master, the chief engineer and the chief officer shall have, in addition to their sleeping rooms, an adjoining living room, day room or equivalent additional room. In individual cases, the Occupational Accident Insurance Fund may exempt ships of less than 3,000 gross tonnage from the requirement of sentence 1.

§ 17

Berths and other sleeping room equipment

(1) A separate berth for each crew member shall be provided which is adequate to his/her body size. The inside dimensions of a berth shall be at least 200 centimetres by 80 centimetres. Notwithstanding sentence 2, the inside dimensions shall be at least 198 centimetres by 80 centimetres in fishing vessels.

(2) Berths shall be secured in such a way that crew members cannot fall out in a sea state. Berths shall not be placed next to each other in such a way that crossing of one berth is necessary to reach the neighbouring berth. Exemptions from sentence 2 are allowed if a crew member will be accompanied by his or her partner during a voyage.

(3) Each berth shall be provided with a slatted frame, a mattress, a blanket and a pillow.

(4) Berths shall not be arranged in tiers of more than two. In the case of berths placed along the ship's side, there shall be only a single tier where a sidelight/window is located above a berth. The lower berth in a double tier shall be not less than 30 centimetres above the floor, and the upper berth shall be placed approximately midway between the bottom of the lower berth and the lower side of the ceiling. Where one berth is placed over another, a dust-proof bottom shall be fitted beneath the bottom mattress of the upper berth.

- (5) Crew members shall be provided with fresh bed linen of acceptable quality fortnightly and with at least two fresh towels once a week. In case of a change of the user of the berth it has to be cleaned thoroughly including mattress, blanket and pillow.
- (6) Each sleeping room shall be provided with a clothes locker of ample space, minimum volume 475 litres, and a chest of drawers or an equivalent repository of not less than 56 litres for each crew member. If the drawer is incorporated in the clothes locker, then the combined minimum volume of the clothes locker shall be 500 litres. The locker shall be fitted with a shelf and with a locking device so as to ensure privacy. In ships of less than 200 gross tonnage, the Occupational Accident Insurance Fund may allow exemptions in individual cases if the requirements according to sentences 1 to 3 can not be realized structurally, and the crew member has the possibility otherwise to store his personal effects and items of clothing appropriately for the duration of the voyage.
- (7) Each sleeping room shall be fitted with a small cabinet for toiletries of the crew members, a table or desk, which may be fixed, drop-leaf or slide-out type, a mirror, an electric socket, a community antenna connection, a book rack, coat hooks and seating accommodation as necessary. The sidelights/windows of the sleeping room shall be fitted with curtains.
- (8) Furnishings shall not have any sharp edges. With the exception of the upholstered parts, they shall be made of a material which is hard, smooth and protected against corrosion.

Subsection 5

Galleys, provision rooms, refrigeration compartments and mess rooms

§ 18

Galleys, provision rooms and refrigeration compartments

- (1) Galleys shall be provided if the operating conditions necessitate the preparation of food on board the ships. Galleys shall be equipped particularly with:
- .1 cooking devices,
 - .2 a double kitchen sink, a wash hand basin, and a dispenser for disposable towels,
 - .3 taps for cold and warm drinking water,
 - .4 cupboards, shelves and dishware racks made from suitable rustproof material necessary for the placement of movable cooking devices and dishware,
 - .5 an exhaust-air installation, and
 - .6 two floor drain fittings including a backflow preventer.
- (2) Provision rooms as well as refrigeration compartments shall be available for storage of foods on ships. Notwithstanding sentence 1, in small ships where cold storage rooms can only be arranged with unreasonable effort, refrigerators may be installed in place of refrigeration compartments. Provision rooms except refrigeration compartments shall be kept dry and well ventilated. The temperature needed for the storage of food shall be maintained in provision rooms and refrigeration compartments as well as in refrigerators. The provisions shall be stored separately according to their different temperature demands. It shall be possible to open refrigeration compartments from inside even if they are locked from outside, and the compartments shall be equipped with an alarm.
- (3) Notwithstanding subparagraph (1), in individual cases the Occupational Accident Insurance Fund may allow a cooking facility in place of a galley in ships up to 200 gross tonnage if the requirements according to subparagraph (1) can not be realized structurally, and the crew members have the possibility to prepare meals and drinks otherwise in accordance with the food law regulations during the duration of the voyage.

§ 19

Mess rooms, pantries and furnishings

- (1) Ships shall be provided with mess rooms if the operating circumstances necessitate lounges in which crew members may take their meals. Provided, the size of the ship allows for it, separate mess rooms shall be provided for the master and the ships' officers on the one side and for the remainder of the crew members on the other side. In doing so, the special cultural, religious and social needs of the crew members shall be taken into consideration.
- (2) Mess rooms shall be arranged apart from sleeping rooms and preferably in the vicinity of the galley. In individual cases, the Occupational Accident Insurance Fund may exempt ships of less than 3,000 gross tonnage from the requirement of sentence 1.
- (3) The floor area of a mess room shall, as a minimum, be 1.5 square metres for each seat provided. A mess room shall be sufficient for the number of crew members who normally make use of it at the same time. Notwithstanding sentence 1, the floor area of a mess room shall be 1.0 square metres as a minimum for each seat provided on fishing vessels.
- (4) Mess rooms shall be furnished such that the crew members can take their meals in them comfortably. In particular, seating accommodation with backrests and tables shall be available in a number that conforms to the number of crew members who normally make use of the mess room at the same time. Surfaces of tables and seating accommodation shall be made of moisture-proof material. Plates, glasses and other mess room utensils shall be made of a material which can be easily cleaned.
- (5) The following equipment shall be provided in a mess room or be accessible from a mess room:
 - .1 a double kitchen sink with taps for cold and warm drinking water,
 - .2 a dispenser for disposable towels,
 - .3 a refrigerator which shall be easily accessible and the capacity of which is sufficient for the number of crew members that will attend the mess room,
 - .4 devices and equipment for the preparation of cold and hot drinks, and
 - .5 furnishings for storing dishware.

All the aforementioned devices and equipment shall be concentrated in a pantry, as far as possible.

Subsection 6

Sanitary facilities

§ 20

Number and arrangement of sanitary facilities

- (1) On ships, sanitary facilities shall be provided for the crew members, separately for men and for women.
- (2) On ships other than passenger ships, each sleeping room shall be provided with a private washbasin unless such a washbasin is already available in a private bathroom.
- (3) If there is no private bathroom available for the crew members, a washbasin and a shower for shared usage by no more than four male crew members or four female crew members respectively may be provided. Sentence 1 is applicable accordingly to shared usage of a toilet. Toilets shall be arranged close to the sleeping rooms and lavatories. They shall only be accessible from general working alleyways or lavatories. Sentence 3 is not applicable to a

toilet that is arranged between two sleeping rooms occupied by not more than four crew members.

(4) In addition to the toilets according to subparagraph 3, at least one toilet shall be provided near the navigation bridge, the engine room or the engine control room as well as for the service and catering personnel near their working places respectively. In individual cases, the Occupational Accident Insurance Fund may exempt ships of less than 3,000 gross tonnage from the requirement of sentence 1.

(5) On ships of 5,000 gross tonnage or over, a space adjacent to a sleeping room containing a shower, a washbasin and a toilet shall be provided for each ships' officer. The washbasin may also be installed in the sleeping room.

(6) On ships other than passenger ships of 10,000 gross tonnage or over, a space adjacent to their sleeping room containing a shower, a washbasin and a toilet shall be provided for every two crew members except ships' officers.

(7) On passenger ships normally engaged on voyages of not more than four hours duration, the Occupational Accident Insurance Fund may permit special provisions or a reduction of the number of sanitary facilities resulting from subparagraphs 1 to 5.

§ 21

Equipment and design of sanitary facilities

(1) Running warm and cold drinking water shall be available in all wash places.

(2) Washbasins, showers and bath tubs shall be made of durable material which can be easily cleaned.

(3) Spaces containing sanitary facilities, except sleeping rooms equipped with washbasins, shall meet the following requirements:

- .1 all rooms shall be provided with an exhaust air installation discharging to atmosphere,
- .2 all floors shall be made of durable material, easy to clean, moisture-proof and be equipped with a suitable drainage,
- .3 toilets shall be provided with:
 - (a) a wash hand basin as well as
 - (b) hygienically efficient equipment for drying hands,
 each toilet shall be provided with an intense water flushing or with some other suitable flushing means, such as air, which are available at all times and operable individually; toilet seats shall be made of non-absorbent material and easy to clean; towels, soap and toilet paper shall be provided by the shipowner for all crew members;
- .4 if there are several toilets in one room, they shall be sufficiently screened to ensure privacy, and
- .5 drainage pipes shall be arranged such that they shall not become clogged easily, they can be cleaned easily and that unimpeded drainage of sewage is ensured also in the case of low outside temperatures; drainage pipes shall not be installed along the ceilings of mess rooms, sleeping rooms and provision rooms as well as galleys and pantries; they shall not lead to atmosphere in the proximity of intakes of the drinking water treatment plant.

Subsection 7

Medical spaces**§ 22****Treatment room**

- (1) A room for medication (treatment room) separated from other accommodation spaces shall be available on:
- .1 ships in worldwide trade,
 - .2 ships having 15 or more persons on board and with more than three days voyage duration,
 - .3 passenger ships in worldwide trade and in the trading area as specified in Section 46 Subsection (1) of the Maritime Labour Act (European trade), and
 - .4 fishing vessels used in deep sea fishing.
- (2) The treatment room may only be used for purposes of medical care of the persons on board, shall be readily accessible and shall be in conformity with the state of technology for treatment rooms. The room shall be provided with communication equipment that allows direct medical consultation via radio or satellite communication during medical care. A spare key shall be kept in a glazed box next to the entrance door.
- (3) A medicine chest shall be mounted for storage of the medical equipment according to the annex on ships in worldwide trade and in European trade as well as on fishing vessels in deep sea fishing and in high sea fishing. If a treatment room is required according to subparagraph (1) on the ships indicated in sentence 1, the medicine chest shall be arranged in that room.
- (4) If the ship is dispensed from a patient's room according to § 23 subparagraph (6), the treatment room shall be suitable for temporary accommodation and care of a sick person. In particular, the examination couch shall be accessible from three sides with a free distance for movement of at least one meter and be provided with a safety device against falling out. One toilet intended for the exclusive use by sick persons shall be provided within the treatment room or in close proximity.

§ 23**Sickbay**

- (1) At least one room for the care of sick persons on board which is separated from other accommodation spaces (sickbay) shall be available in addition to the treatment room on ships indicated in § 22 subparagraph (1). Notwithstanding sentence 1, passenger ships in European trade shall have a sickbay only on voyages of more than twelve days duration.
- (2) No internal room shall be used as a sickbay. The room shall be easily accessible and be available immediately when needed. The entrance shall have a clear width such that a sick person on a stretcher can be carried into the room. A spare key shall be kept in a glazed box next to the entrance door.
- (3) The sickbay shall be fitted with a calling system or a telephone, within easy reach for the sick person, having contact to the navigation bridge and to the working alleyway outside the sickbay.
- (4) The sickbay shall allow easy cleaning and disinfection. The room shall be equipped with an exhaust air installation, a shower or bath tub, a wash hand basin, and a separate toilet room containing a disinfecting agent dispenser at the wall. Water fittings shall not be of the self-closing type. The toilet room shall be readily accessible directly from the sickbay and shall also have a calling system or a telephone according to subparagraph 3.

(5) The sickbay shall be furnished with at least one hospital berth on ships with up to 30 persons on board and with at least two hospital berths in case of a higher number of persons. The facilities of the hospital berths should meet those of sickbeds in hospitals ashore. They shall be provided with a safety device against falling out. At least one hospital berth for each room shall be accessible from three sides with a free distance for movement of at least one meter.

(6) Ships carrying up to 30 persons may be dispensed from a sickbay if each person has available a private sleeping room containing a separate sanitary cell including a washbasin, a shower or bath tub and a toilet as well as a calling system or a telephone according to subparagraph 3.

§ 24

Operating room

Ships which shall be manned with a medical ship's doctor according to the Safe Manning Regulation shall have a special operating room of at least ten square meters floor area in addition to the treatment room and the patient's room. The operating room shall be fitted in accordance with the regulations and shall be in conformity with the state of technology.

Subsection 8

Offices

§ 25

Offices

All ships shall be provided with offices or a common ship's office separate from other accommodation spaces for use by the deck and engine departments. In individual cases, the Occupational Accident Insurance Fund may exempt ships of less than 3,000 gross tonnage from the requirement in sentence 1.

Subsection 9

Other facilities and recreational areas

§ 26

Laundry facilities

The following laundry facilities for crew members shall be available on all ships where required by the operating conditions:

- .1 washing machines,
- .2 tumble dryers or a separate room for drying of clothing with adequate ventilation, heating and hanging up arrangements, and
- .3 irons and ironing boards or equivalent appliances.

§ 27

Facilities for clothes and personal effects, changing rooms

- (1) Well-ventilated and lockable facilities for the keeping of working clothes and weather clothes shall be available outside the sleeping rooms.
- (2) A room for the keeping of suitcases and similar bulky articles of the crew members shall be available on the ship.

(3) Readily accessible changing facilities which are fitted with individual lockers as well as with washbasins and showers shall be available for the crew members in addition to sleeping rooms and sanitary facilities on ships of 3,000 gross tonnage or over.

§ 28

Recreational areas and recreational rooms

(1) One or more recreational areas on deck shall be provided for crew members on the ship. Recreational areas shall be arranged and shielded such that crew members seeking rest and relaxation are protected against wind, splash water, exhaust gases and exhaust air from exhaust systems as possible.

(2) Recreational spaces as well as possibilities for recreational activities shall be provided to crew members free of cost. Where practicable, the following facilities or services shall be provided on board:

- .1 smoking room,
- .2 reception of television and radio broadcasts,
- .3 showing of films, the stock of which should be adequate for the duration of the voyage and changed at reasonable intervals,
- .4 sports equipment including equipment for fitness training, table games and deck games,
- .5 a library containing vocational and other books, the stock of which should be adequate for the duration of the voyage and changed at reasonable intervals,
- .6 facilities for recreational handicraft during free time,
- .7 electronic equipment such as radio, television, video recorder, DVD/CD player, personal computer and software as well as cassette recorder/player, and
- .8 ships shall be provided with a bar or a kiosk on board unless these are contrary to national, religious or social practices.

(3) A swimming pool, a sauna or a hobby room shall be provided on ships of 10,000 gross tonnage or over.

(4) Ships, regularly engaged on voyages in the tropics or in areas having similar climatic conditions, shall be provided with sun protection facilities, impervious to ultraviolet rays, over the recreational areas on deck, particularly sun awnings or sun canopies.

(5) Mess rooms may also be used as recreational rooms if they are fitted appropriately.

Section 4

Administrative offences

§ 29

Administrative offences

An administrative offence within the meaning of § 145 subparagraph (1) Number 18 of the Maritime Labour Act is committed by any person who, intentionally or negligently, constructs or alters an accommodation or a recreational facility substantially, without acceptance according to § 5 subparagraph 1 sentence 1 or subparagraph 2.

Section 5
Transitional and final provisions

§ 30

Transitional provisions

- (1) Notwithstanding § 1 subparagraph, the following Paragraphs apply to ships the keels of which were laid before 1 August 2013:
- .1 § 3 provided that the state of technology is superseded by the generally accepted rules of technology, § 5, § 17 subparagraph (4) and § 28 subparagraph (2) of this ordinance, and
 - .2 for the rest the existing legal provisions for accommodation, recreational facilities and medical rooms as actually applicable at the time of keel laying.
- (2) A ship that changes from a foreign flag to the German flag shall comply:
- .1 if the keel of it was laid before 1 August 2013, with the provisions of
 - (a) Convention No. 92 of the International Labour Organization concerning Crew Accommodation on Board Ship (Revised version from 1949) from 18 June 1949 (Federal Law Gazette 1974 II page 842),
 - (b) Convention No. 133 of the International Labour Organization concerning Crew Accommodation on Board Ship (Supplementary Provisions) from 30 October 1970 (Federal Law Gazette 1974 II page 863), and
 - (c) Paragraphs 21 to 23 of this ordinance.
 - .2 if the keel of it is laid after 31 July 2013, with the provisions of this ordinance.
- (3) In individual cases, the Occupational Accident Insurance Fund may permit exceptions from subparagraph (2) number 2 if health and well-being of the crew members will not be affected thereby.

§ 31

Cancellation of legal provisions

The following are cancelled:

1. Ordinance on Accommodation for Crew Members on Board of Merchant Vessels from 8 February 1973 (Federal Law Gazette I page 734) as last amended by Article 519 of the Ordinance from 31 October 2006 (Federal Law Gazette I page 2407),
2. § 7 to § 14 and § 21 subparagraph (1) of the Ordinance on Medical Care on Board of Merchant Vessels from 25 April 1972 (Federal Law Gazette I page 734) as last amended by Article 1 of the Ordinance from 5 September 2007 (Federal Law Gazette I page 2221).

§ 32

Coming into effect

This ordinance enters into force on 1 August 2013.

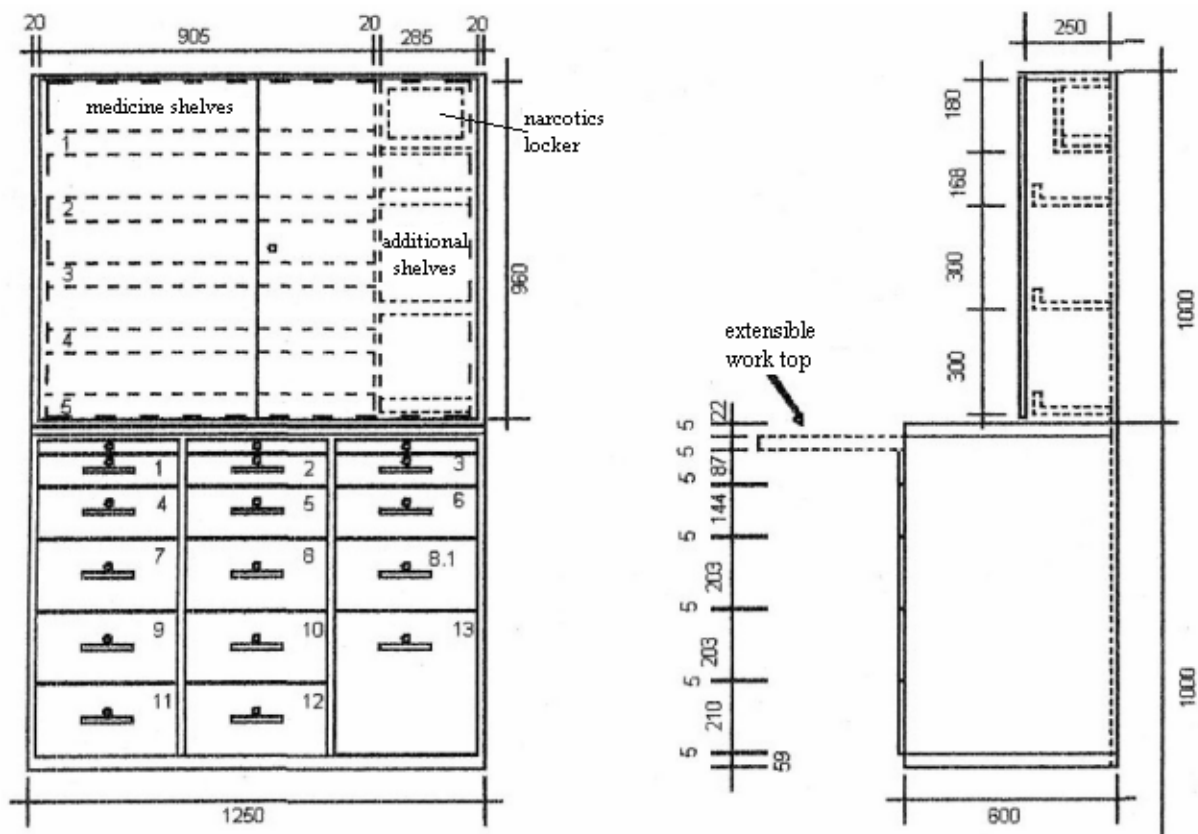
Berlin, dated 25 July 2013

Federal Minister
of Labour and social Affairs
Ursula von der Leyen

Annex

(refer to § 22 subparagraph 3)

Medicine Chest for Storage of the Medical Equipment on Board



Explanatory notes

Layout of the Medicine Chest

The chest shall consist of one upper section and one lower section, each of them with a height of 1.000 mm. In each case, distances to existing ceiling heights shall be adjusted using filling parts.

The upper section shall have a depth of 250 mm and shall include five medicine shelves. It shall be lockable by two doors, folding doors or roll-up doors. Medicine shelves should be in conformity with those shelves which have been proved in facilities of pharmacies ashore and which have variable partitions.

The lower section shall have a depth of 600 mm. It shall contain 14 drawers, which are lockable separately; otherwise a lockable door shall be in place as in the upper section.

The lower section shall incorporate an extensible worktop on which possibly the index of organized placing of the contents is affixed. Information on the availability of the Telemedical Maritime Assistance Service Cuxhaven shall be affixed here also (telephone, telefax, e-mail). This information also may be affixed alternatively on the inner surface of the chest doors.