

MARITIME SAFETY COMMITTEE
93rd session
Agenda item 22

MSC 93/WP.1
21 May 2014
Original: ENGLISH

DISCLAIMER

As at its date of issue, this document, in whole or in part, is subject to consideration by the IMO organ to which it has been submitted. Accordingly, its contents are subject to approval and amendment of a substantive and drafting nature, which may be agreed after that date.

**DRAFT REPORT OF THE MARITIME SAFETY COMMITTEE
ON ITS NINETY-THIRD SESSION**

1 INTRODUCTION – ADOPTION OF THE AGENDA

1.1 The ninety-third session of the Maritime Safety Committee was held at the IMO Headquarters from 14 to 23 May 2014, under the chairmanship of Mr. Christian Breinholt (Denmark). The Vice-Chairman of the Committee, Capt. M. Segar (Singapore), was also present.

1.2 The session was attended by delegations from Members and Associate Members; by representatives from the United Nations Programmes, specialized agencies and other entities; by observers from intergovernmental organizations with agreements of cooperation; and by observers from non-governmental organizations in consultative status; as listed in document MSC 93/INF.1.

1.3 The session was also attended by the Chairman of the Council, Mr. J.G. Lantz (United States), the Chairman of the Marine Environment Protection Committee, Mr. A. Dominguez (Panama) and the Chairman of the Facilitation Committee Mr. Y. Melenas (Russian Federation).

Opening address of the Secretary-General

1.4 The Secretary-General welcomed participants and delivered his opening address, the full text of which can be downloaded from the IMO website at the following link: <http://www.imo.org/MediaCentre/SecretaryGeneral/Secretary-GeneralsSpeechesToMeetings>.

Chairman's remarks

1.5 The Chairman thanked the Secretary-General for his opening address and stated that his advice and requests would be given every consideration in the deliberations of the Committee.

Adoption of the agenda and related matters

1.6 The Committee adopted the agenda (MSC 93/1) and agreed that its work would be guided by the provisional timetable (MSC 93/1/1), on the understanding that it was subject to adjustments and on the progress made each day; and the arrangements for working and drafting groups (MSC 93/1/2). The agenda, as adopted, with a list of documents considered under each agenda item, is set out in document MSC 93/INF.[...].

Credentials

[1.7 The Committee noted that credentials of the delegations attending the session were in due and proper form.]

1.8 The Committee expressed its condolences to the families and friends of all those who lost their lives in the mining accident in Soma, Turkey and in the sinking of the ferry **Miraz-4** on the River Meghna in Bangladesh.

2 DECISIONS OF OTHER IMO BODIES

Outcome of TC 63, C 110, C 111, C/ES.27, A 28 and MEPC 66

2.1 The Committee noted the decisions of TC 63 (MSC 93/2), C 110, C 111 and C/ES.27 (MSC 93/2/1), A 28 (MSC 93/2/2) and MEPC 66 (MSC 93/2/3) and took appropriate action under the relevant agenda items.

3 CONSIDERATION AND ADOPTION OF AMENDMENTS TO MANDATORY INSTRUMENTS

GENERAL

3.1 Contracting Governments to the 1974 SOLAS Convention were invited to consider and adopt proposed amendments to:

- .1 chapters II-1, II-2 and III and a new chapter XIII of the 1974 SOLAS Convention, as amended, in accordance with the provisions of article VIII of the Convention;

- .2 the International Code for Fire Safety Systems (FSS Code), as amended, in accordance with the provisions of article VIII and regulation II-2/3.22 of the Convention;
- .3 the International Life-Saving Appliance (LSA) Code, as amended, in accordance with the provisions of article VIII and regulation III/3.10 of the Convention;
- .4 the International Code for the Construction and Equipment of Ships carrying Dangerous Chemicals in Bulk (IBC Code), as amended, in accordance with the provisions of article VIII and regulation VII/8.1 of the Convention;
- .5 the International Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk (IGC Code), as amended, in accordance with the provisions of article VIII and regulation VII/11.1 of the Convention;
- .6 the International Code on the Enhanced Programme of Inspections during Surveys of Bulk Carriers and Oil Tankers, 2011 (2011 ESP Code), in accordance with the provisions of article VIII and regulation XI-1/2 of the Convention; and
- .7 the International Maritime Dangerous Goods (IMDG) Code, in accordance with the provisions of article VIII and regulation VII/1.1 of the Convention.

3.2 Contracting Governments constituting more than one third of the total of Contracting Governments to the 1974 SOLAS Convention were present during the consideration and adoption of the said amendments by the expanded Maritime Safety Committee, in accordance with articles VIII(b)(iii) and VIII(b)(iv) of the Convention. The proposed amendments to the 1974 SOLAS Convention and to codes mandatory under the Convention had been circulated, in accordance with SOLAS article VIII(b)(i), to all IMO Members and Contracting Governments to the Convention by Circular Letters No.3405 and Corr.1 of 30 September 2013 and 4 November 2013, respectively, and No.3414 of 21 October 2013.

3.3 Parties to the 1978 STCW Convention were invited to participate in the consideration and adoption of proposed amendments to chapter I of the Convention and a

new section A-I/16 in part A of the STCW Code. Parties constituting more than one third of the total of Parties to the 1978 STCW Convention were present during the consideration and adoption of the said amendments by the expanded Maritime Safety Committee, in accordance with the provisions of article XII(1)(a)(iv) and regulation I/1.2.3 of the Convention. The proposed amendments to the 1978 STCW Convention and part A of the STCW Code had been circulated in accordance with article XII(1)(a)(i) of the Convention to all IMO Members and Parties to the Convention, by Circular Letter No.3402 of 5 September 2013.

3.4 Parties to the 1988 Load Lines Protocol were invited to consider and adopt proposed amendments to the Protocol. Parties constituting more than one third of the total of Parties to the Protocol were present during the consideration and adoption of the said amendments by the expanded Maritime Safety Committee, in accordance with the provisions of paragraph 2(f)(ii)(bb) of article VI of the Protocol. The proposed amendments to the 1988 Load Lines Protocol had been circulated, in accordance with article VI of the Protocol, to all IMO Members and Parties to the Protocol by Circular Letter No.3392 of 15 August 2013.

3.5 The Committee was also invited to consider and:

- .1 adopt a draft MSC resolution on *Amendments to the Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk (BCH Code)*;
- .2 adopt a draft MSC resolution on *Amendments to the Code for Existing Ships Carrying Liquefied Gases in Bulk (EGC Code)*;
- .3 adopt a draft MSC resolution on *Amendments to the Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk (GC Code)*;
- .4 adopt a draft MSC resolution on *Amendments to the Revised Recommendation on testing of life-saving appliances (resolution MSC.81(70))*;
- .5 adopt a draft MSC resolution on *Requirements for periodic servicing and maintenance of lifeboats and rescue boats, launching appliances and release gear*;

- .6 approve a draft MSC circular on *Guidelines for validating the construction of a completed adult reference test device (RTD)*;
- .7 approve a draft MSC circular on *Guidelines on safety during abandon ship drills using lifeboats*;
- .8 approve a draft MSC circular on *Recommendation on safety measures for existing vehicle carriers carrying motor vehicles with compressed hydrogen or natural gas in their tanks for their own propulsion as cargo*;
- .9 approve a draft MSC circular on *Guidelines for the design, performance, testing and approval of mobile water monitors used for the protection of on-deck cargo areas of ships designed and constructed to carry five or more tiers of containers on or above the weather deck*; and
- .10 approve a draft MSC-MEPC circular on Products requiring oxygen-dependent inhibitors.

PROPOSED AMENDMENTS TO THE 1974 SOLAS CONVENTION

Proposed amendments to SOLAS chapter II-1

Regulation 29 – Steering gear

3.6 The Committee recalled that the proposed amendments to SOLAS regulation II-1/29 were developed by DE 57 and approved by MSC 92 and noted that no comments had been submitted on the draft amendments.

3.7 The Committee, taking into account comments provided in item 1 of the annex to document MSC 93/17/5 (United Kingdom), considered the application requirements of the proposed amendments to SOLAS regulation II-1/29 and agreed that the new requirements should apply to new and existing ships.

3.8 The Committee confirmed the contents of the proposed amendments to SOLAS regulation II-1/29, subject to additional modifications to clarify application requirements and editorial improvements, if any.

Proposed amendments to SOLAS chapter II-2***Regulation 1 – Application******Regulation 3 – Definitions******Regulation 4 – Probability of ignition******Regulation 9 – Containment of fire******Regulation 10 – Firefighting******Regulation 13 – Means of escape******Regulation 16 – Operations******Regulation 18 – Helicopter facilities******New regulation 20-1 – Requirements for vehicle carriers carrying motor vehicles with compressed hydrogen or natural gas in their tanks for their own propulsion as cargo***

3.9 The Committee recalled that the proposed amendments to SOLAS regulations II-2/1, 3, 4, 9, 10, 13, 16 and 18 and the new SOLAS regulation II-2/20-1 were developed by FP 56 and approved by MSC 92.

3.10 The Committee considered document MSC 93/3/9 (Japan) commenting on the draft amendments to SOLAS regulation II-2/18 in relation to the provisions of resolution A.911(22) on *Uniform wording for referencing IMO instruments* and proposing to:

- .1 adopt an MSC resolution on "Performance standards for helicopter facility foam firefighting appliances" containing the equivalent requirements set out in MSC.1/Circ.1431 on *Guidelines for the approval of helicopter facility foam firefighting appliances*, which were referred to in the draft amendments to SOLAS regulation II-2/18 as a footnote; and
- .2 modify the draft amendments to SOLAS regulation II-2/18 in order to refer to the above MSC resolution instead of MSC.1/Circ.1431, so as to make the provisions of such resolution mandatory under the Convention.

3.11 Some delegations supported the proposal, whilst others were of the view that the new Performance standards would introduce unintended mandatory requirements which could affect a large number of ships that occasionally operate with helicopters. In addition, if the Committee was to adopt the amendments to SOLAS regulation II-2/18 as presented in document MSC 93/3, it would result in existing mandatory safety requirements being deleted.

3.12 After an extensive discussion, the Committee agreed to refer the draft amendments to SOLAS regulation II-2/18 and document MSC 93/3/9 to SSE 2 for further consideration under "Any other business", with one session needed to finalize the draft amendments.

3.13 Furthermore, having considered document MSC 93/3/11 (IACS), the Committee agreed that the new requirements for helicopter facilities should apply to new ships only and instructed SSE 2 to clearly reflect the application requirements in the draft amendments.

3.14 The Committee, having considered document MSC 93/3/12 (Japan) commenting on the draft amendments to SOLAS regulation II-2/13.4 and proposing additional amendments to the existing paragraph 4.2.2 (to be renumbered as 4.2.4) in order to allow dispensation from two means of escape, as contained in the draft paragraphs 4.2.2 and 4.2.3 (i.e. Escape from machinery control rooms in machinery spaces of category "A" and Escape from main workshops in machinery spaces of category "A"), did not agree with the proposed additional amendments.

3.15 The Committee also, having considered document MSC 93/3/13 (IACS), agreed that the requirements of SOLAS regulation II-2/13.4 should apply to new ships only.

3.16 The Committee considered document MSC 93/3/15 (IACS) proposing modifications to the draft amendments to SOLAS regulations II-2/4.5.5 and 16.3.3 and the IBC Code, including new related amendments to SOLAS regulation II-2/1, with a view to clarifying application requirements related to new and existing ships and equivalent arrangements or means of protection in lieu of fixed installations.

3.17 While introducing the proposal, the IACS observer stated that the issues presented in paragraphs 9.3 and 10 of document MSC 93/3/15 had been overtaken by decisions made at MEPC 66 and, thus, decided to withdraw those proposals. Moreover, the reference to paragraph "16.3.3", as set out in paragraph 9.1 of document MSC 93/3/15, should be amended to read "16.3.3.3".

3.18 After a brief discussion, the Committee agreed with the proposals set out in document MSC 93/3/15, including the modifications mentioned in paragraph 3.17.

3.19 The Committee, having considered document MSC 93/3/16 (Finland) proposing modifications to the footnote referred to in the draft amendments to SOLAS regulation II-2/9.7.5.1.1.3 (fire safety of galley ranges), based on the provisions of resolution A.911(22) related to industry standards referred to in IMO conventions or other mandatory instruments, did not agree with the proposed modifications.

3.20 The Committee also considered the comments and observations provided in items 2, 3, 4 and 7 of the annex to document MSC 93/17/5 (United Kingdom) and:

- .1 agreed that the draft amendments to SOLAS regulations II-2/4.5.5.1.1 and 4.5.5.1.3 and the new SOLAS regulation II-2/20-1 should apply to ships constructed before the application date of the chapter (i.e. 1 July 2012) and that further consideration should be given to application requirements for ships constructed before 1 July 2002; and
- .2 noted the information related to the draft amendments to SOLAS regulations II-2/3 and II-2/9.7 and that the issues related to the draft amendments to SOLAS regulations II-2/13 and 16 had been addressed when considering documents MSC 93/3/13 and MSC 93/3/15 (see paragraphs 3.15 to 3.18).

3.21 The Committee further considered urgent matters emanating from SSE 1 and agreed with the additional modifications to the proposed amendments to SOLAS regulation II-2/9.7.1.1, as set out in paragraphs 2.5 and 2.7 of document MSC 93/12.

3.22 The Committee also considered the proposed amendments to SOLAS regulation II-2/4.5.5.3.2 and agreed to delete the square brackets along with the text.

3.23 The Committee confirmed the contents of the proposed amendments to SOLAS chapter II-2, including the above modifications, subject to editorial improvements, if any.

3.24 The Committee noted the concerns expressed by the delegation of the Bahamas, supported by ITF, relating to the requirements for carriage of a water mist lance, which may expose seafarers to significant danger, which they had also expressed when the draft amendments were approved at MSC 92 (MSC 92/26, paragraph 8.11).

Proposed amendments to SOLAS chapter III

Regulation 3 – Definitions

Regulation 20 – Operational readiness, maintenance and inspections

3.25 The Committee recalled that the proposed amendments to SOLAS regulations III/3 and 20 were developed by DE 57 and approved by MSC 92 and noted that no comments on the draft amendments had been received.

3.26 During the consideration of the above draft amendments, several concerns were expressed with regard to a number of conflicting requirements for periodic servicing and **maintenance of lifeboats and rescue boats**, launching appliances and release gear set out in the draft amendments (MSC 93/3, annex 2) and the associated draft MSC resolution on *Requirements for periodic servicing and maintenance of lifeboats and rescue boats, launching appliances and release gear* (MSC 93/3/4, annex 1).

3.27 In this context, the following views were expressed that:

- .1 it was not clear whether the examination and operational test referred to in paragraphs 11.2.2 and 11.4.2 of the draft amendments to SOLAS regulation III/20 should be conducted by "properly trained personnel familiar with the system" and "properly trained personnel familiar with the appliance", respectively, or by "service providers" authorized by the Administration, or by "personnel appropriately trained and certified for the work to be done", in accordance with paragraphs 3.1 and 3.2 and 4.1 to 4.3 of the draft resolution;
- .2 that the above terms should be clarified with the view to achieving a unanimous understanding;
- .3 to solve the issues, three relevant activities could be identified, as follows:
 - .1 **maintenance**: which could be carried out by the ship's crew;
 - .2 **annual thorough examination and operational test**: which could be carried out by proper trained personnel familiar with the system/appliance, such as a shipboard person or an authorized service provider; and
 - .3 **repair and overhaul of equipment**: which should be carried out by the manufacturer or authorized service provider;
- .4 the terms "periodic servicing" and "annual servicing" specified in paragraph 11.5 of the draft amendments to regulation III/20 and paragraph 5.3 of the annex to the draft resolution, respectively, were not defined and, therefore, should be replaced with the term "maintenance, annual thorough examination and repair and overhaul";

- .5 the use of the term "periodic servicing" was not an issue, however, "maintenance" should not be included as part of "periodic servicing";
- .6 a possible solution to address the issue could be to delete the words "familiar with the system" and "familiar with the appliance" in paragraphs 11.2.2 and 11.4.2, respectively, and include a reference to "properly trained personnel in accordance with chapter 8 of the *Requirements for periodic servicing and maintenance of lifeboats and rescue boats, launching appliances and release gear*";
- .7 there was an inconsistency between paragraph 11.5 of the draft amendments to regulation III/20, where the weekly and monthly inspections were excluded, and paragraph 4.1 of the annex to the draft resolution, where they were required;
- .8 consideration should be given to the inclusion of requirements for properly trained personnel familiar with the system in the existing SOLAS regulation III/20.11.1.2;
- .9 the requirement of paragraph 4.1 of the annex to the draft resolution would impose an unnecessary burden to the senior ship's officer, for example, for tasks requiring to check the oil level, and could be replaced instead for a requirement to be conducted "under the direction" of the senior ship's officer; and
- .10 the review of all the above inconsistencies would be beyond the drafting exercise and, therefore, the draft amendments should be referred back to the relevant sub-committee.

3.28 After consideration, the Committee, noting the number of inconsistencies between the requirements of the draft amendments to SOLAS regulations III/3 and 20 and the draft MSC resolution on *Requirements for periodic servicing and maintenance of lifeboats and rescue boats, launching appliances and release gear*, agreed to refer the above-mentioned draft amendments, including document MSC 93/3/4, to SSE 2 for further consideration under "Any other business", with one session needed to finalize the draft amendments.

Proposed new SOLAS chapter XIII – Verification of compliance with the provisions of the Convention

Regulation 1 – Definitions

Regulation 2 – Application

Regulation 3 – Verification of compliance

3.29 The Committee recalled that the proposed new SOLAS chapter XIII was developed by FSI 20 and approved by MSC 91 to make the use of the IMO Instruments Implementation Code (III Code) mandatory.

3.30 The Committee noted, as reported in document MSC 93/3/6, that A 28, having considered the recommendations made by the MSC and the MEPC, had adopted resolutions A.1070(28) on *IMO Instruments Implementation Code (III Code)*; A.1067(28) on *Framework and procedures for the IMO Member State Audit Scheme*; A.1068(28) on *Transition from the Voluntary IMO Member State Audit Scheme to the IMO Member State Audit Scheme*; A.1083(28) on *Amendments to the International Convention on Load Lines, 1966*; A.1084(28) on *Amendments to the International Convention on Tonnage Measurement of Ships, 1969*; and A.1085(28) on *Amendments to the Convention on the International Regulations for Preventing Collisions at Sea, 1972*.

3.31 In this context, the Committee also noted that the Assembly, in adopting resolutions A.1083(28), A.1084(28) and A.1085(28), had agreed to a number of modifications, as set out in paragraphs 40, 44 and 49 of document A 28/6(b)/2, and invited the MSC and the MEPC to take them into account when considering the corresponding amendments to the SOLAS, MARPOL and STCW Conventions and the 1988 LL Protocol to make the use of the III Code mandatory, with a view to aligning them with those adopted by the Assembly.

3.32 The Committee further noted that MEPC 66 had adopted, in line with the text of the amendments adopted by A 28, resolutions MEPC.246(66) on *Amendments to MARPOL Annexes I, II, III, IV and V* and MEPC.247(66) on *Amendments to MARPOL Annex VI*, to make the use of the III Code mandatory.

3.33 Having considered the draft new SOLAS chapter XIII, the Committee confirmed its contents, subject to further relevant modifications to align the text of the new chapter with the text of the resolutions adopted by the Assembly, including editorial improvements, if any.

Date of entry into force of the proposed amendments

3.34 The Committee agreed that the SOLAS amendments to chapters II-1 and II-2 and the new SOLAS chapter XIII proposed for adoption at the current session should be deemed to have been accepted on 1 July 2015 and to enter into force on 1 January 2016.

3.35 The Committee also agreed that, in order to clearly reflect the decisions of A 28, the SOLAS amendments to chapter XIII should be adopted by a separate MSC resolution (i.e. one for the SOLAS amendments to chapters II-1 and II-2 and one for the new SOLAS chapter XIII).

PROPOSED AMENDMENTS TO MANDATORY CODES

Proposed amendments to the FSS Code

3.36 The Committee recalled that the proposed amendments to the FSS Code were developed by FP 56 and approved by MSC 92 and, having noted that no comments had been submitted on the draft amendments, confirmed their contents, subject to editorial improvements, if any.

3.37 The Committee agreed that the above amendments to the FSS Code proposed for adoption at the current session should be deemed to have been accepted on 1 July 2015 and to enter into force on 1 January 2016.

Proposed amendments to the LSA Code

3.38 The Committee recalled that the proposed amendments to the LSA Code were developed by DE 57 and approved by MSC 92 and, having noted that no comments had been submitted on the draft amendments, confirmed their contents, subject to editorial improvements, if any.

3.39 The Committee agreed that the above amendments to the LSA Code proposed for adoption at the current session should be deemed to have been accepted on 1 July 2015 and to enter into force on 1 January 2016.

Proposed amendments to the IBC Code

3.40 The Committee recalled that the proposed amendments to the IBC Code were developed by BLG 17 and SLF 55, and approved by MEPC 65 and MSC 92.

3.41 The Committee noted that PPR 1 had requested MEPC 66 and MSC 93 to concur with the deletion of the asterisk at the end of paragraph 15.13.5.1 of the draft amendments to the IBC Code (MSC 93/20/6, paragraph 2.1).

3.42 In this context, the Committee also noted that MEPC 66 had agreed not to delete the asterisk and added instead a footnote to subparagraphs 15.13.5.1 and 15.13.5.2, which refers to the MSC-MEPC circular on Products requiring oxygen dependent inhibitors, as approved by MEPC 66, subject to concurrent decision by MSC 93, and adopted resolution MEPC.250(66) on *Amendments to the IBC Code*, including additional amendments to paragraphs 15.13.5.1 and 15.13.5.2, which make reference to SOLAS regulation II-2/4.5.5, as amended, to cover new and existing ships, respectively. MEPC 66 had also requested MSC 93 to consider and decide on the final text of the above-mentioned footnote when adopting the corresponding amendments to the Code (MEPC 66/21, paragraphs 6.16, 6.17, 6.61, 6.62 and 21.2.2).

3.43 Having noted the decisions taken by MEPC 66, the Committee confirmed the contents of the draft amendments to the IBC Code, as adopted by MEPC 66, subject to editorial improvements, if any.

3.44 The Committee agreed that the above amendments to the IBC Code proposed for adoption at the current session should be deemed to have been accepted on 1 July 2015 and to enter into force on 1 January 2016, in line with the amendments adopted by MEPC 66.

Proposed amendments to the IGC Code

3.45 The Committee recalled that the proposed amendments to the IGC Code, which contains the revised IGC Code, were developed by BLG 17 and SLF 55, and approved by MSC 92.

3.46 The Committee considered documents MSC 93/3/7 and MSC 93/3/8 (Japan, United States and SIGTTO) and agreed with the proposed modifications to the draft revised IGC Code in order to clarify the terms "toxic products", "water spray", "water application" and similar expressions for consistency of textual expression and other additional editorial modifications.

3.47 The Committee also had for its consideration MSC 93/3/14 (Republic of Korea) proposing that the application date of the draft revised IGC Code be based on "three dates" instead of a single "keel-laying date" to avoid major design changes to ships awaiting construction under an existing contract.

3.48 In considering the above proposal, the Committee noted the following views expressed during the discussion:

- .1 the application date based on "three dates" could be used, but with different options for delivery date (e.g. 2, 3 or 4 years, see also subparagraphs .2 and .3 below);
- .2 application date based on "three dates" with two years delivery date should be used to avoid delays in implementation;
- .3 gas carriers were very complex ships which require at least four years for delivery;
- .4 the current definition of the application of the draft revised IGC Code is consistent with the 1993 IGC Code and SOLAS regulation VII/11, which implements the IGC Code and relies solely on a single "keel-laying date";
- .5 there were a considerable number of gas carriers under contract which would require design modifications to comply with the revised IGC Code, as currently drafted, and, to address this, a possible way forward could be to delay the entry into force or implementation of the revised IGC Code by six months (i.e. 1 July 2016); and
- .6 should the "three dates" proposal be accepted, a considerable number of modifications to the draft text of the revised IGC Code would be required, including possible amendments to SOLAS.

3.49 Taking into account the above views, the Committee, while at first noting that the majority of delegations that had spoken supported the "three dates" option, recognized the difficulty of this option (see paragraph 3.48.6) and agreed, bearing in mind the importance of adopting the amendments to the IGC Code at this session to use a single "keel-laying date" with a delayed entry-into-force or implementation date by six months as the compromise solution (i.e. 1 July 2016).

Proposed amendments to the 2011 ESP Code

3.50 The Committee recalled that the proposed amendments to the 2011 ESP Code were developed by DE 57 and approved by MSC 92 and, having noted that no comments had been submitted on the draft amendments, confirmed their contents, subject to editorial improvements, if any.

3.51 The Committee agreed that the above amendments to the 2011 ESP Code proposed for adoption at the current session should be deemed to have been accepted on 1 July 2015 and to enter into force on 1 January 2016.

Proposed amendments to the IMDG Code

3.52 The Committee recalled that the proposed amendments to the IMDG Code were agreed by DSC 18, finalized by E&T 20, and circulated in accordance with article VIII of the 1974 SOLAS Convention and the amendment procedure for the IMDG Code agreed by MSC 75 (MSC 75/24, paragraph 7.36.3).

3.53 Having noted that no comments had been submitted on the draft amendments, the Committee confirmed their contents, including the additional modifications to the IMDG Code due to the entry into force of amendments to the CSC 1972 on 1 July 2014 (MSC 93/3/Add.2), subject to editorial improvements, if any.

3.54 The Committee agreed that the above amendments to the IMDG Code proposed for adoption at the current session should be deemed to have been accepted on 1 July 2015 and to enter into force on 1 January 2016 and that SOLAS Contracting Governments may apply the amendments in whole or in part on a voluntary basis as from 1 January 2015.

PROPOSED AMENDMENTS TO THE 1978 STCW CONVENTION, AS AMENDED, AND STCW CODE

Proposed amendments to chapter I – General provisions

3.55 The Committee recalled that the proposed amendments to the STCW Convention and Code were developed by STW 44 and approved by MSC 92 and noted that no comments on the proposed amendments had been submitted.

3.56 The Committee noted that the proposed amendments to the STCW Convention and Code were related to the III Code and that the proposed amendments to the STCW Code also contained draft amendments related to "Minimum in-service eyesight standards for seafarers".

3.57 The Committee, recalling the related decisions of A 28 (see paragraphs 3.30 and 3.31), confirmed the draft amendments to chapter I of the STCW Convention and Code, subject to further relevant modifications to align the text of the draft amendments with the text of the resolutions adopted by the Assembly, including editorial improvements, if any.

3.58 The Committee agreed that the amendments to the STCW Convention and Code proposed for adoption at the current session should be deemed to have been accepted on 1 July 2015 and to enter into force on 1 January 2016, in line with the date of entry into force of other related amendments to make the use of the III Code mandatory.

PROPOSED AMENDMENTS TO THE 1988 LOAD LINES PROTOCOL

Proposed amendments to annex I – Regulations for determining Load Lines, and new annex IV – Verification of compliance with the provisions of the protocol

3.59 The Committee recalled that the proposed amendments to the 1988 Load Lines Protocol were developed by FSI 20 and approved by MSC 91 and noted that no comments on the proposed amendments had been submitted.

3.60 Recalling the previous decisions related to the outcome of A 28 (see paragraph 3.30 and 3.31), the Committee confirmed the draft amendments to annex 1 and the new annex IV of the 1988 Load Lines Protocol, subject to further relevant modifications to align the text of the draft amendments with the text of the resolutions adopted by the Assembly, including editorial improvements, if any.

3.61 The Committee agreed that the above amendments to the 1988 Load Lines Protocol proposed for adoption at the current session should be deemed to have been accepted on 1 July 2015 and to enter into force on 1 January 2016, in line with the date of entry into force of other related amendments to make the use of the III Code mandatory.

NON-MANDATORY INSTRUMENTS

Proposed consequential amendments to the BCH, EGC and GC Codes

3.62 The Committee recalled that the proposed amendments to the BCH, EGC and GC Codes were developed by SLF 55 in order to be adopted in conjunction with the adoption of the associated mandatory carriage requirements for stability instruments on board tankers under the IBC and IGC Codes.

3.63 The Committee noted that the draft amendments to the BCH Code had already been adopted by MEPC 66, with minor amendments, by resolution MEPC.249(66).

3.64 Having noted that no comments on the proposed amendments had been submitted, the Committee confirmed their contents, subject to editorial improvements, if any.

3.65 The Committee agreed that the above amendments to the BCH, EGC and GC Codes proposed for adoption at the current session should be deemed to have been accepted on 1 July 2015 and to enter into force on 1 January 2016, subject to final consideration of the entry-into-force date of the IGC Code (see paragraph 3.49).

RELATED DRAFT MSC RESOLUTIONS AND CIRCULARS

Draft MSC resolution on Amendments to the Revised Recommendation on testing of life-saving appliances (resolution MSC.81(70)) and draft MSC circular on Guidelines for validating the construction of a completed adult reference test device (RTD)

3.66 The Committee recalled that MSC 92 had approved the draft MSC resolution on *Amendments to the Revised Recommendation on testing of life-saving appliances (resolution MSC.81(70))* and, in principle, the draft MSC circular on *Guidelines for validating the construction of a completed adult reference test device (RTD)* (MSC 93/3/3, annexes 1 and 2, respectively), in order to be adopted at this session in conjunction with the adoption of the associated draft amendment to the LSA Code (see paragraph [...]).

3.67 The Committee noted that no comments on the draft MSC resolution and circular had been received and confirmed their contents, subject to editorial improvements, if any.

Draft MSC resolution on Requirements for periodic servicing and maintenance of lifeboats and rescue boats, launching appliances and release gear and draft MSC circular on Guidelines on safety during abandon ship drills using lifeboats

3.68 The Committee recalled that MSC 92 had approved the draft MSC resolution on *Requirements for periodic servicing and maintenance of lifeboats and rescue boats, launching appliances and release gear* and, in principle, the draft MSC circular on *Guidelines on safety during abandon ship drills using lifeboats* (MSC 93/3/4, annexes 1 and 2, respectively), in order to be adopted in conjunction with the adoption of the associated draft amendments to SOLAS regulations III/3 and 20.

3.69 The Committee, recalling its previous decision related to the draft amendments to SOLAS regulations III/3 and 20 and the associated draft MSC resolution and circular (see paragraph 3.28) and, having considered the proposal contained in document MSC 93/3/10 (Dominica), agreed not to refer the above proposal to SSE 2.

Draft MSC circular on Recommendation on safety measures for existing vehicle carriers carrying motor vehicles with compressed hydrogen or natural gas in their tanks for their own propulsion as cargo

3.70 The Committee recalled that the draft MSC circular on *Recommendation on safety measures for existing vehicle carriers carrying motor vehicles with compressed hydrogen or natural gas in their tanks for their own propulsion as cargo* (SSE 1/21, annex 1) were developed by SSE 1 in order to be approved in conjunction with the adoption of the draft new SOLAS regulation II-2/20-1.

3.71 Having noted that no comments on the proposed draft MSC circular had been received, the Committee confirmed its contents, subject to editorial improvements, if any.

Draft MSC circular on Guidelines for the design, performance, testing and approval of mobile water monitors used for the protection of on-deck cargo areas of ships designed and constructed to carry five or more tiers of containers on or above the weather deck

3.72 The Committee recalled that that MSC 92 had approved, in principle, the draft MSC circular on *Guidelines for the design, performance, testing and approval of mobile water monitors used for the protection of on-deck cargo areas of ships designed and constructed to carry five or more tiers of containers on or above the weather deck* (FP 56/23, annex 5) in order to be approved in conjunction with the adoption of the amendments to SOLAS regulation II-2/10.

3.73 Having noted that no comments on the proposed draft MSC circular had been received, the Committee confirmed its contents, subject to editorial improvements, if any.

Draft MSC-MEPC circular on Products requiring oxygen-dependent inhibitors

3.74 The Committee recalled that MEPC 66 had approved the draft MSC-MEPC circular on Products requiring oxygen dependent inhibitors (PPR 1/16, annex 5) which was related to the draft amendments to IBC Code (see paragraph 3.42), subject to concurrent approval by MSC 93, and, having noted that no comments on the draft MSC-MEPC circular had been received, confirmed its contents, subject to editorial improvements, if any.

ESTABLISHMENT OF THE DRAFTING GROUP

3.75 Following discussion, the Committee established an ad hoc drafting group and instructed it, taking into account decisions taken in plenary, to prepare, for consideration by the Committee with a view to adoption or approval, as appropriate:

- .1 the final text of the draft amendments to the 1974 SOLAS Convention, as amended, including the FSS, IBC, IGC, IMDG, LSA and the 2011 ESP Codes, together with the associated draft MSC resolutions;
- .2 the final text of the draft amendments to the 1978 STCW Convention and STCW Code and the associated draft MSC resolutions;
- .3 the final text of the draft amendments to the 1988 Load Lines Protocol, as amended, and the associated draft MSC resolution;
- .4 the final text of the draft amendments to the draft amendments to the BCH, EGC and GC Codes, and the associated draft MSC resolutions, as applicable;
- .5 the final text of the draft MSC resolution on *Amendments to the Revised Recommendation on testing of life-saving appliances (resolution MSC.81(70))*;
- .6 the final text of the draft MSC circular on *Guidelines for validating the construction of a completed adult reference test device (RTD)*;
- .7 the final text of the draft MSC circular on *Recommendation on safety measures for existing vehicle carriers carrying motor vehicles with compressed hydrogen or natural gas in their tanks for their own propulsion as cargo*;
- .8 the final text of the draft MSC circular on *Guidelines for the design, performance, testing and approval of mobile water monitors used for the protection of on-deck cargo areas of ships designed and constructed to carry five or more tiers of containers on or above the weather deck*; and

- .9 the final text of the draft MSC-MEPC circular on Products requiring oxygen-dependent inhibitors.

REPORT OF THE DRAFTING GROUP

3.76 Having considered the report of the drafting group (MSC 93/WP.[...]), the Committee approved it in general and took action as indicated below.

[MORE TO COME]

4 MEASURES TO ENHANCE MARITIME SECURITY

4.1 The Committee recalled its previous discussions on the need for SOLAS Contracting Governments to adopt national legislation that gives full and complete effect to the provisions of SOLAS chapter XI-2 (Special measures to enhance maritime security) and the ISPS Code. The Committee also reiterated its concern that some States have incorporated the ISPS Code into their domestic legislation without accommodating many of the enabling provisions to properly provide for adequate implementation and enforcement.

4.2 In considering documents MSC 93/4 (Australia et al.) and MSC 93/4/Corr.1 on *Guidelines for the Development of National Maritime Security Legislation* the majority of delegations that spoke expressed the view that the proposal would serve as a good tool to assist SOLAS Contracting Governments in drafting national legislation implementing SOLAS chapter XI-2 and the ISPS Code including the enforcement of the provisions therein.

4.3 The Committee concluded, however, that further work on the guidelines was necessary to reflect the rationale for the provisions therein and that further benefits might be expected by adding advice on how the provisions could be incorporated into national legislation. In noting that various legal regimes existed globally, the Committee agreed that the voluntary character of the Guidelines should be reflected more clearly by amending or adding text to that effect.

4.4 The observer from ITF supported the proposal in document MSC 93/4 in general but expressed reservations in respect to paragraph 4.8.1 on port security incidents. The statement made by ITF is given in annex [...].

4.5 The Committee further considered the proposal in document MSC 93/4/1 (IFSMA) which proposed amendments to the guidelines contained in document MSC 93/4 to ensure

that seafarers are granted shore leave and are able to receive visitors and representatives from seafarers' welfare organizations through linkage to the *Guidelines on the Convention on Facilitation of International Maritime Traffic* (FAL Convention), which addresses, inter alia, shore leave for seafarers.

4.6 The Committee supported the IFSMA proposal in principle but agreed that the wording therein needed to be aligned with the wording of resolution A.1090(28) on *Fair treatment of crew members in respect of shore leave and access to shore-side facilities*.

Establishment of a correspondence group

4.7 To progress the work intersessionally, the Committee established a correspondence group tasked with reviewing and subsequently finalizing the draft *Guidance on Development of National Maritime Security Legislation*, under the coordination of the United States¹, taking into account comments and proposals made at this session and reporting to the next session of the Committee.

5 GOAL-BASED NEW SHIP CONSTRUCTION STANDARDS

Background

5.1 The Committee recalled that MSC 87, when adopting the goal-based ship construction standards for bulk carriers and oil tankers and GBS Guidelines, had approved the timetable and schedule of activities for the implementation of the GBS verification scheme. The agreed deadline of submission for requests for GBS verification audits was 31 December 2013.

5.2 The Committee also recalled that, with regard to the development of interim guidelines for the safety-level approach (SLA) to the IMO rule-making process, MSC 92 had invited Member Governments and international organizations to submit comments and proposals on elements for consideration in the development of such guidelines to this session.

¹ **Primary Coordinator:**
Mr. L. Stephen Cox, Esq.
U.S. Coast Guard
International Port Security Program
431 Crawford St. Rm 108
Portsmouth, Virginia 23704, United States
(757) 398-6651
(757) 544-6190 (cell)
Email: Larry.s.cox@uscg.mil

Alternate Coordinator:
LCDR Ronald Seely
U.S. Coast Guard
International Port Security Program
431 Crawford St. Rm 108
Portsmouth, Virginia 23704, United States
(757)398-6386
(757)394-1114 (cell)
Email: Ronald.B.Seely@uscg.mil

Implementation of the GBS verification audits

5.3 The Committee noted document MSC 93/5 (Secretariat), providing progress on the implementation of GBS verification audits, in particular that 13 recognized organizations (ROs) submitted requests for GBS verification audits at the end of 2013.

Safety-level approach (SLA)

5.4 The Committee considered document MSC 93/5/1 (Germany), summarizing the future work on the further development of Goal-Based Standards Safety-level Approach (GBS-SLA) regarding the development of safety objectives as well as functional requirements for the approval of alternative designs and arrangements for regulations of SOLAS chapter III on life-saving appliances. The Committee agreed that the relevant outcome of SSE 1 should be considered by the GBS Working Group at a future session, taking into account the mapping of the relationship between functional requirements, as proposed by Germany.

The NATO Naval Ship Code

5.5 The Committee noted document MSC 93/INF.6 (Norway) on the NATO Naval Ship Code, which could serve as a good example for the development of any future SOLAS regulations that are to be goal-based, and also noted the sponsor's intention to make a presentation on the contents of the Code at a future session.

6 PASSENGER SHIP SAFETY

BACKGROUND

6.1 The Committee recalled that MSC 92:

- .1 had re-established its Working Group on Passenger Ship Safety to consider the preliminary recommendations arising from the marine casualty investigation into the capsizing of the passenger ship **Costa Concordia** (MSC 92/6/3); and
- .2 having considered the working group's report and approved revised long-term action plan on passenger ship safety, had invited Italy to provide further information on the casualty investigation report and instructed the FSA Experts Group and the SDC and III Sub-Committees to undertake further work.

6.2 The Committee noted the information provided on the outcome of MSC 92 and SDC 1 (MSC 93/6).

Costa Concordia casualty investigation report and recommendations

6.3 The Committee considered document MSC 93/6/1 (Italy) providing an update of the information available on the investigation of the **Costa Concordia** accident regarding the penetration depth suffered by the **Costa Concordia**, in the light of the recommendation for a double-skin to protect watertight compartments (WTCs) containing vital equipment, and the relocation of the UHF radio switchboard above the bulkhead deck.

6.4 After some discussion, the Committee decided to refer document MSC 93/6/1 to the working group for detailed consideration and advice, as appropriate.

6.5 In this context, Italy clarified that they had provided all the information available on the investigation of the **Costa Concordia** accident and were not planning to provide any further information unless expressly requested by the Committee.

Seating capacity width in lifeboats

6.6 The Committee, considered documents MSC 93/6/5 (RINA) recommending a review of the seating capacity width in lifeboats, and MSC 93/6/14 (CLIA) providing comments.

6.7 In the ensuing discussions, the following views were expressed that:

- .1 no compelling need had been demonstrated;
- .2 this was not an issue identified in the report of the marine casualty investigation into the loss of the passenger ship **Costa Concordia**;
- .3 regular drills and tests conducted by several Member Governments and CLIA did not indicate that there was a need to conduct such a review; and
- .4 it was an important safety-related subject which should not be overlooked.

6.8 In light of the foregoing, the Committee decided not to pursue the proposal further.

Survivability of passenger ships

6.9 The Committee recalled that MSC 92 had:

- .1 forwarded matters related to the survivability of passenger ships, including the EMSA and GOALDS studies, to SDC 1 for consideration; and
- .2 re-established the experts Group on Formal Safety Assessment (FSA) to review the EMSA and GOALDS studies and advise MSC 93 accordingly.

6.10 The Committee noted that SDC 1 decided to forward documents SDC 1/6 (Japan) and SDC 1/INF.7 (Japan), which comment on the subdivision index *R* and providing information on the results of the study on survivability of passenger ships, to MSC 93 for consideration together with the report of the Formal Safety Assessment (FSA) Experts Group.

6.11 The Committee briefly considered the report of the intersessional meeting of the FSA Experts Group (MSC 93/6/2), along with documents MSC 93/6/3 (European Commission), MSC 93/6/13 (Japan) and MSC 93/6/16 (CESA and Interferry).

6.12 After some discussion, the Committee decided to refer the documents as set out in paragraph 6.8 above, along with documents SDC 1/6 and SDC 1/INF.7, to the working group for detailed consideration and advice, as appropriate.

Damage stability

6.13 The Committee in considering documents MSC 93/6/6, MSC 93/6/7, MSC 93/6/8, MSC 93/6/9, MSC 93/6/10, MSC 93/6/11, MSC 93/6/12 and MSC 93/INF.11 (CLIA) on damage stability related matters:

- .1 appreciated the proactive approach of the cruise ship industry for enhanced passenger ship safety;
- .2 noted that there was a need to consider the impact on all passenger ships, not only cruise ships;
- .3 noted that pragmatic operational and management solutions were also important;

- .4 agreed that the working group should consider whether the proposed recommendations:
- .1 were already covered by existing regulations;
 - .2 were already covered by existing planned outputs; and
 - .3 would require proposals for new unplanned outputs, in accordance with the Committee's Guidelines; and
- .5 decided to refer these documents, as well as document MSC 93/6/16, to the working group for detailed consideration and advice.

6.14 The Committee also noted a statement by IFSMA, as set out in annex [...].

Availability of updated SAR cooperation plans

6.15 The Committee considered document MSC 93/6/15 (Finland) providing information on the findings regarding availability of required updated SOLAS passenger vessels' SAR cooperation plans and having noted the views expressed during the discussion that:

- .1 some issues had been identified relating to the information held by MRCC Falmouth;
- .2 Member Governments and the industry had started to take action to address the issues identified;
- .3 additional guidelines might be needed for port State control; and
- .4 the only mandatory requirement was to have on board a plan for cooperation with appropriate search and rescue services in the event of an emergency (SOLAS regulation V/7). The preparation, distribution and updating of such plans, as laid out in the *Guidelines for preparing plans for cooperation between search and rescue services and passenger ships* (MSC/Circ.1079), was not mandatory and, as such, subject to national legislation,

agreed to refer the above documents to the working group for detailed consideration and advice.

6.16 The delegation of the United Kingdom, in recalling the importance of updating SAR cooperation plans, advised that it would bring the concerns raised to the attention of MRCC Falmouth.

Status and purpose of the long-term action plan on passenger ship safety

6.17 The Committee noted that the Council, at its twenty-seventh extraordinary session (C/ES.27), had requested clarification on the status and purpose of the long-term action plan on passenger ship safety (MSC 93/6/4).

6.18 After some discussion, the Committee instructed the working group to consider the status and purpose of the long-term action plan on passenger ship safety with a view to responding to the request of C/ES.27.

Recommended interim measures

6.19 The Committee recalled that MSC 92 had approved the Recommended interim measures for passenger ship companies to enhance the safety of passenger ships (MSC.1/Circ.1446/Rev.2) and, in this context, the Committee had noted the view of the Passenger Ship Safety Working Group that, in the future, a decision needed to be taken regarding the final status of the guidance.

6.20 After some discussion, the Committee instructed the working group to consider the status of the Recommended interim measures (MSC.1/Circ.1446/Rev.2), and advise the Committee accordingly.

Establishment of the Working Group on Passenger Ship Safety

6.21 The Committee established the Working Group on Passenger Ship Safety, under the chairmanship of Mr. Brad Groves (Australia), and instructed it, taking into account comments and proposals made in plenary, to:

- .1 consider document MSC 93/6/1, containing the updated information provided on the **Costa Concordia** casualty investigation report and recommendations, and advise the Committee accordingly;

- .2 consider documents MSC 93/6/2, MSC 93/6/3, MSC 93/6/13, MSC 93/6/16, SDC 1/6 and SDC 1/INF.7 on matters related to the survivability of passenger ships and advise the Committee accordingly;
- .3 consider documents MSC 93/6/6, MSC 93/6/7, MSC 93/6/8, MSC 93/6/9, MSC 93/6/10, MSC 93/6/11, MSC 93/6/12, MSC 93/6/16 and MSC 93/INF.11 on matters related to damage stability and advise on whether this proposed work should be undertaken and, if so, prioritize the work to be undertaken (i.e. target completion dates for each task) and consider whether any of the proposed work can be conducted under an existing output(s) or if a new unplanned output is required, preparing relevant justifications, if appropriate;
- .4 consider document MSC 93/6/15 on the availability of SAR cooperation plans and advise the Committee accordingly;
- .5 consider the status and purpose of the long-term action plan on passenger ship safety with a view to responding to the request of C/ES.27 and advise the Committee accordingly;
- .6 consider the status of the Recommended interim measures for passenger ship companies to enhance the safety of passenger ships (MSC.1/Circ.1446/Rev.2) and advise the Committee accordingly (MSC 92/26, paragraph 6.24);
- .7 update the Revised long-term action plan on passenger ship safety (MSC 92/WP.8/Rev.1, annex 2), including the prioritization of the work to be undertaken and the status of the work currently underway, taking into account the preliminary recommendations (MSC 92/6/3 and MSC 93/6/1) and the **Costa Concordia** casualty investigation report (MSC 92/INF.6) and other documents submitted to the session, as appropriate; and
- .8 submit a report to plenary by Thursday, 22 May 2014.

REPORT OF THE WORKING GROUP

[6.22 Having considered the report of the working group (MSC 93/WP.[...]), the Committee approved it in general and took action as indicated hereunder.

[MORE TO COME]

7 TRAINING AND WATCHKEEPING

REPORT OF THE FORTY-FOURTH SESSION OF THE SUB-COMMITTEE

General

7.1 The Committee recalled that MSC 92 had considered urgent matters emanating from the forty-fourth session of the Sub-Committee on Standards of Training and Watchkeeping (STW) (MSC 92/26, section 14).

7.2 The Committee, having considered the remaining issues emanating from STW 44 (STW 44/19 and MSC 93/7), approved, in general, the report of STW 44 and took action as indicated hereunder.

Guidelines for the reactivation of the Safety Management Certificate following an operational interruption of the SMS due to lay-up over a certain period

7.3 The Committee, noting MEPC 66's concurrent decision, approved MSC-MEPC.7/Circ.9 on *Guidelines for the reactivation of the Safety Management Certificate following an operational interruption of the SMS due to lay-up over a certain period*.

Guidance on safety when transferring persons at sea

7.4 The Committee, noting MEPC 66's concurrent decision, approved MSC-MEPC.7/Circ.10 on *Guidance on safety when transferring persons at sea*.

Amendments to the ISM Code for the transfer of ship maintenance and failure records

7.5 The Committee, noting MEPC 66's concurrent decision, endorsed the decision of the Sub-Committee not to develop amendments to the ISM Code for the transfer of ship maintenance and failure records.

General Cargo Ship Safety

7.6 The Committee concurred with the view of the Sub-Committee that the STCW Convention and Code adequately covered training requirements relating to the Risk Control Options (RCOs) 8, 23 and 26 for General Cargo Ship Safety, and agreed that no further action is required.

Biennial agenda for the 2014 2015 biennium

7.7 The Committee noted that MSC 92 had approved the revised biennial agenda for the 2014-2015 biennium, including items on the Committee's post-biennial agenda under the purview of the Sub-Committee and the provisional agenda for STW 45 (HTW 1).

Status of planned outputs for the 2012-2013 biennium

7.8 The Committee noted the report on the status of planned outputs for the 2012-2013 biennium relevant to the last meeting of the STW Sub-Committee.

8 SAFETY OF NAVIGATION

REPORT OF THE FIFTY-NINTH SESSION OF THE SUB-COMMITTEE

General

8.1 The Committee approved, in general, the report of the fifty-ninth session of the Sub-Committee on Safety of Navigation (NAV) (NAV 59/20 and MSC 93/8) and took action as indicated in paragraphs 8.2 to 8.[16].

Adoption of new traffic separation scheme (TSS)

8.2 In accordance with resolution A.858(20), the Committee adopted the following new traffic separation schemes:

- .1 "On the Pacific coast of Panama"; and
- .2 "At the approaches to Puerto Cristobal",

as set out in annex [...], for dissemination by means of COLREG.2/Circ.[65].

Amendments to existing traffic separation schemes (TSSs)

8.3 The Committee approved the editorial amendments to COLREG.2/Circ.64, as amended, on amendments to the existing traffic separation scheme "Off Ushant" for dissemination by means of COLREG.2/Circ.64/Corr.2.

Routeing measures other than TSSs

8.4 In accordance with resolution A.858(20), the Committee adopted the following new routeing measures other than separation schemes, including revocation of the existing routeing measures other than traffic separation schemes:

- .1 two-way routes in the Great Barrier Reef and Torres Strait;
- .2 recommendations on navigation for the new traffic separation scheme "On the Pacific coast of Panama" (Part 1 "Gulf of Panama");
- .3 precautionary area for the new traffic separation scheme "At the approaches to Puerto Cristobal"; and
- .4 revoked the existing Area To Be Avoided and a Mandatory No Anchoring Area at El Paso deep-water port in the Gulf of Mexico,

as set out in annex [...], for dissemination by means of SN.1/Circ.[326].

Implementation of the adopted routeing measures and mandatory ship reporting systems

8.5 The Committee decided that the adopted new and amended routeing measures detailed in paragraphs 8.2 and 8.4.1 to 8.4.3 (see annexes [...]), and the revocation of the existing routeing measures in paragraph 8.4.4 (see annex [...]), should be implemented six months after their adoption, i.e. on 1 December 2014 at 0000 hours UTC.

BeiDou satellite navigation system

8.6 In accordance with resolution A.886(21), the Committee adopted resolution MSC.[...](93) on *Performance standards for shipborne "Beidou" satellite navigation system (BDS) receiver equipment*, as set out at annex [...].

ITU matters

8.7 The Committee endorsed the action taken by the Sub-Committee in instructing the Secretariat to forward the liaison statement to ITU-R WP 5B, concerning the revision of Recommendation M.1371-4, and noted that the Secretariat had done so intersessionally.

8.8 The Committee endorsed the action taken by the Sub-Committee in instructing the Secretariat to forward the liaison statement to ITU-R JTG 4-5-6-7 and Working Parties 5A, 5B and 5D on Additional comments in relation to frequency bands identified by ITU-R for future assessment of the suitability for International Mobile Telecommunications (IMT), and noted that the Secretariat had done so intersessionally.

E-navigation matters

8.9 The Committee noted the progress on e-navigation matters, the endorsement by the Sub-Committee of the preliminary draft of the e-navigation Strategy Implementation Plan (SIP) and the re-establishment of a correspondence group to progress the work intersessionally.

8.10 The Committee noted the relevant discussions at NAV 59 regarding the convening of an intersessional meeting on e-navigation. In this context, the delegation of Norway drew attention to the fact that as the Correspondence Group on e-navigation had submitted the draft SIP for consideration by NCSR 1, it was now necessary for Member Governments to volunteer to undertake the tasks identified in the SIP within the time frame set out in it. Bearing in mind the limited time available owing to the heavy agenda of NCSR for discussing these issues, Norway was of the view that it would be appropriate to convene an intersessional meeting to achieve the best possible way forward to ensure the timely implementation of the tasks identified in the SIP.

8.11 Having noted the previous decision of NAV 59 on the issue and the views of delegations at this session not in support of the proposal, the Committee decided that there was no need to convene an intersessional meeting for this purpose.

Policy on use of AIS Aids to Navigation

8.12 The Committee approved MSC.1/Circ.[...] on the Policy on use of AIS Aids to navigation.

8.13 The Committee approved SN.1/Circ.243/Add.1 on *Amendment to guidelines for the presentation of navigation-related symbols, terms and abbreviations*.

Revised Assembly resolutions on Recommendations on the use of adequately qualified deep-sea pilots

8.14 The Committee endorsed the action taken by the Sub-Committee in forwarding, to the twenty-eighth session of the Assembly for adoption, the draft revised Assembly resolutions on:

- .1 Recommendation on the use of adequately qualified deep-sea pilots in the North Sea, English Channel and Skagerrak; and

- .2 Recommendation on the use of adequately qualified deep-sea pilots in the Baltic Sea,

and noted that the Assembly had adopted the aforementioned as resolutions A.1080(28) and A.1081(28), respectively.

Revision of MSC.1/Circ.1260 on Unified Interpretations of COLREG 1972, as amended

8.15 The Committee approved MSC.1/Circ.1260/Rev.1 on Unified Interpretations of COLREG 1972, as amended.

MSC circular on Guidance on the Bridge Navigational Watch Alarm System (BNWAS) auto function

8.16 The Committee approved MSC.1/Circ.[...] on *Guidance on the Bridge navigational Watch Alarm System (BNWAS) auto function*.

11 HUMAN ELEMENT, TRAINING AND WATCHKEEPING

REPORT OF THE FIRST SESSION OF THE SUB-COMMITTEE

General

11.1 The Committee considered urgent issues emanating from the first session of the Sub-Committee on Human Element, Training and Watchkeeping (MSC 93/11) and took action as indicated hereunder.

Implementing the provisions of regulation VI/6 of the STCW Convention for training, familiarization and certification on security

11.2 The Committee, bearing in mind the urgent need for providing guidance to port State control officers, endorsed the Sub-Committee's approval of STCW.7/Circ.21 on Advice for port State control officers, recognized organizations and recognized security organizations on action to be taken in cases where seafarers do not carry certification required in accordance with regulation VI/6 of the STCW Convention and section A-VI/6, paragraphs 4 and 6 of the STCW Code after 1 January 2014.

Clarification of training and certification requirements for ship security officers and seafarers with designated security duties

11.3 The Committee, bearing in mind the urgent need for providing guidance to port State control officers, endorsed the Sub-Committee's approval of STCW.7/Circ.22 on Advice for

port State control officers, recognized organizations and recognized security organizations clarifying training and certification requirements for ship security officers and seafarers with designated security duties.

Development of guidance for the implementation of the 2010 Manila Amendments

11.4 The Committee, taking into account the need for further guidance on implementation of the 2010 Manila Amendments, agreed to extend the target completion date of the output on "Development of guidance for the implementation of the 2010 Manila Amendments", until the end of the transitional arrangements, i.e. 2017.

Development of guidance regarding training of personnel in charge of, or involved in tug-barge operations

11.5 The Committee endorsed the Sub-Committee's decision not to take any further action related to the output "Development of guidance regarding training of personnel in charge of, or involved in tug-barge operations", and agreed to delete it from the biennial agenda of the Sub-Committee (see agenda item 20).

Development of a mandatory code for ships operating in polar waters

11.6 The Committee recalled that it had, under agenda item 10, considered the draft text of chapter 13 of the Polar Code developed by the Sub-Committee along with the proposal by Canada (MSC 93/11/2). In this context, the Committee had referred the draft text of chapter 13 to the Working Group on the Polar Code for finalization (see section 10).

Development of a globally consistent format for the certificate of training and education issued under the STCW Convention

11.7 The Committee endorsed the Sub-Committee's decision not to take any further action related to the output "Development of a globally consistent format for the certificate of training and education issued under the STCW Convention", and agreed to delete it from the biennial agenda of the Sub-Committee (see agenda item 20).

Other issues

11.8 The Committee, in noting the concerns expressed by the Sub-Committee regarding new planned/unplanned outputs that had been included in the Sub-Committee's agenda which, after detailed consideration, did not merit any further action or output as the issues were either already adequately addressed by existing regulations or not considered

necessary agreed to discuss this matter further under agenda items 19 and 20 (see sections 19 and 20).

SECRETARY-GENERAL'S REPORT PURSUANT TO STCW REGULATION I/7, PARAGRAPH 2

11.9 The Committee noted that no reports pursuant to STCW regulation I/7, paragraph 2 had been submitted to this session for consideration.

SECRETARY-GENERAL'S REPORT PURSUANT TO STCW REGULATION I/8

11.10 In introducing his report (MSC 93/WP.3), the Director of the Maritime Safety Division, on behalf of the Secretary-General, advised the Committee that, in preparing the reports required by STCW regulation I/8, paragraph 2, the Secretary-General had solicited and taken into account the views of the competent persons selected from the list established pursuant to paragraph 7 of section A-I/7 of the STCW Code and circulated as MSC.1/Circ.797. The reports, as required by MSC.1/Circ.1449, were comprised of:

- .1 the Secretary-General's report to the Committee;
- .2 a description of the procedures followed; and
- .3 a summary of the conclusions reached in the form of a comparison table.

11.11 Having considered the Secretary-General's reports attached to document MSC 93/WP.3, the Committee confirmed that the procedures for the assessment of information provided had been correctly followed in respect of three STCW Parties, and requested the Secretariat to issue an updated circular as MSC.1/Circ.1164/Rev.13.

11.12 The delegation of the Cook Islands, in noting that at many meetings of the Committee STCW Parties had been found to be giving full and complete effect to the provisions of regulations I/7 and I/8 of the STCW Convention, expressed its concern that such STCW Parties do not automatically recognize certificates, under regulation I/10, issued by other Parties also found to be giving the Convention full and complete effect. In its opinion, the Committee should discuss the issue in order to identify the impediments that apparently prevent them from doing so.

APPROVAL OF COMPETENT PERSONS

11.13 The Committee approved additional competent persons nominated by Governments (MSC 93/11/1), and requested the Secretariat to issue an updated circular as MSC/Circ.797/Rev.25.

13 TECHNICAL COOPERATION ACTIVITIES RELATING TO MARITIME SAFETY AND SECURITY

Developments concerning technical cooperation activities and model courses

13.1 The Committee noted document MSC 93/13 (Secretariat) reporting on the 32 regional, 34 national and 65 global safety- and security-related activities implemented for the period January to December 2013 and information on safety- and security-related activities to be undertaken in 2014 and 2015, which are listed in documents TC 63/4(a) and TC 63/14 containing the approved Integrated Technical Cooperation Programme for the biennium.

13.2 The Committee also noted document MSC 93/13/1 (Secretariat) containing the information that 72 model courses have been published in English, of which 30 have been translated into French and 34 into Spanish. Of the translated courses, 27 have been published in French and 25 in Spanish, while the translation of other courses is being undertaken in a phased manner within existing resources.

13.3 In appreciating the information provided on the implementation of technical cooperation activities and the development of model courses, the Committee urged Governments and industry to contribute to the Technical Cooperation Fund [and requested the Secretariat to report to the Committee at its ninety-fifth session.]

14 CAPACITY BUILDING FOR THE IMPLEMENTATION OF NEW MEASURES

General

14.1 The Committee recalled that MSC 92 (MSC 92/26, paragraph 16.4) had requested the Vice-Chairman of the Committee, in consultation with the Chairman and assisted by the Secretariat, to submit to MSC 93 a preliminary assessment of the capacity-building implications and technical assistance needs related to the approved amendments to mandatory instruments and the new unplanned outputs related to mandatory instruments, which had been approved at that session.

Assessment of capacity-building implications for the implementation of new measures

14.2 The Committee considered document MSC 93/14 (Vice-Chairman) providing the outcome of the preliminary assessment referred to above and noted that generally, all the 17 items in annex 2 relating to amendments to mandatory instruments, were found to have no capacity-building implications. However, there was a need for technical assistance related to updates to national legislation which could be undertaken through the Organization's technical cooperation and assistance to Member States. With respect to the assessment of the items in annex 3 to document MSC 93/14, the Committee agreed that the outputs may need to be monitored in due course.

14.3 The Committee, having agreed that it would not be necessary to establish the Ad Hoc Capacity-building Needs Analysis Group (ACAG), requested the Vice-Chairman, in consultation with the Chairman and with the assistance of the Secretariat, to submit to MSC 94 a preliminary assessment of capacity-building implications or technical assistance needs related to the amendments to mandatory instruments and the new outputs related to proposed new measures approved at this session.

16 PIRACY AND ARMED ROBBERY AGAINST SHIPS

16.1 The Committee, in considering document MSC 93/16 (Secretariat) noted that the number of worldwide piracy attacks had decreased and that no SOLAS ship had been hijacked in the western Indian Ocean area since May 2012 as a welcome result of the robust actions taken by the international naval forces in the region, the shipboard measures implemented by shipping companies, masters and their crews as well as the deployment of professional security teams. However, the Committee noted with concern the situation in the Gulf of Guinea which had not substantially improved as nine ships were reported hijacked in 2012 and another nine ships were reported hijacked in 2013.

16.2 The Committee noted the request by the Assembly to review the provisions of resolution A.1069(28) on *Prevention and suppression of piracy, armed robbery against ships and illicit maritime activity in the Gulf of Guinea* and to develop, where and when necessary, guidance and recommendations so as to enable Member Governments and the shipping industry to implement its provisions, taking into account current and emerging trends and practices.

16.3 The Committee recalled the action taken in the region to address the issue which had led to the adoption of the Code of Conduct concerning the repression of piracy, armed robbery against ships and illicit maritime activity in West and Central Africa (the Code of Conduct) in June 2013. It expressed appreciation for the contributions received for the IMO West and Central Africa Maritime Security Trust Fund from China, Japan, and the United Kingdom as well as the financial support of Norway. The Committee also noted that a revised and comprehensive IMO strategy for implementing sustainable maritime security measures in West and Central Africa had been developed and was being implemented. This had been made public by the Secretariat on the IMO website at <http://www.imo.org/OurWork/Security/WestAfrica/Pages/WestAfrica.aspx>

16.4 The delegation of Cameroon informed the Committee of the latest developments in the region's effort to suppress piracy and other maritime crimes since the Heads of State and Government meeting in Yaoundé, Cameroon in June 2013. These included the implementation process for the Code of Conduct, and a series of meetings to develop the Inter-regional Coordination Centre envisaged by the Heads of State. The full statement of the delegation of Cameroon is set out in annex [...].

16.5 While there was consensus on the usefulness of the technical cooperation activities undertaken by the IMO Secretariat so far in implementing the Code of Conduct, and in particular the "table-top exercises", some delegations were of the view that additional measures needed to be taken in order to eliminate piracy, including strengthening communication and collaboration amongst States in the region. However, a number of delegations also drew attention to the work currently being carried out in the region by Member States and regional bodies.

16.6 The delegation of Angola, while commending the table-top exercises conducted under the IMO's Strategy, requested that a report on the exercises be provided to the Committee with an evaluation of whether the outcome of the exercises had met the stated objectives. The full statement of the delegation of Angola is set out in annex [...].

16.7 The delegation of Ghana informed the Committee that a national information sharing centre, located in Ghana, was now operational and manned 24 hours a day. The delegation of Liberia stated that ownership by States in the region was key to successful realization of the objectives of the Code.

16.8 The Committee also noted the update on the activities of the ReCAAP Information Sharing Centre and the full statement of the observer from ReCAAP-ISC is set out in annex [...].

16.9 The observer from BIMCO raised the concerns of the Round Table of international shipping associations that the number of attacks in the Gulf of Guinea region was not decreasing and the number of kidnappings of crews was growing. The full statement of the observer from BIMCO is set out in annex [...].

16.10 The Secretary-General, in response to the interventions made by delegations under this agenda item, expressed his appreciation for the outcomes of various meetings and activities as part of the effort to implement the provisions of the Code of Conduct. Unlike the Djibouti Code of Conduct this Code of Conduct is an ECCAS, ECOWAS and Gulf of Guinea Commission initiative, supported by IMO. He also thanked those Member States that had provided donations to the West and Central Africa Maritime Security Trust Fund and assured delegations that the IMO Secretariat would ensure that the Fund is properly managed and that activities financed from it will be of benefit to all West and Central African countries affected by piracy and other illicit activities. The Secretariat would also ensure that updated information on the measures taken is communicated to the Committee and the other relevant bodies of the Organization, namely the Technical Cooperation Committee and the Council. The Secretary-General further stressed the need to establish a national and port security regime in each country and activities coordinated under the Organization's technical cooperation programme, including the table-top exercises, will be part of the strategy to establish or strengthen such security regimes. The Maritime Trade Information Sharing Centre in Accra, Ghana, which was established with the assistance of OCIMF, and had been very recently opened, was another important step in working towards the resolution of piracy and other illicit activity in the region. The Secretary-General stressed the need for full and accurate incident reports from States and the shipping industry. In concluding his intervention, the Secretary-General encouraged Member States, IGOs and NGOs to contribute financially to the West and Central Africa Maritime Security Trust Fund and welcomed any in-kind contributions.

16.11 The Committee concluded this item by urging Member States to support the implementation of IMO projects on maritime security for West and Central Africa by financially contributing to the IMO West and Central Africa Maritime Security Trust Fund or through in-kind contributions.

Interim guidelines on measures relating to the welfare of seafarers and their families affected by piracy off the coast of Somalia

16.12 The Committee in considering document MSC 93/16/1 (Italy et al.), noted that Working Group 3 of the Contact Group on Piracy off the Coast of Somalia had developed interim Guidelines addressing welfare of seafarers and their families affected by Somalia-based piracy.

16.13 While the Committee supported the goals of the draft Guidelines, the majority of the delegations that spoke were of the view that the provisions in the document were a matter for the International Labour Organization to consider as many of the aspects fall under ILO's purview and were complementary to the 2006 Maritime Labour Convention (MLC). There was also concern that elements of the proposal may be inconsistent with the latest amendments to the MLC.

16.14 The Committee therefore instructed the Secretariat to forward the document to ILO for its review and further action to progress the guidelines and to advise the Committee of the actions taken at its next session.

Private armed security – ISO Publicly Available Specification (PAS) 28007

16.15 The Committee recalled the decision of MSC 90 that ISO would be best placed to develop standards on Private Maritime Security Companies (PMSC) with guidance from IMO, and that MSC.1/Circ.1443 on Interim guidance to private maritime security companies providing privately contracted armed security personnel (PCASP) on board ships in the High Risk Area, which included guidance on rules on the use of force, was accordingly provided to ISO to assist in development of the new ISO standard.

16.16 The Committee further recalled that at MSC 91, ISO had reported on progress on the new ISO Publicly Available Specification (PAS) 28007, which was published in November 2012 and that ISO was working on the inclusion of the "Rules for the Use of Force" (MSC 92/INF.14) as part of the amendment to ISO PAS 28007 ("100 Series Rules").

16.17 The Committee, in considering document MSC 93/16/2 (ISO) noted that following the development of ISO PAS 28007 a Private Maritime Security Company (PMSC) can now be certified to this voluntary industry standard as part of an effort of the industry to facilitate uniform international implementation. The Committee further noted details of the approach taken by the United Kingdom in this regard.

16.18 The Committee, in considering document MSC 93/16/3 (BIMCO) noted the concern expressed by BIMCO that some Governments may be considering using the International Code of Conduct (ICoC) as a standard for the approval of PCASP, rather than ISO PAS 28007.

16.19 The delegation of the United Kingdom, in response to the concern raised by BIMCO, stated that the United Kingdom was not aware of any State using the ICoC for PMSC certification. The ICoC was a set of principles, not a standard.

16.20 The Committee welcomed the work done by ISO in developing ISO PAS 28007 and several Member States informed the Committee that their national bodies had already certified and will continue to certify PMSCs using ISO PAS 28007 and therefore supported amending MSC.1/Circ.1406/Rev.2 by making reference to ISO PAS 28007.

16.21 The delegation of Norway pointed out that ISO PAS 28007 certification was a helpful indicator in assisting Member States in assessing PMSC, and that it was understood that national law would prevail, regardless of the nature of the ISO standard, although these should be viewed as complementary rather than conflicting instruments.

16.22 Some delegations stated that their Administrations had developed national standards beyond the requirements of ISO PAS 28007 and PMSCs had already been certified against such national standards. Some delegations also reiterated the previous agreement of the Committee that the employment of PCASP was a matter for the flag State to decide.

16.23 The observer from ISO reminded the Committee that in response to its decision that it did not support self-certification or self-regulation by PMSCs, the Committee had requested ISO to develop standards for PMSCs based on IMO guidance and that ISO had published ISO PAS 28007 and made it available for independent certification. It was further stated that ISO standards were voluntary and that, as ISO did not accredit, ISO had approached the International Accreditation Forum (IAF), which has the only formal international accreditation system to progress the matter. ISO further noted that individual Governments could and do make changes based on their individual national requirements. The full statement from ISO is set out in annex [...].

16.24 Following an extensive discussion, the Committee agreed that the work carried out by ISO in developing the standard should be reflected and referenced appropriately in IMO's guidance on PMSCs in MSC.1/Circ.1406/Rev.2 but that it would require some careful consideration in the wording in order to accommodate for proposals made in plenary. While several delegations urged the Committee to agree on an amended text at this session, the majority of delegations that spoke proposed to defer this matter to the next session.

16.25 The Committee thanked ISO for its work and again encouraged Member States to bring the ISO PAS 28007 to the attention of their national standards bodies; and PMSCs, shipowners and other stakeholders to study and use this PAS as appropriate. In addition, regarding the accreditation and certification process, Member States should contact their national accreditation bodies, which are accredited by the IAF. The list of recognized IAF Member bodies can be found on the IAF Website (<http://www.iaf.nu>).

16.26 The Committee reaffirmed its support for ISO PAS 28007, and encouraged Member States to submit documents to its next session on how best to reflect the value of ISO PAS 28007 in IMO's guidance on the use of PCASP.

Measures taken to counter piracy against ships in waters off the coast of Somalia, Gulf of Aden and the western Indian Ocean

16.27 The Committee noted the information provided in document MSC 93/16/INF.5 (Islamic Republic of Iran) on the escort programme of the Government of the Islamic Republic of Iran for Iranian-flagged ships and others; and the national policy on qualified armed personnel on board its ships.

16.28 The delegation of Oman welcomed the effort made by the international community in suppressing Somalia-based piracy which led to the current situation where piracy off the coast of Oman had been extinct. Consequently, the delegation of Oman requested to remove the Sea of Oman from the High Risk Area, as defined in the industry-developed Best Management Practices (BMP 4). The full statement is set out in annex [...].

16.29 The observer from ICS, in response to Oman's request, stated that information received from naval forces indicated that due to continued activity by Somali pirates there was still a risk of piracy in the waters of the Sea of Oman. The Round Table of international shipping associations had therefore agreed, for the time being, to keep the geographical limits of the HRA as they were.

Information on international cooperation on counter-piracy measures to ensure the safety of seafarers on foreign-flagged vessels against piracy

16.30 The Committee noted the information provided in document MSC 93/INF.10 (Republic of Korea) on the benefits of establishing a cooperation system among flag States, shipowners and the State(s) of the nationality of the seafarer utilizing the counter-piracy system of each State to protect seafarers of numerous nationalities on board a ship.

18 RELATIONS WITH OTHER ORGANIZATIONS

18.1 The Committee noted the decisions of the C 110 and C/ES.27 (MSC 93/18) relating to relations with non-governmental organizations and applications for consultative status and related matters.

20 WORK PROGRAMME***SUB-COMMITTEE ON CARRIAGE OF CARGOES AND CONTAINERS (CCC)*****Biennial agenda of the Sub-Committee and provisional agenda for CCC 1**

20.1 The Committee, recalling its decision under agenda item 9 (see paragraph 9.18) to reinstate on the agenda for CCC 1 the existing output on "Revised Guidelines for packing of cargo transport units (5.2.3.5)", approved the Sub-Committee's biennial agenda and the provisional agenda for CCC 1, as set out in annexes [] and [], respectively.

SUB-COMMITTEE ON HUMAN ELEMENT, TRAINING AND WATCHKEEPING (HTW)**Development of a new model course on COLREG**

20.2 The Committee considered document MSC 93/20/3 (Turkey), to develop a new model course related to the 1972 Convention on the International Regulations for Preventing Collisions at Sea (COLREG), and document MSC 93/20/7 (IMLA) commenting on the proposal, and taking into account that the proposal was a duplication of the work already completed by the HTW Sub-Committee, agreed not to include it in the post-biennial agenda of the Committee.

Review MODU Code, LSA Code and MSC.1/Circ.1206/Rev.1, in light of the investigations of the 2010 Deepwater Horizon incident

20.3 The Committee recalled that, following consideration of document MSC 93/20/5 (United States, Marshall Islands, IADC), it had agreed to include in the 2014-2015 biennial agenda of the Sub-Committee and the provisional agenda of SSE 2, an unplanned output on

"Review MODU Code, LSA Code and MSC.1/Circ.1206/Rev.1", with a target completion date of 2016, in association with the HTW Sub-Committee as and when requested by the SSE Sub-Committee.

Development of guidance for the implementation of the 2010 Manila Amendments

20.4 The Committee recalled that, under agenda item 11 (Human element, training and watchkeeping), taking into account the need for further guidance on implementation of the 2010 Manila Amendments, it had extended the target completion date of the output on "Development of guidance for the implementation of the 2010 Manila Amendments", till the end of the transitional arrangements, i.e. 2017.

Biennial agenda of the Sub-Committee and provisional agenda for HTW 2

20.5 The Committee approved the Sub-Committee's biennial agenda and the provisional agenda for HTW 2, as set out in annexes [] and [], respectively.

SUB-COMMITTEE ON IMPLEMENTATION OF IMO INSTRUMENTS (III)

Biennial agenda of the Sub-Committee and provisional agenda for III 1

20.6 The Committee confirmed the Sub-Committee's biennial agenda and the provisional agenda for III 1, as set out in annexes [] and [], respectively.

SUB-COMMITTEE ON NAVIGATION, COMMUNICATIONS AND SEARCH AND RESCUE (NCSR)

Recognition of Galileo as a component of the WWRNS

20.7 The Committee considered documents MSC 93/20/2 and MSC 93/INF.7 (Austria, et al.), proposing the GNSS system established under the EU's Galileo programme as a component of the IMO's WWRNS, and agreed to include in the 2014-2015 biennial agenda of the Sub-Committee an unplanned output on "Recognition of Galileo as a component of the WWRNS", with a target completion date of 2016, instructing NCSR 1 to place the above output on the provisional agenda of NCSR 2.

Biennial agenda of the Sub-Committee and provisional agenda for NCSR 1

20.8 The Committee approved the Sub-Committee's biennial agenda and confirmed the provisional agenda for NCSR 1, as set out in annexes [] and [], respectively.

SUB-COMMITTEE ON SHIP DESIGN AND CONSTRUCTION (SDC)

Make mandatory the application of evacuation analysis to passenger ships

20.9 The Committee, having considered document MSC 93/20/4 (France, Germany, Spain and CLIA), proposing to expand the existing output on "Review of the recommendations on evacuation analysis for new and existing passenger ships (5.1.1.3)", to include amendments to SOLAS regulation II-2/13 and chapter 13 of the FSS Code, to make mandatory the application of evacuation analysis to all types of passenger ships, agreed to expand the scope of the existing output 5.1.1.3, replacing the existing title with "Amendments to SOLAS and FSS Code to make evacuation analysis mandatory for new passenger ships and review of the Recommendation on evacuation analysis for new and existing passenger ships", and to include it in the 2014-2015 biennial agenda of the Sub-Committee and provisional agenda for SDC 2, with a target completion date of 2016.

Mandatory Code for ships operating in polar waters

20.10 Taking into account the large number of substantive outputs on the proposed provisional agenda of the Sub-Committee, the Committee agreed to defer the discussion on the second phase of the planned output on Mandatory Code for ships operating in polar waters (5.2.1.15), to the next biennium and, therefore, included the aforementioned output on the post-biennial agenda of the Committee.

20.11 In light of the above decision, the delegation of Germany, supported by the delegation of Canada, stated its preference to maintain the output on the agenda for SDC 2, taking into account the work done to date and the importance of continuing the discussion on the second phase of the planned output related to non-SOLAS ships.

Biennial agenda of the Sub-Committee and the provisional agenda for SDC 2

20.12 Subsequently, the Committee approved the Sub-Committee's biennial agenda and the provisional agenda for SDC 2, as set out in annexes [] and [], respectively.

SUB-COMMITTEE ON SHIP SYSTEMS AND EQUIPMENT (SSE)

Review MODU Code, LSA Code and MSC.1/Circ.1206/Rev.1, in light of the investigations of the 2010 Deepwater Horizon incident

20.13 The Committee considered document MSC 93/20/5 (Marshall Islands, United States, IADC), proposing to review the MODU and LSA Codes and MSC.1/Circ.1206/Rev.1 in light

of the investigations of the 2010 **Deepwater Horizon** incident, and agreed to include in the 2014-2015 biennial agenda of the Sub-Committee and the provisional agenda of SSE 2, an unplanned output on "Review of the MODU Code, LSA Code and MSC.1/Circ.1206/Rev.1", with a target completion date of 2016, in association with the HTW Sub-Committee as and when requested by the SSE Sub-Committee.

20.14 The delegation of Spain drew the Committee's attention to the need for consistency between the provisions of any revised Circular 1206 and the MSC resolution to be made mandatory under SOLAS chapter III.

Biennial agenda of the Sub-Committee and provisional agenda for SSE 2

20.15 The Committee approved the Sub-Committee's biennial agenda and the provisional agenda for SSE 2, as set out in annexes [] and [], respectively.

OUTCOME OF PPR 1

20.16 The Committee, in considering the outcome of PPR 1 for matters related to maritime safety (MSC 93/20/6), noted that a significant number of questions have been received by Member Governments, international organizations and the Secretariat in regard to the application of new SOLAS regulation VI/5-2 related to the prohibition of the blending of bulk liquid cargoes and production processes during sea voyages, which entered into force on 1 January 2014, and that PPR 1 had invited interested Member Governments and international organizations to submit proposals to MSC 93 (PPR 1/16, paragraph 3.26).

20.17 In this connection, the Committee considered document MSC 93/20/8 (Liberia, Marshall Islands, Norway, Panama, ICS, BIMCO, INTERTANKO), proposing to develop guidance on the application of SOLAS regulation VI/5-2, and agreed to instruct PPR 2, under its existing output on "Unified interpretation to provisions of IMO environmental related Conventions (1.1.2.3)", to consider the questions contained in paragraph 8 of the aforementioned document and advise MSC 95 accordingly. Interested Member Governments and international organizations were invited to submit relevant information and proposals to PPR 2.

ENDORSEMENT OF OUTPUTS

20.18 In accordance with the relevant provisions of the *Guidelines on the application of the Strategic Plan and the High-level Action Plan of the Organization* (resolution A.1062(28)),

the Committee, having agreed to the sub-committees' biennial agendas and the provisional agendas for their forthcoming sessions, invited the Council to endorse, for inclusion in the current High-level Action Plan, the following unplanned outputs agreed by the Committee:

- .1 recognition of Galileo as a component of the WWRNS (see paragraph 20.7); and
- .2 review MODU Code, LSA Code and MSC.1/Circ.1206/Rev.1", based on the investigation of the **Deepwater Horizon** incident (see paragraph 20.11).

20.19 The Committee also invited the Council to endorse, for inclusion in the current High-level Action Plan, the replacement of the existing title of output 5.1.1.3, with "Amendments to SOLAS and FSS Code to make evacuation analysis mandatory for new passenger ships and review of the Recommendation on evacuation analysis for new and existing passenger ships" (see paragraph 20.9).

STATUS OF PLANNED OUTPUTS FOR THE 2014-2015 BIENNIUM

20.20 Having recalled that the status of planned outputs will only be produced after the session as an annex to the Committee's report, to avoid any unnecessary duplication of work, the Committee invited the Council to note the Report on the status of planned outputs for the 2014-2015 biennium, as set out in annex [].

POST-BIENNIAL AGENDA OF THE COMMITTEE

20.21 The Committee, having noted that the updated post-biennial agenda will only be produced after the session as an annex to the Committee's report to avoid any unnecessary duplication of work, invited the Council to note the updated post-biennial agenda of the Maritime Safety Committee, as set out in annex [].

FOLLOW UP OF THE TWENTY-EIGHTH SESSION OF THE ASSEMBLY

20.22 The Committee considered the outcome of the twenty-eighth session of the Assembly (MSC 93/20/1) and noted the action it had been requested to take in the context of resolutions adopted by the Assembly, as follows:

- .1 In the context of resolution A.1060(28) – *Strategic Plan for the Organization (for the six-year period 2014 to 2019)*, when making recommendations for

Committees' biennial agendas during the Strategic Plan period, to bear in mind the desirability of not scheduling more than one diplomatic conference in each year, save in exceptional circumstances;

.2 In the context of resolution A.1061(28) – *High-level Action Plan of the Organization and priorities for the 2014-2015 biennium*:

.1 when reporting on its work to the Assembly at its twenty-ninth regular session and to the Council at its sessions during the 2014-2015 biennium, to ensure that it reports progress towards fulfilling the Organization's aims and objectives using the framework of the strategic directions, high-level actions and planned biennial outputs;

.2 when considering proposals for unplanned outputs, to ensure, in accordance with resolution A.1062(28) and the guidelines for the organization and method of their work, as appropriate, that the issues to be addressed are those which fall within the scope of the Strategic Plan and the High-level Action Plan;

.3 in accordance with resolution A.1062(28), to submit to the Council for endorsement any unplanned outputs it may approve during the 2014-2015 biennium for inclusion in the High-level Action Plan for that biennium;

.4 to ensure full observance of the guidelines contained in resolution A.1062(28), which provide a uniform basis for the application of the Strategic Plan and the High-level Action Plan throughout the Organization, and for the strengthening of existing working practices through the provision of enhanced planning and management procedures that are flexible, manageable, proportional, transparent and balanced;

.5 in underlining the specific responsibilities of the chairmen, vice-chairmen and secretaries of the Council, committees and sub-committees, to ensure such a consistent and rigorous

application of resolution A.1062(28) and the Guidelines on the organization and methods of work of the respective committees and their subsidiary bodies; and

- .6 to ensure that the high-level actions and related outputs, especially those involving amendments to existing conventions (particularly those which have been in force for a short period), take fully into account the directives in resolution A.500(XII); and that due attention is given to the requirement that a well-documented compelling need must be demonstrated for the development and adoption of new or revised standards;
- .3 In the context of resolution A.1062(28) – *Guidelines on the application of the Strategic Plan and the High-level Action Plan of the Organization*, to review and revise, during the 2014-2015 biennium, the Committee's guidelines for the organization and method of work, taking account of the *Guidelines on the application of the Strategic Plan and the High-level Action Plan of the Organization*, as appropriate;
- .4 in the context of resolution A.1069(28) – *Prevention and suppression of piracy, armed robbery against ships and illicit maritime activity in the Gulf of Guinea*, to review the provisions of this resolution as well as any salient provisions of related resolutions which have been or may be adopted by the Security Council in this respect and to develop, where and when necessary, guidance and recommendations so as to enable Member Governments and the shipping industry to implement its provisions, taking into account current and emerging trends and practices;
- .5 in the context of resolution A.1070(28) – *IMO Instruments Implementation Code (III Code)*, to keep the Code under review and, in coordination with the Council, to propose amendments thereto to the Assembly;
- .6 in the context of resolution A.1071(28) – *Revised guidelines on the implementation of the International Safety (ISM) Code by Administrations*, to keep the Revised guidelines under review and to amend them as necessary;

- .7 in the context of resolution A.1072(28) – *Revised guidelines for a structure of an integrated system of contingency planning for shipboard emergencies*, keep the Revised guidelines under review and amend them as necessary in the light of experience gained;
- .8 in the context of resolution A.1076(28) – *Amendments to the Survey guidelines under the Harmonized System of Survey and Certification (HSSC), 2011*, to keep the Survey Guidelines under review and amend them as necessary;
- .9 in the context of resolution A.1077(28) – *2013 non-exhaustive list of obligations under instruments relevant to the IMO Instruments Implementation Code*, to keep the list under review and, under the coordination of the Council, to propose amendments thereto to the Assembly;
- .10 in the context of resolution A.1078(28) – *IMO ship identification number scheme*, to keep the scheme under review for further improvement as may be necessary;
- .11 in the context of resolution A.1079(28) – *Recommendations for the training and certification of personnel on mobile offshore units (MOUs)*, to keep the Recommendations under review and amend them as necessary; and
- .12 in the context of resolution A.1086(28) – *Entry into force and implementation of the 2012 Cape Town Agreement*, to monitor the progress made regarding the entry into force of the Agreement and to take action as it deems appropriate.

20.23 Furthermore, the Assembly, while considering the agenda item on Strategy, planning and reform, had decided that proposals for amendments to resolutions that are subject to being kept under review by the Committees, should be made strictly in compliance with the workload management mechanism of the resolution A.1062(28), and the relevant Committee's Guidelines on the organization and method of work.

INTERSESSIONAL MEETINGS

20.24 The Committee, taking into account the decisions made under various agenda items at MSC 92 and at this session, approved/confirmed, as appropriate, the following intersessional meetings:

- .1 the twenty-second meeting of the E&T Group for the IMSBC Code to be held at IMO Headquarters directly after CCC 1, from 15 to 19 September 2014;
- .2 the twenty-first session of the ICAO/IMO Joint Working Group on Search and Rescue, to be held at the IMO Headquarters from 15 to 19 September 2014, as approved by MSC 92;
- .3 the twentieth session of the PPR Working Group on the Evaluation of Safety and Pollution (ESPH) to be held at IMO Headquarters from 29 September to 3 October 2014, as approved by MSC 92 and MEPC 65;
- .4 the tenth meeting of the Joint IMO/ITU Experts Group on Maritime Radiocommunication Matters, to be held at the IMO Headquarters from 6 to 10 October 2014, as approved by MSC 92; and
- .5 a meeting of PPR Working Group on the Evaluation of Safety and Pollution (ESPH) to be held in 2015, as approved by MEPC 66,

and invited the Council to endorse the above decisions.

SUBSTANTIVE ITEMS FOR INCLUSION IN THE COMMITTEE'S AGENDAS FOR THE NEXT TWO SESSIONS AND PROPOSED ARRANGEMENTS FOR MSC 94

Substantive items for inclusion in the agendas for MSC 94 and MSC 95

20.25 The Committee agreed to substantive items to be included in the agendas of its ninety-fourth and ninety-fifth sessions, as set out in document MSC 93/WP.11, as amended.

Establishment of working and drafting groups during MSC 94

20.26 The Committee, taking into account the decisions made under various agenda items, anticipated that the working and drafting groups on the following subjects may be established at the Committee's ninety-fourth session:

- [
- .1 passenger ship safety;
 - .2 goal-based standards and formal safety assessment;
 - .3 application of amendments to SOLAS and related Codes; and
 - .4 consideration and adoption of amendments to mandatory instruments.]

20.27 The Committee agreed that the Capacity-building Needs Analysis Group (ACAG) may also need to be established.

Duration and dates of the next two sessions

20.28 The Committee noted that its ninety-fourth session has been tentatively scheduled to take place from 17 to 21 November 2014 and its ninety-fifth session has been tentatively scheduled to be held in June 2015.
