



REPORT OF THE 22ND SESSION OF THE IALA
LEGAL ADVISORY PANEL (LAP)

26 October 2021

**Report of the 22nd session of the IALA
Legal Advisory Panel (LAP)
26 October, 2021
Executive Summary**

The 22nd session of the Legal Advisory Panel was held by videoconference on 26 October 2021, with Christina Schneider as Chair, Henning Osnes Teigene as Vice-chair and Audrey Guinault as Secretary.

The LAP noted the reports from Council 72 & 73, PAP 41 & 42 and the last committee sessions.

The LAP was informed about the change of status progress since the Diplomatic Conference and the opening for signature of the convention. LAP was briefed on the timeline established by the Secretariat for the transfer of the organization when the Convention enters into force.

The LAP was briefed on the creation of a MASS task force and was given an overview of the ongoing work by the chair of the task force.

The LAP is expected to review the draft standards, the recommendation on the Maritime Bouyage System and the Basic Documents at its next session.

The LAP considered the reply from IHO about the mapping of the polar regions and will inform the ARM committee in this regard.

The rest of the meeting was routine business including the review of the Risk Registers for IALA and the World-Wide Academy.

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Report of the 22nd session of the IALA

Legal Advisory Panel (LAP)

GENERAL

The 22nd session of the Legal Advisory Panel was held by videoconference on 26 October 2021 with Christina Schneider as Chair, Henning Osnes Teigene as Vice-chair and Audrey Guinault as Secretary.

1. INTRODUCTION FROM LAP CHAIR AND SECRETARY-GENERAL

The Chair welcomed everyone and thanked participants for attending this meeting although it was virtual again. She indicated that the agenda of the meeting was quite light, but this meeting was necessary to keep the members informed on a few matters and hopefully the next LAP meeting can be held physically in Saint Germain en Laye. The Secretary-General mentioned it was important to keep on meeting virtually although physical meetings are the aim, as soon as the situation will allow. Since the last meeting, the WATON Day was held virtually and was a good success with a well followed webinar and social media campaign. There was also a workshop on the topic of MASS held in June, online. The council decided to establish a MASS Task Force to follow the latest development in the domain. The ARM committee is working on the revision of the MBS and this document will need to be reviewed by LAP before it goes to the General Assembly in 2023, along with the revision of the Standards. The Secretary-General expressed a warm welcome to the panel and wished them a successful meeting.

2. APPROVAL OF THE AGENDA

The Agenda (paper LAP22-2.1) was adopted.

The Agenda is provided at ANNEX A.

3. REVIEW OF ACTION ITEMS FROM LAP21

Input paper LAP22-3.1 refers.

All action items were noted as completed.

4. REVIEW OF INPUT PAPERS

A list of input papers is provided at ANNEX C.

5. REPORT OF IALA COUNCIL SESSION 72 & 73

Input paper LAP22-5.1 and LAP22-5.2 refer.

The reports were noted.

6. REPORT OF PAP SESSION 41 & 42

Input paper LAP22-6.1 refers.

The reports were noted.

7. REPORT ON THE LAST COMMITTEE SESSION AND ONGOING DEVELOPMENTS

Technical Operations Manager, Minsu Jeon, gave a brief report on the committee works, to update the panel on the developments since the last LAP meeting. He covered 4 main topics:

- The committees are developing an input paper to IMO NCSR on Maritime Services in the context of e-Navigation and a new IALA guideline.
- The revision of the IMSAS. IALA submitted a document to IMO MSC regarding the updating of the auditor's manual.
- The revision of the IMO Resolution A.857(20) VTS guideline. After adopting the new resolution at the IMO Assembly in December 2021, all related IALA documentation will be updated.
- Committees are considering the contribution of a comprehensive review of the STCW Convention.

8. INFORMATION ON MASS GROUP

Maarten Berrevoets, the chair of the MASS Task Force, introduced the purpose of the group to LAP members. The group met once and was attended by all committees. This group is under the guidance of the PAP. Maarten expressed that it would be interesting to know what are the legal measures currently in place in each country regarding MASS.

For information, Matti Eronen mentioned that IMO issued a paper on the legal issues that MASS would bring. The Secretary-General reminded that in the case of legal implications, the focus should be on Aids to Navigation only, in line with IALA's work domain.

As MASS is a wide and complex topic, with many possible legal issues, the vice-chair asked the MASS Task Force chair which aspects of legal implications of MASS the LAP members would be expected to report back on. The MASS group will discuss the issue and if considered helpful will send an input paper to LAP.

Hideki Noguchi asked whether Maarten Berrevoets would be the representative of the LAP in the MASS Task force considering he is also the chair of the group. Maarten Berrevoets considered this sufficient at the moment, but it is possible to discuss the issue again at a later stage.

9. REVIEW OF DRAFT STANDARD

Minsu Jeon introduced the timeline established by the Secretariat for the revision of standards as follows:

Organ and Date	Activity	Comment
PAP 40 2 nd half 2020	Draft and agree on the plan	
Committees 2 nd half 2020	Review the Standards edition 1.0	
PAP 41 1 st half 2021	Coordinates the comments of Committees	
Committees 1 st half 2021	Review the draft standards edition 2.0	
Committees 2 nd half 2021	Complete the draft standards edition 2.0	
PAP 43 1 st half 2022	Finalises the draft standards edition 2.0	
LAP 23 1 st half 2022	Reviews and advice on draft Standards edition 2.0	
PAP 44 2 nd half 2022	Finalises the draft standards edition 2.0 for Council approval	

Council 76 2 nd half 2022	Approval of the draft Standards edition 2.0	
2 nd half 2022	Information process to all Members	Website with explanatory info
General Assembly 1 st half 2023	General Assembly voting on the update of Standards edition 2.0	Brazil
2 nd half 2023	Announcement of result of voting to membership and other organisations	Circular letter and IALA bulletin

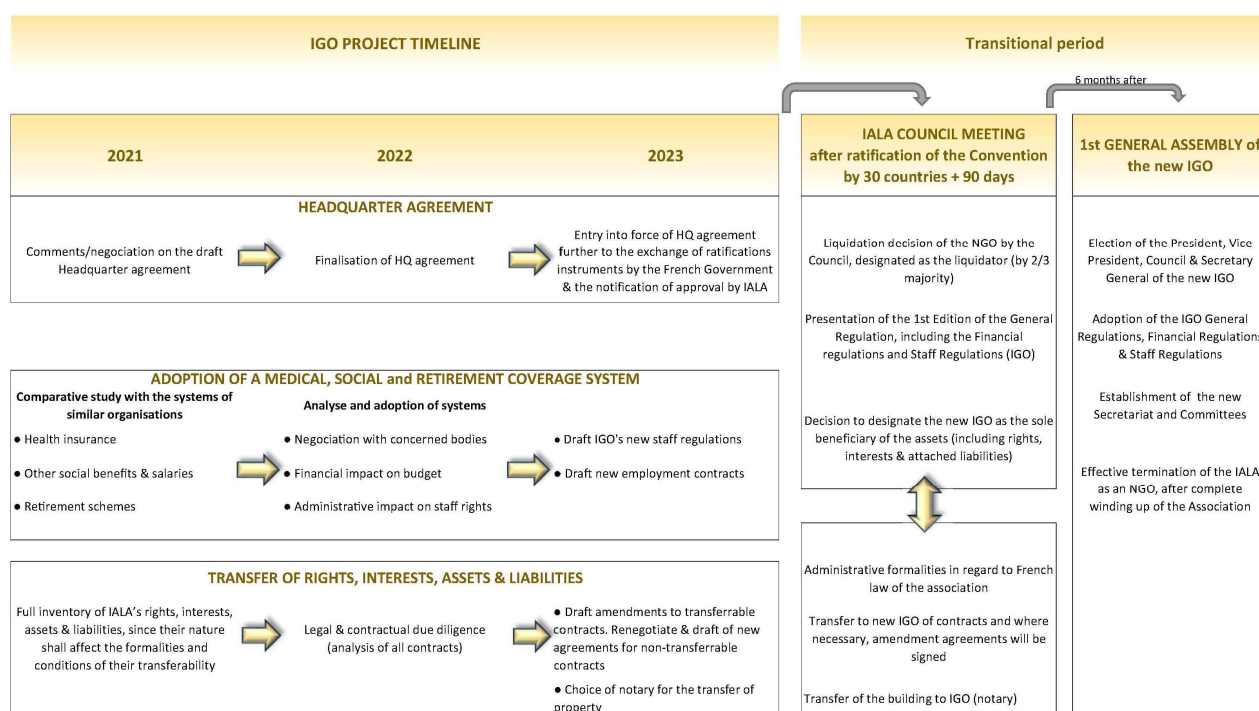
The LAP is expected to review the draft standards at its next session in the first half of 2022.

10. IALA CHANGE OF STATUS PROJECT (INFORMATION ONLY)

Input paper LAP22-10.1 refers.

The Secretary-General indicated that the Convention was open for signatures since January 27 2021 and that 16 countries have signed, 2 have ratified and 1 has accepted the Convention. Four more countries have indicated that they will sign in the near future. The Convention is open for signatures until January 26 2022 and France will host a signature conference before that date.

With regard to the transition period, he introduced the timeline for the change of status as follows:



Concerning the change of system for the staff, 4 different scenarios have been identified and are still under study before selecting the best fitting one for the future organization.

11. REVIEW OF THE BASIC DOCUMENTS

The Basic Documents are currently under review to fit the new IALA Style guide. These changes are mainly editorial. The Covid-19 Pandemic has had an impact on the way meetings are organized and it is most likely that meetings of the future will have to keep on offering a possibility to join online, remotely. More and more, intersessional meetings for the committees are held primarily online. This change of practice should

be reflected as well in the basic documents. It is currently a work in progress and the documents should be ready to be submitted at the next LAP meeting.

12. ADVICE ON GUIDANCE DOCUMENTS UNDER DEVELOPMENT OR UNDER REVIEW

Following action item 2 of the LAP 21, the technical operations manager reported that he had been in contact with the IHO secretariat regarding case studies on the mapping in polar regions. IHO is a technical and consultative body only, and this kind of issue is the government's responsibility and should be considered at a regional level. Minsu underlined that contributing to the Mariner's routing guide could be a technical solution to enhance the safety of navigation in specific regions.

LAP members agreed that, following IHO's pragmatic approach, if any issue would be raised in the future, it should be solved by regional agreement.

Action item 1

The Secretariat is requested to inform the ARM committee indicating that following IHO's reply, IALA will apply the same approach of regional responsibility should an issue arise.

13. REVIEW OF THE IALA RISK REGISTER

Input paper LAP22-13.1 refer.

The Secretary-General mentioned that only point 2 would need to be modified taking into consideration the large number of states that has signed the convention and the hiring of a French law firm to help with the planning of the transition to the new organization.

Action item 2

The secretariat is requested to send the updated IALA Risk Register to Council 74.

14. REVIEW OF THE WWA RISK REGISTER

Input paper LAP22-14.1 refer.

The Dean Omar Frits Eriksson reported that as activities started again and as a result the risks increased again as the missions of the WWA are planned in countries with a certain degree of risk. These changes are reflected in an updated version of the WWA Risk Register.

Action item 3

The secretariat is requested to send the updated WWA Risk Register to Council 74.

15. ANY OTHER BUSINESS

There was no other business to report.

16. REVIEW OF OUTPUT AND WORKING PAPERS

The list of output is at Annex D. There were no working papers.

17. REVIEW OF ACTION ITEMS

The list of action items is at Annex E.

18. DATE AND PLACE OF NEXT MEETING

The next LAP meeting (LAP23), is scheduled for March 29-30, 2022.

19. APPROVAL OF THE REPORT

The report of LAP22 was to be approved by correspondence.

Legal Advisory Panel

22nd Session

Agenda item 2

LAP 22-2

October 26 - 27, 2021

Video Conference

The 22nd meeting of the IALA **Legal Advisory Panel** will be held on 26th and 27th October 2021 on Microsoft Teams from 11:00 to 13:00 CEST (09:00 to 11:00 UTC) each day.

LAP 22 - PROVISIONAL AGENDA

(2021-10-22)

1. Welcome and introduction from LAP chair and Secretary General
2. Approval of the agenda
3. Review of action items from LAP 21
4. Review of input papers
5. Report of IALA Council 72 & 73
6. Report of PAP 41 & 42
7. Report of the last Committee session and ongoing developments
8. Information on MASS Group
9. Review of Draft Standards
10. IALA change of status project (information only)
11. Review of Basic Documents
12. Advice on guidance documents under development or under review
13. Review of the IALA Risk Register
14. Review of the World-Wide Academy Risk Register
15. Any other business
16. Review of output and working papers
17. Review of Action items
18. Date and place of next meeting
19. Approval of the report

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Meeting	Agenda Item	Title / Author (if required)	Source	Output papers
LAP22-	2.1	Provisional Agenda	Secretariat	
LAP22-	3.1	Review of action items from LAP20	Secretariat	
LAP22-	4.1	Review of input papers	Secretariat	
LAP22-	5.1	Report of IALA Council 72&73	Secretariat	
LAP22-	6.1	Report of PAP 41	Secretariat	
LAP22-	7.1	INF – VTS Update – Rev. to IMO Res.	VTS Committee	
LAP22-	7.1.1	Enclosure – Draft IMO Res. & Draft G1089	VTS Committee	
LAP22-	10.1	Timeline IGO project	Secretariat	
LAP22-	13.1	Review of IALA Risk Register	Secretariat	
LAP22-	14.1	Review of WWA Risk Register	Secretariat	

Meeting	No.	Title	Action
LAP22-	13.2	IALA Risk Register	To Council to consider
LAP22-	14.2	WWA Risk Register	To Council to consider
LAP22-	19.1	Report of LAP22	To Council to note

1. *The Secretariat is requested to inform the ARM committee indicating that following IHO's reply, IALA will apply the same approach of regional responsibility should an issue arise.*
2. *The Secretariat is requested to updated IALA Risk Register and send it to Council 74.*
3. *The Secretariat is requested to update the WWA Risk Register and send it to Council 74.*



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