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

Ordinance on Accommodation in Maritime Shipping of 17 October 2019 (Federal Law Gazette I p. 1453).

The Federal Ministry of Labour and Social Affairs, in agreement with the Federal Ministry of Transport and Digital Infrastructure, the Federal Ministry of Health and the Federal Ministry of Food and Agriculture, decrees by reason of § 96 of the Maritime Labour Act, as amended by Article 8 number 8 of the Act of 25 November 2015 (Federal Law Gazette I p. 2095):

Section 1 General provisions

§ 1 Scope

This ordinance applies to accommodation, recreational facilities and medical spaces for crew members on board merchant vessels

1. flying the German flag and
2. the keel of which was laid after 1 November 2019.

§ 2 Definitions

(1) In the meaning of this ordinance, accommodation and recreational facilities include:

1. the following 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 washrooms including spaces and facilities for washing, drying and ironing of laundry (sanitary facilities),
 - h) medical spaces,
 - i) alleyways in areas of the ship where the crew is accommodated (passageways),
- 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 2009 p. 84) which are intended to carry more than twelve special personnel.
- (4) Fishing vessels are ships used or intended to be used for commercial fishing and equipped with a continuous watertight weather deck which is above the water line in all loading conditions.
- (5) In the meaning of this ordinance, Occupational Accident Insurance Fund (Berufsgenossenschaft) means the Occupational Accident Insurance Fund for Traffic, Post Logistics and Telecommunications (Berufsgenossenschaft Verkehrswirtschaft Post-Logistik Telekommunikation).
- (6) The "length" of a vessel is the greater of the following two values:
- 1. 96 per cent of the total length on a water line at 85 per cent of the least moulded depth measured from the top of the keel, or
 - 2. the length from the foreside of the stem to the axis of the rudderstock on this water line.

For ships with a rake of keel, the water line on which this length is measured shall be parallel to the designed waterline.

§ 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. are free from items which are not the personal property of the crew members and which are not used for the accommodation, recreation, safety or rescue of the crew members,
- 3. comply with the effective state of technology on the actual date the keel of a ship was laid, and
- 4. 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, substantial alteration or change of flag 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 in living rooms and sleeping rooms,
6. the type and arrangement of the supply systems for ventilation, lighting, heating, climate (air conditioning) and drinking water.

Sentences 1 and 2 apply accordingly if it is intended to alter substantially the accommodation and recreational facilities of a ship or if a ship changes from a foreign flag to the German flag.

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

§ 6

Exceptions

(1) The Occupational Accident Insurance Fund may permit exceptions to the provisions of this ordinance for ships on which the interests of crew members with different religious and social customs are to be taken into account for the purpose of avoiding discrimination provided that the resulting conditions as a whole in that case are not less favourable than the conditions which would result from the application of this ordinance.

(2) Ships of less than 200 gross tonnage, other than fishing vessels, shall not be subject to the following equipment requirements:

1. air conditioning system (§ 11 (3)),
2. floor areas (§ 16 (1), (3), (4) and (5)),
3. private washbasin (§ 20 (2)),
4. laundry facilities (§ 26).

(3) Fishing vessels of less than 24 metres in length shall not be subject to the requirements concerning the following equipment requirements:

1. air conditioning system (§ 11 (3)),
2. access to sleeping rooms (§ 15 (5)),
3. floor areas (§ 16 (1), (5) and (8)),
4. equipment of mess rooms (§ 19 (5) number 1 and 2),
5. number and arrangement of sanitary facilities (§ 20 (1), (2) and (4)),
6. offices (§ 25),
7. ironing equipment (§ 26 (1) number 3),
8. storage of suitcases and bulky items (§ 27 (2)),

9. recreational areas and recreational rooms (§ 28).

Section 3
Requirements for construction, equipment and maintenance of accommodation and recreational facilities

Subsection 1
Walls, ceilings, floors, insulation, 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 centimetres 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 walls and walls of the following spaces shall be constructed of steel or equivalent material and shall be watertight and gas tight:

1. cargo spaces,
2. machinery spaces,
3. storerooms,
4. refrigeration compartments,
5. spaces for drying of laundry,
6. galleys and
7. jointly used toilets and washrooms towards the sleeping rooms.

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, walls and ceilings of accommodation spaces 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 surface of the walls and ceilings shall be designed to be light and waterproof.

(5) Joinings between floor coverings made of composite materials and walls shall be provided with profiles (skirting boards) to avoid gaps as far as possible.

§ 8
Insulation

(1) Accommodation spaces shall be effectively insulated against cold and heat taking effect from outside or adjacent spaces. The insulation must be appropriate and ensure that condensation water can drain off.

(2) Technical equipment which may affect the temperature within the accommodation spaces shall be insulated.

§ 9
Protection devices against vermin

(1) Accommodation spaces, storerooms and refrigeration compartments shall be protected against vermin entering and nesting.

(2) On ships operating in areas or calling at ports where insects may transmit tropical diseases,

1. suitable insect screens must be fitted in front of windows, ventilation openings and external doors, and
2. resistant insect filters shall be fitted in front of air intakes of ventilation and air conditioning systems.

Air conditioning systems do not require additional insect protection 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 reasonably lit by natural light; this shall not apply to

1. passenger ships,
2. special purpose ships, and
3. fishing vessels of less than 24 metres in length,

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, storerooms and refrigeration compartments. Tables and desks for reading and writing within the 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 the case of fishing vessels, if there is no emergency lighting system in mess rooms, alleyways or other spaces which are used as emergency exits, a permanent night-time lighting system shall be provided in such rooms.

§ 11 **Air purification, ventilation and air conditioning systems**

(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 gases from machinery, exhaust air from tanks, galleys and medical spaces as well as sanitary facilities.

(2) Accommodation spaces shall be provided with ventilation and air conditioning systems, in particular air conditioning or mechanical ventilation systems. The ventilation and air conditioning systems 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, the navigation bridge and the space where the central engine control room is located.

(4) Ventilation and air conditioning systems 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, vibration 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 ventilation and air conditioning systems.

(6) The shipowner shall ensure through cleaning and maintaining the ventilation and air conditioning systems that adverse effects to the health of the crew members from these systems are avoided.

§ 12

Heating system

- (1) On all ships, except those engaged exclusively in voyages in tropical climates, accommodation spaces shall be provided with a heating system that ensures a health-beneficial temperature in the weather and climatic conditions the ship will be exposed to during its voyage. The heating system shall be kept in operation 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 high internal pressure such that they could 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 or 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, ventilation and air conditioning systems and any other noisy machinery or installations.
- (3) Soundproofing and other appropriate sound-absorbing materials shall be used in the construction and finishing of walls, ceilings and floors within the noise-producing spaces as well as self-closing soundproof 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) A private sleeping room shall be provided for each crew member. Notwithstanding sentence 1, sleeping rooms, separate for men and 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 six crew members, but as far as possible not more than one officer, on fishing vessels of less than 24 metres in length,
 4. occupied by up to four crew members, but not more than one officer, on fishing vessels of 24 metres in length or over,

5. occupied by 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 (4) number 1 apply accordingly. The Occupational Accident Insurance Fund may, in individual cases, allow exemptions from the requirements set out in number 4 if, due to the size, nature or intended use of the fishing vessel, occupancy by no more than one officer is not practicable. On fishing vessels, the maximum number of crew members that may be accommodated in each sleeping room shall be permanently and legibly indicated in an easily visible place.

(3) As far as possible, sleeping rooms shall be fitted with a private bathroom and a private toilet. § 20 (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. On passenger ships, special purpose ships and fishing vessels with a length of less than 24 metres, the Occupational Accident Insurance Fund may permit sleeping rooms to be 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, rooms shall not be located immediately beneath alleyways used for work.

(5) It shall be possible for the sleeping rooms to be entered from passageways located within the living quarters. Common passageways 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 subparagraph 1, in individual cases the Occupational Accident Insurance Fund may allow a reduced minimum size of 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 or special purpose ships, the floor area of sleeping rooms which are occupied by two crew members according to § 15 (2) sentence 2 number 1 shall not be less than 7 square metres.

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

1. 7.5 square meters in rooms accommodating two crew members,

2. 11.5 square meters in rooms accommodating three crew members and

3. 14.5 square meters in rooms accommodating four crew members.

(5) The floor area of sleeping rooms for crew members who perform the duties of officers and where in addition to the sleeping room no private living room or other 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 and

3. 10 square metres on ships of 10,000 gross tonnage or over.

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

(6) On passenger ships and special purpose ships, the floor area of sleeping rooms

1. for crew members performing the duties of officers at operational level shall not be less than 7.5 square metres,

2. for crew members performing the duties of 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 other 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 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) In the sleeping room, 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 on fishing vessels.

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

(3) Each berth shall be provided with a slatted frame, a mattress made of suitable material, 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 only be a single tier where a window is located above a berth. The lower berth in a double tier shall not be 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 user of the berth, it shall be cleaned thoroughly, including mattress, blanket and pillow.

(6) Each sleeping room shall be provided with

1. a clothes locker of sufficient size, at least 475 litres capacity, and
2. a chest of drawers or equivalent container of at least 56 litres capacity for each crew member.

If the chest of drawers is integrated into the clothes locker, the minimum combined volume of the clothes locker shall be 500 litres. The locker shall be equipped with a compartment and a locking device to ensure privacy. For ships with a gross tonnage of less than 200 and for fishing vessels, the Occupational Accident Insurance Fund may grant exemptions to the requirements of sentences 1 to 3 on an individual basis if these requirements are not structurally feasible and the crew member has other means of adequately stowing his or her personal effects and clothing for the duration of the voyage.

(7) Each sleeping room shall be fitted with

1. a small cabinet for the toiletries of the crew members,
2. a fixed, drop-leaf or slide-out type table or desk,
3. a mirror,
4. an electric socket,
5. a community antenna connection,
6. a book rack,
7. coat hooks and
8. seating accommodation as necessary.

The windows of the sleeping rooms 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, refrigeration compartments

(1) Galleys shall be provided if the operating conditions necessitate the preparation of food on board the ships. Galleys shall be equipped in particular 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 food on ships. Notwithstanding sentence 1, on small ships where cold storage rooms can only be arranged with unreasonable effort, refrigerators may be installed in place of refrigeration compartments. Provision rooms 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 requirements. 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 on the following ships if the requirements according to (1) are not structurally feasible 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:

1. on ships of 200 gross tonnage or less other than fishing vessels, and
2. on fishing vessels of less than 24 metres in length.

§ 19

Mess rooms, pantries and furnishings

(1) Ships shall be provided with mess rooms if the operating circumstances necessitate lounges in which the 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 officers on the one hand and for the remainder of the crew members on the other. 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. Under no circumstances may mess rooms be located forward of the collision bulkhead. In individual cases, the Occupational Accident Insurance Fund exempt ships of less than 3,000 gross tonnage from 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 a minimum of 1.0 square metres 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 materials.

(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 use the mess room,
4. devices and equipment for the preparation of cold and hot drinks, and
5. furnishings for storing dishware.

These devices and equipment shall be accessible at all times. If possible, they should be concentrated in one pantry.

(6) Suitable eating utensils and cutlery shall be made available to the crew members. Plates, glasses and other mess utensils shall be made of material that is easy to clean.

Subsection 6

Sanitary facilities

§ 20

Number and arrangement of sanitary facilities

- (1) Sanitary facilities shall be provided for the crew members, separately for men and women.
- (2) On ships other than passenger ships, each sleeping room shall be provided with a private washbasin. This does not apply to sleeping rooms with a private bathroom containing a washbasin.
- (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 located close to the sleeping rooms and washrooms. They shall only be accessible from general passageways or from the washrooms. Sentence 3 is not applicable to a toilet located 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

1. near the navigation bridge, the engine room or the engine control room, and
2. 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 room adjacent to the respective sleeping room containing a shower, washbasin and a toilet shall be provided for each 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 room adjacent to their sleeping room containing a shower, washbasin and a toilet shall be provided for every two crew members other than officers.
- (7) On passenger ships normally engaged in voyages of not more than four hours duration, the Occupational Accident Insurance Fund may permit special provisions or a reduction in 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) Rooms containing sanitary facilities, except sleeping rooms equipped with washbasins, shall meet the following requirements:
 1. the rooms shall be provided with an exhaust air installation discharging into the atmosphere,
 2. floors must be made of a durable material, easy to clean, moisture-proof and equipped with 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 fitted with a powerful water flushing system, or with another suitable flushing means, such as air, which is 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 of the users, 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 ceiling of mess rooms, sleeping rooms, provision rooms as well as galleys and pantries; they shall not lead to discharge into the atmosphere in the proximity of intakes of the drinking water treatment plant.

Subsection 7 Medical spaces

§ 22 Treatment room

(1) A room for medical treatment (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 with a voyage duration of more than three days,
3. passenger ships in worldwide trade and in the trading area as specified in Section 46 (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 the 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 treatment room shall be provided with communication equipment that allows direct medical consultation via radio or satellite communication during medical care. A spare key for the entrance door 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 engaged in deep sea fishing and 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 installed in that room.

(4) If the ship is dispensed from a sickbay according to § 23 (6), the treatment room shall be suitable for temporary accommodation and care of a sick or injured person. In particular, the examination table shall be accessible from three sides with at least 1 metre of free space for movement and be equipped with a safety device to prevent the patient from falling out. One toilet for the exclusive use by sick or injured persons shall be provided within the treatment room or in the immediate vicinity.

(5) On fishing vessels which do not have a treatment room, a sick or injured crew member shall be provided with a sleeping room or equivalent accommodation.

§ 23 Sickbay

(1) At least one room for the care of sick or injured 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 (1). Notwithstanding sentence 1, passenger ships in European trade shall have a sickbay only on voyages lasting more than twelve hours.

(2) No internal room shall be used as a sickbay. The room shall be easily accessible and available immediately when needed. The entrance shall be wide enough to allow a sick or injured person to be carried in on a stretcher. A spare key for the entrance door 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 or injured person, having contact to the navigation bridge and working alleyway outside the sickbay.

(4) The sickbay shall allow easy cleaning and disinfection. It shall be equipped with an exhaust air system, a shower or a bathtub, a hand basin and a separate toilet room containing a disinfectant dispenser on the wall. Water fixtures shall not be of the self-closing type. The toilet room shall be readily accessible from the sickroom and have a calling system or telephone in accordance with 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 on ships with more than 30 persons. The facilities of the hospital berths should meet those of sickbeds in hospitals ashore. They shall be provided with a safety device to prevent the patient falling out. At least one hospital berth for each room shall be accessible from three sides with at least 1 metre of free space for movement.

(6) A sickbay may be dispensed with if there is a private sleeping room for each person containing a separate sanitary cell including a washbasin, a shower or bath and a toilet as well as a calling system or telephone according to subparagraph 3.

§ 24

Procedure 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 10 square metres 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, 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

(1) 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 separate room for drying of clothing with adequate ventilation, heating and hanging up arrangements, and
3. irons and ironing boards or equivalent appliances.

(2) On fishing vessels of 45 metres in length and over, laundry facilities shall be provided in a separate room with adequate ventilation and heating.

§ 27

Facilities for the storage of clothes and personal effects, changing rooms

(1) A well-ventilated room with lockable facilities for the keeping of personal protective equipment 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 for the crew members 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 or shielded such that crew members seeking rest and relaxation are protected against wind, splash water, exhaust gases and exhaust air from exhaust systems as far 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 films should be sufficient for the duration of the trip and should be replaced regularly,
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 or CD player, personal computer and software as well as cassette recorder or player,
8. ship bar or kiosk on board unless these are contrary to national, religious or social practices.

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

(4) Ships regularly engaged in 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 (1) number 18 of the Maritime Labour Act is committed by any person who, intentionally or negligently,

1. fails to seek acceptance or correct or timely acceptance in contravention of § 5 (1) or
2. deviates from the plans during construction in contravention of § 5 (2).

Section 5

Transitional and final provisions

§ 30

Transitional provisions

(1) Notwithstanding § 1, the following legal regulations apply to ships whose keels 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 (4) and § 28 (2) of this ordinance, and
 2. the existing legal provisions for accommodation, recreational facilities and medical rooms applicable at the time of keel laying.
- (2) The provisions of the Maritime Accommodation Ordinance of 25 July 2013 (Federal Gazette AT 30 July 2013 V1) shall apply to ships whose keels were laid between 1 August 2013 and 1 November 2019 and which are not fishing vessels with a length of less than 24 metres.
- (3) A ship that changes from a foreign flag to the German flag shall comply:
1. if the keel was laid before 1 August 2013 and it is not a fishing vessel, with the provisions of:
 - a) Convention No. 92 of the International Labour Organization concerning crew accommodation on board ships (Revised version from 1949) of 18 June 1949 (Federal Law Gazette 1974 II pp. 841, 842),
 - b) Convention No. 133 of the International Labour Organization concerning crew accommodation on board ships (Supplementary Provisions) of 30 October 1970 (Federal Law Gazette 1974 II pp. 862, 863), and
 - c) the requirements of §§ 22 to 24 of this ordinance,
 2. if its keel was laid before 1 August 2013 and it is a fishing vessel, comply with the following requirements:
 - a) the requirements of Convention No. 126 of the International Labour Organisation concerning accommodation on board fishing vessels of 21 June 1966 (Federal Law Gazette 1974 II pp. 881, 882), and
 - b) the requirements of §§ 22 to 24 of this ordinance,
 3. if its keel was laid after 31 July 2013, with the provisions of this ordinance.

§ 31

Coming into effect, expiration of legal provisions

This ordinance enters into force on 1 November 2019. At the same time, the Maritime Accommodation Ordinance of 25 July 2013 (Federal Gazette AT 30 July 2013 V1) shall expire.

Annex 1 (to § 22 (3))

Medicine Chest for the Storage of Medical Equipment on Board
(Reference: Federal Law Gazette I 2019, 1463)

Explanatory notes:

Layout of the Medicine Chest

The chest shall consist of one upper section and one lower section, each 1,000 mm high. 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 any index for the orderly storage of the contents in the drawers is affixed. Information on how to reach the

Telemedical Maritime Assistance Service Cuxhaven shall also be affixed here
(telephone/telefax/e-mail). This information may also be affixed alternatively to the inside of
the chest doors.