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Agenda item 26

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

**1 INTRODUCTION**

1.1 The ninety-second session of the Maritime Safety Committee was held at IMO Headquarters from 12 to 21 June 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 Associated Members; by representatives from the United Nations Programmes, specialized agencies and other entities; by observers from the intergovernmental organizations with agreements of cooperation; and by observers from non-governmental organizations in consultative status; as listed in document MSC 92/INF.1.

1.3 The session was also attended by the Chairman of the Council, Mr. J.G. Lantz (United States) 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 92/1) and agreed to be guided by the provisional timetable (MSC 92/1/1), on the understanding that it was subject to adjustments depending on the progress made each day. The agenda, as adopted, with a list of documents considered under each agenda item, is set out in document MSC 92/INF.[...].

**Credentials**

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

**2 DECISIONS OF OTHER IMO BODIES****Outcome of FAL 38, LEG 100 and MEPC 65**

2.1 The Committee noted the decisions of FAL 38 (MSC 92/2), LEG 100 (MSC 92/2/1) and MEPC 65 (MSC 92/2/2) 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 III, V and XI-1 of the 1974 SOLAS Convention, as amended, in accordance with the provisions of article VIII of the Convention;
- .2 the International Code of Safety for High-Speed Craft, 1994 (1994 HSC Code), in accordance with the provisions of article VIII and regulation X/1.1 of the Convention;
- .3 the International Code of Safety for High-Speed Craft, 2000 (2000 HSC Code), in accordance with the provisions of article VIII and regulation X/1.2 of the Convention;

- .4 the International Management Code for the Safe Operation of Ships and for Pollution Prevention (International Safety Management (ISM) Code), in accordance with the provisions of article VIII and regulation IX/1.1 of the Convention; and
- .5 the International Maritime Solid Bulk Cargoes (IMSBC) Code, in accordance with the provisions of article VIII and regulation VI/1-1.1 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 article VIII(b)(iii) and VIII(b)(iv) of the Convention.

3.3 The proposed amendments to the 1974 SOLAS Convention and to codes mandatory under the Convention were circulated, in accordance with SOLAS article VIII(b)(i), to all IMO Members and Contracting Governments to the Convention by Circular letters No.3317 of 23 October 2012, No.3333 of 10 December 2012 and No.3334 of 11 December 2012.

3.4 Contracting Parties to the International Convention for Safe Containers, 1972 (1972 CSC), were invited to consider and adopt proposed amendments to the annexes to the Convention. Contracting Parties constituting more than one third of the total of Contracting Parties to the 1972 CSC were present during the consideration and adoption of the said amendments by the expanded Maritime Safety Committee, in accordance with the provisions of paragraphs 1 and 2 of article X of the 1972 CSC. The proposed amendments to the 1972 CSC were circulated, in accordance with article X of the Convention, to all IMO Members and Contracting Parties to the Convention by Circular letter No.3336 of 11 December 2012.

3.5 Parties to the Protocol of 1988 relating to the International Convention on Load Lines, 1966 (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 1988 Load Lines Protocol. The proposed amendments to the 1988 Load Lines Protocol were circulated, in accordance with article VI of the Protocol, to all IMO Members and Parties to the Protocol by Circular letter No.3335 of 11 December 2012.

3.6 The Committee was also invited to consider and:

- .1 adopt the Code for recognized organizations (RO Code), approved at MSC 91, in conjunction with the adoption of the associated amendments to SOLAS chapter XI-1 and the 1988 Load Lines Protocol, making the provisions of parts 1 and 2 of the Code mandatory under the Convention and the Protocol;
- .2 adopt draft MSC resolutions on amendments to the *Code for the Construction and Equipment of Mobile Offshore Drilling Units (MODU Code)* (resolution A.414(XI)), the *Code for the Construction and Equipment of Mobile Offshore Drilling Units, 1989 (1989 MODU Code)* (resolution A.649(16)) and the *Code for the Construction and Equipment of Mobile Offshore Drilling Units, 2009 (2009 MODU Code)* (resolution A.1023(26)), respectively;
- .3 adopt a draft MSC resolution on amendments to the *Code of Safety for Dynamically Supported Craft (DSC Code)* (resolution A.373(X));
- .4 approve a draft MSC circular on Early implementation of amendments (02-13) to the International Maritime Solid Bulk Cargoes (IMSBC) Code;
- .5 approve a draft MSC circular on the *Guidelines for the submission of information and completion of the format for the properties of cargoes not listed in the IMSBC Code and their conditions of carriage*;
- .6 approve a draft MSC circular on the *Guidelines for developing and approving procedures for sampling, testing and controlling the moisture content for solid bulk cargoes that may liquefy*; and
- .7 approve a draft revised version of MSC.1/Circ.1395 on Lists of solid bulk cargoes for which a fixed gas fire-extinguishing system may be exempted or for which a fixed gas fire-extinguishing system is ineffective.

3.7 The Committee was further invited to consider the report of the Ad Hoc Working Group on the consideration of the issue of the scope of application of amendments to SOLAS and related codes and guidelines in a holistic manner, which was established by MSC 91 (see MSC 91/22, paragraph 3.33) and met during the five working days of FSI 21.

3.8 The Committee noted that document MSC 92/3/9 (Argentina) was considered under agenda item 8 since it was related to the outcome of FP 56 (see paragraph [...]).

#### **PROPOSED NEW MANDATORY INSTRUMENT**

##### **Proposed Code for Recognized Organizations**

3.9 The Committee recalled that the draft RO Code was developed by FSI 20 and approved by MSC 91, with a view to adoption at this session, in conjunction with the adoption of the related amendments to SOLAS chapter XI-1 and the 1988 Load Lines Protocol, making the provisions of parts 1 and 2 of the Code mandatory under the Convention and the Protocol.

3.10 The Committee also recalled that MSC 91 had:

- .1 noted that the RO Code should be made mandatory under the SOLAS, MARPOL and Load Lines Conventions by amending those mandatory provisions referring to resolutions A.739(18) on the *Guidelines for the authorization of organizations acting on behalf of the Administration* and A.789(19) on the *Specifications on the survey and certification functions of recognized organizations acting on behalf of the Administration*, under the tacit acceptance procedure; and
- .2 concurred with the decision of MEPC 64 relating to the adoption of separate MSC and MEPC resolutions for adopting and amending the RO Code.

3.11 The Committee noted that MEPC 65 had already considered the draft RO Code, taking into account proposals for modifications/clarifications contained in documents MEPC 65/6/3 (IACS) and MSC 92/3/12 (Democratic People's Republic of Korea), as well as other proposals made during MEPC 65, and adopted the RO Code by resolution MEPC.237(65). MEPC 65 also adopted resolution MEPC.238(65) on the *Amendments to the annex of the Protocol of 1978 relating to the International Convention for the Prevention of Pollution from Ships, 1973*, making parts 1 and 2 of the Code mandatory under Annexes I and II of MARPOL.

3.12 The Committee also noted that the text of the RO Code, as adopted by MEPC 65, was contained in document MSC 92/WP.5, including track changes indicating changes made to the draft text of the RO Code, as approved by MSC 91 (MSC 91/22/Add.1, annex 19).

3.13 The Committee further noted that MEPC 65 had invited the Committee to ensure that the text of the RO Code adopted by both Committees remains identical.

3.14 In order to ensure consistency, the Committee considered the text of the RO Code as adopted by MEPC 65 (MSC 92/WP.5) and instructed the drafting group to prepare the final text of the Code, subject to editorial improvements, if any.

### ***Effective date of the Code***

3.15 The Committee noted that the Code would take effect on 1 January 2015 upon entry into force of the related amendments to SOLAS chapter XI-1 and the 1988 Load Lines Protocol, and in line with resolution MEPC.237(65).

## **PROPOSED AMENDMENTS TO THE 1974 SOLAS CONVENTION**

### **Proposed amendments to SOLAS chapter III**

#### ***Regulation 19 – Emergency training and drills***

3.16 The Committee recalled that the proposed amendments to SOLAS regulations III/19.2.2 and III/19.2.3 were approved by MSC 91, following consideration of urgent issues raised by the Secretary-General related to the **Costa Concordia**, and that other proposed amendments to SOLAS regulation III/19 related to enclosed space entry and rescue drills were developed by DSC 17 and approved by MSC 91.

3.17 The Committee noted that no comments had been submitted on the draft amendments to SOLAS regulations III/19.2.2 and III/19.2.3.

3.18 The Committee had for its consideration document MSC 92/3/10 (Democratic People's Republic of Korea), commenting on the proposed amendments related to enclosed space entry and rescue drills and proposing a new requirement for each enclosed space entry and rescue drill to be included, as follows: "checking and use of instruments for measuring the atmosphere in enclosed spaces".

3.19 The Committee recalled that, at MSC 91, it had considered a proposal by DSC 17 (DSC 17/17, annex 8), to introduce mandatory carriage requirements for appropriate atmosphere testing instruments on board ships, and agreed to include, in the 2012-2013 biennial agenda of the DSC Sub-Committee and in the provisional agenda for DSC 18, an unplanned output on "Development of amendments to SOLAS and the relevant codes concerning mandatory carriage of appropriate atmosphere testing instruments on board ships", taking into account document MSC 91/13/3, with a target

completion year of 2013, in association with the FP, BLG and STW Sub-Committees as and when requested by the DSC Sub-Committee.

3.20 During the ensuing discussions, the following views were expressed on the proposal included in document MSC 92/3/10:

- .1 the majority of delegations which spoke expressed support for the proposal;
- .2 some delegations, in supporting the proposal, indicated that this kind of equipment was already on board many ships and, for safety reasons, they should be checked before entering and using them in enclosed spaces;
- .3 some delegations were of the view that it would be premature to consider the addition of this requirement at this stage and that the Committee should wait for the relevant outcome of the DSC Sub-Committee before taking a final decision in this respect; and
- .4 other delegations were hesitant in supporting the proposal since the proposed new requirement could be interpreted as part of the provisions of the new subparagraph 3.6.2.1 (i.e. "checking and use of personal protective equipment required for entry").

3.21 After consideration, the Committee decided to include the additional requirement for each enclosed space entry and rescue drill related to the checking and use of instruments for measuring the atmosphere in enclosed spaces, as proposed in document MSC 92/3/10.

3.22 The Committee confirmed the contents of the proposed amendments to SOLAS regulation III/19, subject to editorial improvements, if any.

### **Proposed amendments to SOLAS chapter V**

#### ***Regulation 19 – Carriage requirements for shipborne navigational systems and equipment***

3.23 The Committee had for its consideration document MSC 92/3/7 (Bahamas and Denmark), proposing amendments to SOLAS regulation V/19.1 with the aim to clarify the application of the mandatory carriage of a Bridge Navigational Watch Alarm System (BNWAS), as adopted by resolution MSC.282(86), for ships constructed before 1 July 2002.

3.24 The Committee noted that the provisions of SOLAS regulation V/19.1 "Application and requirements" were not amended by resolution MSC.282(86) and that no comments had been received on the proposed amendments to SOLAS regulation V/19.1.

3.25 After consideration, the Committee agreed that a phase-in of implementation should be allowed for ships constructed before 1 July 2002, allowing exemptions for ships that would be taken permanently out of service within two years after implementation.

3.26 The Committee confirmed the contents of the proposed amendments to SOLAS regulation V/19.1, subject to the inclusion of the above clarification and editorial improvements, if any.

### **Proposed amendments to SOLAS chapter XI-1**

#### ***Regulation 1 – Authorization of recognized organizations***

3.27 The Committee recalled that the proposed amendments to SOLAS regulation XI-1/1 were developed by FSI 20 and approved by MSC 91 in order to make parts 1 and 2 of the RO Code mandatory under the provisions of the SOLAS Convention.

3.28 The Committee recalled also that similar amendments to MARPOL Annexes I and II were already adopted by MEPC 65 by resolution MEPC.238(65) making parts 1 and 2 of the RO Code mandatory under the provisions of the MARPOL Convention.

3.29 The Committee considered the draft amendments to SOLAS regulation XI-1/1, including additional modifications proposed by the Secretariat in order to clarify some provisions contained in the version approved by MSC 91, with an editorial correction in subparagraph (b) to replace the word "amended" with the word "adopted" and the deletion of the text within square brackets in subparagraph (c).

3.30 The Committee noted that no comments had been submitted on the draft amendments to SOLAS regulation XI-1/1 and confirmed their contents, as modified by the Secretariat, subject to editorial improvements, if any.

#### ***Date of entry into force of the proposed amendments***

3.31 The Committee agreed that the SOLAS amendments proposed for adoption at the current session should be deemed to have been accepted on 1 July 2014 and enter into force on 1 January 2015.



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**PROPOSED AMENDMENTS TO MANDATORY CODES*****Proposed amendments to the 1994 and 2000 HSC Codes***

3.32 The Committee recalled that the proposed amendments to the 1994 and 2000 HSC Codes were developed by DSC 17 and approved by MSC 91, as part of the consequential amendments related to the proposed amendments to SOLAS regulation III/19 relating to enclosed space entry and rescue drills and, having noted that no comments had been submitted on the draft amendments, confirmed their contents, subject to editorial improvements, if any.

***Date of entry into force of the proposed amendments***

3.33 The Committee agreed that the amendments to the 1994 and 2000 HSC Codes, proposed for adoption at the current session, should be deemed to have been accepted on 1 July 2014 and enter into force on 1 January 2015.

***Proposed amendments to the ISM Code***

3.34 The Committee recalled that the proposed amendments to the ISM Code were developed by STW 43 and approved by MSC 91, and, having noted that no comments had been submitted on the draft amendments, confirmed their contents, subject to editorial improvements, if any.

3.35 The Committee also recalled that, at MSC 91, it had approved a new paragraph to be added to the foreword of the publication of the Code to clarify the intent of footnotes and that it had requested the Secretariat to amend the text of the publication accordingly (MSC 91/22, paragraph 11.8).

***Date of entry into force of the proposed amendments***

3.36 The Committee agreed that the amendments to the ISM Code, proposed for adoption at the current session, should be deemed to have been accepted on 1 July 2014 and enter into force on 1 January 2015.

***Proposed amendments to the IMSBC Code***

3.37 The Committee recalled that the proposed amendments to the IMSBC Code were developed by DSC 17 and finalized by E&T 18.

3.38 The Committee had for its consideration document MSC 92/3/8 (Norway) commenting on the proposed amendments and proposing an adjustment to the bulk density and the corresponding stowage factor for ilmenite (upgraded) to cover Norwegian ilmenite.

3.39 Having concurred with the above proposal, the Committee confirmed the contents of the draft amendments to the IMSBC Code, subject to editorial improvements, if any.

***Date of entry into force of the proposed amendments***

3.40 The Committee agreed that the amendments to the IMSBC Code, proposed for adoption at the current session, should be deemed to have been accepted on 1 July 2014 and enter into force on 1 January 2015.

3.41 The Committee also agreed that, in accordance with normal practice, Contracting Governments to the SOLAS Convention might apply the above amendments to the IMSBC Code from 1 January 2014, on a voluntary basis.

**PROPOSED AMENDMENTS TO THE 1972 CSC**

**Proposed amendments to annexes I, II, III and IV of the 1972 CSC**

***Annex I – Regulations for the testing, inspection, approval and maintenance of containers***

***Annex II – Structural safety requirements and tests***

***Annex III – Control and verification***

***Annex IV – Definitions***

3.42 The Committee recalled that the proposed amendments to the 1972 CSC were developed by DSC 17 and approved by MSC 91 and noted that no comments had been received on the draft amendments.

3.43 After consideration, the Committee agreed to:

- .1 remove the square brackets around the date "1 July 2014" in the new proposed paragraph 5 of regulation I/1; and
- .2 move the contents of the draft annex IV (definitions) into annexes I and II and delete draft annex IV.

3.44 The Committee confirmed the contents of the proposed amendments to the annexes of the 1972 CSC, including the above modifications, and subject to editorial improvements, if any.

***Date of entry into force of the proposed amendments***

3.45 The Committee agreed that the amendments to the 1972 CSC, proposed for adoption at the current session, should be deemed to have been accepted on 1 January 2014 and enter into force on 1 July 2014.

**PROPOSED AMENDMENTS TO THE 1988 LOAD LINES PROTOCOL****Proposed amendments to annex I – Regulations for determining Load Lines*****Regulation 2-1 – Authorization of recognized organizations***

3.46 The Committee recalled that the proposed amendments to the 1988 Load Lines Protocol were developed by FSI 20 and approved by MSC 91 in order to make parts 1 and 2 of the RO Code mandatory under the provisions of the 1988 Load Lines Protocol.

3.47 The Committee considered the draft amendments to regulation I/2-1, including additional modifications proposed by the Secretariat in order to clarify some provisions contained in the version approved by MSC 91, with an editorial correction in subparagraph (b) to replace the word "amended" with the word "adopted" and the deletion of the text within square brackets in subparagraph (c).

3.48 The Committee noted that no comments had been submitted on the draft amendments to the 1988 Load Lines Protocol and confirmed their contents, as modified by the Secretariat, subject to editorial improvements, if any.

***Date of entry into force of the proposed amendments***

3.49 The Committee agreed that the amendments to the 1988 Load Lines Protocol, proposed for adoption at the current session, should be deemed to have been accepted on 1 July 2014 and enter into force on 1 January 2015.

**NON-MANDATORY INSTRUMENTS****Proposed consequential amendments to the 1979, 1989 and 2009 MODU Codes and the DSC Code**

3.50 The Committee recalled that the proposed amendments to the 1979, 1989 and 2009 MODU Codes and the DSC Code were developed by DSC 17 in order to be adopted in conjunction with the relevant amendments to SOLAS regulation III/19 related to enclosed space entry and rescue drills.

3.51 The Committee noted that no comments had been submitted on the draft amendments to the 1979, 1989 and 2009 MODU Codes and the DSC Code and agreed to add recommendations in the respective covers of the requisite resolutions inviting all Governments concerned to take appropriate steps to give effect to the amendments to the codes on or after 1 January 2015, in conjunction with the related amendments to SOLAS regulation III/19.

3.52 With regard to the draft amendments to the DSC Code, the Committee agreed to delete the words "and in accordance with SOLAS regulation III/19.3.5" since these words were not used in the draft amendments to the 1979, 1989 and 2009 MODU Codes.

3.53 The Committee confirmed the contents of the proposed amendments to the 1979, 1989 and 2009 MODU Codes and the DSC Code, including the above modifications, and subject to editorial improvements, if any.

#### **RELATED DRAFT MSC CIRCULARS**

##### **Draft MSC circular on Early implementation of amendments to the International Maritime Solid Bulk Cargoes (IMSBC) Code and other draft MSC circulars associated with the IMSBC Code**

3.54 The Committee recalled that, at MSC 91, it had agreed to forward the draft MSC circular on Early implementation of amendments (02-13) to the International Maritime Solid Bulk Cargoes (IMSBC) Code for consideration at this session, with a view to approval, together with the associated amendments to the IMSBC Code.

3.55 The Committee considered the draft MSC circular on Early implementation of amendments (02-13) to the International Maritime Solid Bulk Cargoes (IMSBC) Code, including the following draft MSC circulars associated with the IMSBC Code, which were prepared by E&T 18, as instructed by DSC 17: draft *Guidelines for the submission of information and completion of the format for the properties of cargoes not listed in the IMSBC Code and their conditions of carriage*; draft *Guidelines for developing and approving procedures for sampling, testing and controlling the moisture content for solid bulk cargoes that may liquefy*; and draft revision to MSC.1/Circ.1395 on Lists of solid bulk cargoes for which a fixed gas fire-extinguishing system may be exempted or for which a fixed gas fire-extinguishing system is ineffective.

3.56 Having noted that no comments had been received on the proposed draft MSC circulars, the Committee agreed on the following additional modifications to the text of the draft MSC circulars contained in document MSC 92/3/5:

- .1 annex 1: deleting the square brackets around the words "as soon as practicable" in paragraph 1; and
- .2 annexes 2 and 3: deleting the square brackets in paragraphs 1 and 2.

3.57 The Committee noted that amendment (02-13) to the IMSBC Code was expected to enter into force on 1 January 2015 and that Contracting Governments might apply them from 1 January 2014, on a voluntary basis in accordance with usual practice. In this context, the Committee also noted that DSC 18 would consider further amendments to the Code on iron ore fines, which might be included in the next package of amendments to the Code (03-15), based on the outcome of the correspondence group established by DSC 17 and taking into account relevant research outcomes.

3.58 The Committee confirmed the contents of the draft MSC circulars, including the above modifications, subject to editorial improvements, if any.

**Report of the Ad Hoc Working Group on the Consideration of the issue of the scope of application of amendments to SOLAS and related codes and guidelines in a holistic manner**

3.59 The Committee recalled that, at MSC 91, having considered issues related to the drafting of amendments to the SOLAS Convention and related mandatory codes, it had established an Ad Hoc Working Group on the Consideration of the issue of the scope of application of amendments to SOLAS and related codes and guidelines in a holistic manner (the group), which met during FSI 21 under the chairmanship of Mr. Motonobu Tsuchiya (United Kingdom) and with terms of reference, as set out in paragraph 3.33 of document MSC 91/22.

3.60 The Committee had for its consideration document MSC 92/3/6 (Secretariat) containing the report of the group and the following commenting documents:

- .1 MSC 92/3/11 (Democratic People's Republic of Korea) providing comments with respect to the three options considered by the group for the intervals of adoption and entry into force of amendments to the SOLAS Convention;
- .2 MSC 92/3/13 (Germany and Spain) commenting on the preliminary drafting procedure prepared by the Chairman of the group (MSC 92/3/6, annex 2), including an example of how SOLAS regulation II-2/1 would have evolved following this drafting procedure;

- .3 MSC 92/3/14 (Spain) commenting on the proposals made by the group and providing an example of how regulations contained in SOLAS chapter II-2 could be redrafted when performing a comprehensive revision of the chapter;
- .4 MSC 92/3/15 (Germany) providing comments on inconsistencies identified with regard to the terminology used in different chapters of the SOLAS Convention and recommending that, in order to guarantee a uniform application of the provisions of the SOLAS Convention to the greatest possible extent, any systematic approach to be developed should address all aspects related to the drafting of amendments other than the application date, location and methodology of application provisions and exemptions; and
- .5 MSC 92/3/16 (Germany) commenting on annexes 2 and 3 relating to the drafting of amendments to the SOLAS Convention and, in particular, with respect to the use of date of contract.

3.61 The Committee considered the report of the group along with commenting documents and took action as indicated in the ensuing paragraphs.

3.62 The Committee recalled that the four-year interval for the entry into force of amendments to its conventions and codes had been adopted in the past by MSC 59, allowing shorter periods under exceptional circumstances if, on the basis of experience, it was deemed necessary to do so in order to rectify a mistake or for any other compelling reason. The Committee noted that the above practice had been discontinued during the last years.

3.63 The Committee also noted:

- .1 the list of issues related to the scope of application of amendments to the SOLAS Convention and related mandatory instruments identified by the group;
- .2 the main drafting challenges and considerations related to the improvement of current drafting practices, including the issues related to the use of the expression "all ships" in different chapters of the SOLAS Convention, as pointed out by Germany in document MSC 92/3/15;

- .3 the issues and observations related to the publishing of the SOLAS Convention and the authentic text of adopted amendments;
- .4 the discussions of the group related to the methodology for amending the SOLAS Convention and related codes and mandatory instruments, including the drafting of amendments and, in particular, that the group could not reach a consensus to a conclusion for the specific use of any of the methodologies discussed; and
- .5 the progress made with the preparation of draft interim guidance on drafting of amendments to SOLAS chapters II-2 and III.

3.64 With regard to making the "SOLAS on the web" product available to Member States and accredited observer organizations, at no cost, in order to be used as a reference to a continuous updated version of the SOLAS Convention, the Committee agreed to request the Secretariat to consider the proposal made by the group and report back to the Committee in due course.

3.65 With respect to the issues related to the authentic text of adopted amendments, the Committee noted that the Secretariat was implementing a system in IMODOCS in order to make copies of the authentic text of adopted amendments electronically available and that Member States would be advised accordingly by means of a circular letter, in due course.

3.66 In order to facilitate the consideration of the report of the group and commenting documents and in the absence of a working group to be established at this session to review in detail the work of the group and related documents, the Chairman invited the Committee to give general consideration to the issues in plenary with a view to establishing a correspondence group to continue the work on the drafting of amendments intersessionally and finalization of the guidance, at its next session. In this respect, the Chairman indicated that the drafting group on amendments could be instructed to prepare draft terms of reference for the above correspondence group, taking into account any relevant decisions made in plenary. To provide clear directions, the Chairman put forward for consideration the following questions:

- .1 should the four-year period for the entry into force of amendments to the SOLAS Convention and related mandatory codes be reinstated, allowing shorter intervals under exceptional circumstances? If yes, should

amendments be adopted by a single resolution or by separate resolutions at each session of the Committee?;

- .2 should the general application date of the chapter only be changed if a comprehensive revision of the chapter is made and if so, should the application date of new requirements be indicated under each new or amended regulation?;
- .3 should the guidance on drafting of amendments be applicable to the entire SOLAS Convention or only to certain chapters?; and
- .4 should the Guidelines on the organization and method of work of the Committees be amended so as to include process control elements?

3.67 Having agreed with the proposed way forward, the Committee considered the above questions and agreed that:

- .1 the four-year period for the entry into force of amendments to the SOLAS Convention and related mandatory codes should be reinstated, allowing shorter intervals under clearly defined exceptional circumstances, with adoption of amendments at each session of the Committee by different resolutions (with the same date of entry into force), as appropriate;
- .2 the general application date of a chapter should only be changed if a comprehensive revision of the chapter was made and, after that, the application date of new requirements should be indicated under each new or amended regulation;
- .3 the guidance on drafting of amendments should be applicable to the entire SOLAS Convention and related mandatory codes; and
- .4 the Guidelines on the organization and method of work of the Committees should not be amended at this stage, with the understanding that this should be reconsidered in the future once the guidance on the drafting of amendments was finalized and tested, including the consideration of whether the application of the guidance could be expanded to other Conventions and instruments (e.g. MARPOL Convention).



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**ESTABLISHMENT OF THE DRAFTING GROUP**

3.68 Following discussion, the Committee established an ad hoc drafting group and instructed it, taking into account the 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 1994 and 2000 HSC Codes and the ISM and IMSBC Codes, together with the associated MSC resolutions;
- .2 the final text of the RO Code and the associated draft MSC resolution;
- .3 the final text of the draft amendments to the 1972 CSC and the associated draft MSC resolution;
- .4 the final text of the draft amendments to the 1988 Load Lines Protocol, as amended, and the associated draft MSC resolution;
- .5 the final text of the draft amendments to the 1979, 1989 and 2009 MODU Codes and the DSC Code, and the associated draft MSC resolutions;
- .6 the final text of the draft MSC circular on Early implementation of amendments (02-13) to the International Maritime Solid Bulk Cargoes (IMSBC) Code;
- .7 the final text of the draft MSC circular on the *Guidelines for the submission of information and completion of the format for the properties of cargoes not listed in the IMSBC Code and their conditions of carriage*;
- .8 the final text of the draft MSC circular on the *Guidelines for developing and approving procedures for sampling, testing and controlling the moisture content for solid bulk cargoes that may liquefy*;
- .9 the final text of the draft MSC circular on Lists of solid bulk cargoes for which a fixed gas fire-extinguishing system may be exempted or for which a fixed gas fire-extinguishing system is ineffective (to be issued as MSC.1/Circ.1395/Rev.1); and

- .10 draft terms of reference for a Correspondence Group on Development of guidance on drafting of amendments to the SOLAS Convention and related mandatory codes.

#### **REPORT OF THE DRAFTING GROUP**

[3.69 Having considered the report of the drafting group (MSC 92/WP.[...]), the Committee approved it in general and took action as indicated hereunder.

#### **Adoption of a new mandatory instrument**

##### ***Adoption of the Code for recognized organizations***

3.70 The Committee considered the final text prepared by the drafting group (MSC 92/WP.[...], annex [...]) and adopted the Code for recognized organizations, by resolution MSC.[...](92), as set out in annex [...].

#### **Adoption of amendments to the 1974 SOLAS Convention and mandatory codes**

##### ***Adoption of amendments to the 1974 SOLAS Convention***

3.71 The expanded Committee, including the delegations of [...] Contracting Governments to the 1974 SOLAS Convention, considered the final text of the proposed amendments to the Convention, prepared by the drafting group (MSC 92/WP.[...], annex [...]), and adopted the amendments unanimously by resolution MSC.[...](92), as set out in annex [...].

3.72 In adopting resolution MSC.[...](92), the expanded Committee determined, in accordance with article VIII(b)(vi)(2)(bb) of the 1974 SOLAS Convention, that the adopted amendments to the Convention should be deemed to have been accepted on 1 July 2014 (unless, prior to that date, objections are communicated to the Secretary-General, as provided for in article VIII(b)(vi)(2) of the Convention) and should enter into force on 1 January 2015, in accordance with the provisions of article VIII thereof.

##### ***Adoption of amendments to the 1994 and 2000 HSC Codes***

3.73 The expanded Committee, including delegations of [...] Contracting Governments to the 1974 SOLAS Convention, considered the final text of the proposed amendments to the 1994 and 2000 HSC Codes, prepared by the drafting group (MSC 92/WP.[...], annexes [...] and [...]), and adopted the amendments unanimously by resolutions MSC.[...](92) and MSC.[...](92), as set out in annexes [...] and [...], respectively.

3.74 In adopting resolutions MSC.[...](92) and MSC.[...](92), the expanded Committee determined, in accordance with article VIII(b)(vi)(2)(bb) of the 1974 SOLAS Convention, that the adopted amendments to the 1994 and 2000 HSC Codes should be deemed to have been accepted on 1 July 2014 (unless, prior to that date, objections are communicated to the Secretary-General, as provided for in article VIII(b)(vi)(2) of the Convention) and should enter into force on 1 January 2015, in accordance with the provisions of SOLAS article VIII.

#### ***Adoption of amendments to the ISM Code***

3.75 The expanded Committee, including delegations of [...] Contracting Governments to the 1974 SOLAS Convention, considered the final text of the proposed amendments to the ISM Code, prepared by the drafting group (MSC 92/WP.[...], annex [...]), and adopted the amendments unanimously by resolution MSC.[...](92), as set out in annex [...].

3.76 In adopting resolution MSC.[...](92), the expanded Committee determined, in accordance with article VIII(b)(vi)(2)(bb) of the 1974 SOLAS Convention, that the adopted amendments to the ISM Code should be deemed to have been accepted on 1 July 2014 (unless, prior to that date, objections are communicated to the Secretary-General, as provided for in article VIII(b)(vi)(2) of the Convention) and should enter into force on 1 January 2015, in accordance with the provisions of SOLAS article VIII.

#### ***Adoption of amendments to the IMSBC Code***

3.77 The expanded Committee, including delegations of [...] Contracting Governments to the 1974 SOLAS Convention, considered the final text of the proposed amendments to the IMSBC Code, prepared by the drafting group (MSC 92/WP.[...], annex [...]), and adopted the amendments unanimously by resolution MSC.[...](92), as set out in annex [...].

3.78 In adopting resolution MSC.[...](92), the expanded Committee determined, in accordance with article VIII(b)(vi)(2)(bb) of the 1974 SOLAS Convention, that the adopted amendments to the IMSBC Code should be deemed to have been accepted on 1 July 2014 (unless, prior to that date, objections are communicated to the Secretary-General, as provided for in article VIII(b)(vi)(2) of the Convention) and should enter into force on 1 January 2015, in accordance with the provisions of SOLAS article VIII.

#### ***Adoption of the amendments to the 1972 CSC***

3.79 The Committee, including delegations of [...] Contracting Parties to the 1972 CSC, considered the final text of the proposed amendments to the Convention, prepared by the

drafting group (MSC 92/WP.[...], annex [...]), and adopted the amendments unanimously by resolution MSC.[...](92), as set out in annex [...].

3.80 In adopting resolution MSC.[...](92), the Committee determined, in accordance with paragraph 2 of article X of the 1972 CSC, that the adopted amendments to the Convention should enter into force on 1 January 2015 unless, prior to 1 July 2014, five or more of the Contracting Parties notify the Secretary-General of their objection to the amendments, in accordance with paragraph 3 of article X thereof.

### **Adoption of amendments to the 1988 Load Lines Protocol**

3.81 The expanded Committee, including delegations of [...] Parties to the 1988 Load Lines Protocol, considered the final text of the proposed amendments to annex I to the Protocol, prepared by the drafting group (MSC 92/WP.[...], annex [...]), and adopted the amendments unanimously by resolution MSC.[...](92), as set out in annex [...].

3.82 In adopting resolution MSC.[...](92), the expanded Committee determined, in accordance with article VI of the 1988 Load Lines Protocol, that the adopted amendments to the Protocol should be deemed to have been accepted on 1 July 2014 (unless, prior to that date, objections are communicated to the Secretary-General, as provided for in article VI of the 1988 Load Lines Protocol) and should enter into force on 1 January 2015, in accordance with the provisions of article VI of the 1988 Load Lines Protocol.

### **Adoption/approval of amendments to non-mandatory instruments**

3.83 The Committee considered the final text of amendments to non-mandatory instruments, prepared by the drafting group (MSC 92/WP.[...], annexes [...] to [...]), and:

- .1 adopted the amendments to:
  - .1 the 1979, 1989 and 2009 Codes for the Construction and Equipment of Mobile Offshore Drilling Units (1979, 1989 and 2009 MODU Codes), by resolutions MSC.[...](92), MSC.[...](92) and MSC.[...](92), as set out in annexes [...], [...] and [...], respectively; and
  - .2 the Code of Safety for Dynamically Supported Craft (DSC Code), by resolution MSC.[...](92), as set out in annex [...]; and
- .2 approved:

- .1 MSC/Circ.[...] on Early implementation of amendments (02-13) to the International Maritime Solid Bulk Cargoes (IMSBC) Code;
- .2 MSC/Circ.[...] on the *Guidelines for the submission of information and completion of the format for the properties of cargoes not listed in the IMSBC Code and their conditions of carriage*;
- .3 MSC/Circ.[...] on the *Guidelines for developing and approving procedures for sampling, testing and controlling the moisture content for solid bulk cargoes that may liquefy*, and
- .4 MSC/Circ.1395/Rev.1 on Lists of solid bulk cargoes for which a fixed gas fire-extinguishing system may be exempted or for which a fixed gas fire-extinguishing system is ineffective.

## **Other matters**

### ***Establishment of a correspondence group***

3.84 To progress the work intersessionally, the Committee established a Correspondence Group on Development of guidance on drafting of amendments to the SOLAS Convention and related mandatory codes, under the coordination of [...], and instructed it to:

[MORE TO COME]

## **INSTRUCTIONS TO THE SECRETARIAT**

3.85 In adopting the aforementioned amendments, new mandatory instrument and related instruments, the Committee authorized the Secretariat, when preparing the authentic texts of the amendments, as appropriate, to effect any editorial corrections that may be identified, and to bring to the attention of the Committee any errors or omissions which require action by the Contracting Governments to the 1974 SOLAS Convention or Contracting Parties to the 1972 CSC, or Parties to the 1988 Load Lines Protocol.]

## **5 GOAL-BASED NEW SHIP CONSTRUCTION STANDARDS**

### **Background**

5.1 The Committee recalled that MSC 90 had agreed on a work plan for the development of *Interim Guidelines for the safety-level approach (SLA)* and had also established a correspondence group and instructed it to develop draft *Guidelines for the approval of equivalents and alternatives*, as provided for in various IMO instruments and to submit an interim report to MSC 91 and a final report to this session.

5.2 The Committee also recalled that MSC 91, having considered, inter alia, the interim report of the correspondence group (MSC 91/5) and the report of the GBS Working Group (MSC 91/WP.9), had noted that, with respect to the aforementioned work plan, no changes to the plan were required at that time, and had approved revised terms of reference for the correspondence group, as set out in paragraph 5.16 of document MSC 91/22.

### **Report of the GBS Correspondence Group**

5.3 The Committee considered the report of the correspondence group (MSC 92/5 and MSC 92/INF.5) and noted the progress made in the development of the contents of the *Guidelines for the approval of equivalents and alternatives*, as provided for in various IMO instruments, that the group had further considered their applicability and had agreed to follow the draft text of paragraph 1.3 of the base documents (MSC 91/WP.9/Add.1 and MSC 86/5/3), which states that the draft Guidelines are intended for application to areas within IMO instruments that allow for alternative design and arrangements, and that it would be taken into account as the work on the draft Guidelines continued.

5.4 In the context of the above, the Committee considered document MSC 92/5/1 (Republic of Korea) commenting on the report of the correspondence group (MSC 92/5 and MSC 92/INF.5), emphasizing that the draft *Guidelines for the approval of equivalents and alternatives* will be an important reference in developing the detailed safety-level approach (SLA)-GBS in the future; and introducing the need for further consideration on the strategy of defining evaluation criteria in the draft Guidelines.

5.5 The Committee considered the report of the GBS Correspondence Group together with the above-related document and, having approved it in general, took the following action:

- 
- .1 noted the progress of the correspondence group, in particular the completed work on sections 1, 3, 4, 5, 6 and 7, as set out in the draft Guidelines (MSC 92/INF.5);
  - .2 noted the substantive changes in the text of the draft Guidelines and instructed the GBS Working Group to consider the draft text, in particular those parts listed by the group in the annex to their report;
  - .3 endorsed the proposal of the group to consolidate the existing *IMO Guidelines on alternative design and arrangements in a single instrument*;
  - .4 endorsed the group's conclusion regarding the title of the draft guidelines, which had been agreed by the GBS Working Group established at MSC 91, i.e. *Guidelines for the approval of equivalents and alternatives*, as provided for in various IMO instruments;
  - .5 endorsed the group's conclusion regarding the associated MSC circular cover note, i.e. to use option 1 as shown in annex 1 to document MSC 91/WP.9 (MSC 92/5, paragraph 15);
  - .6 noted the discussion on the verification process and instructed the GBS Working Group to further consider the process, taking into account the issues raised by the group in paragraph 16 of their report and to advise the Committee accordingly; and
  - .7 noted that no information had been received by the group on how Member States and international organizations may have used the *Guidelines on approval of risk-based ship design* (MSC 86/5/3, annex) for the approval of equivalents and alternatives and reiterated the request from MSC 91 for Member States and international organizations to submit relevant information.

5.6 With regard to applicability of the draft *Guidelines for the approval of equivalents and alternatives*, the Committee, having noted the correspondence group's deliberation (MSC 92/5, paragraphs 5 to 8), did not agree with the view expressed by the majority of the group to use option 2 (MSC 92/5, paragraph 5), i.e. application to areas within IMO instruments (statutory regulations) that allow for alternative design and arrangements.

In this context, the Committee recalled that SOLAS regulation I/5 allows the approval of equivalents by Administrations and requires that relevant information is reported to the Organization for circulation as an SLS circular, which has been the practice for many years without any guidance being provided. The Committee also noted the views of delegations that the expansion of the scope of application of the draft Guidelines to other IMO instruments could be problematic since no experience on the use of the Guidelines had yet been gained.

5.7 Subsequently, albeit noting that the draft Guidelines provide a structured approach for the approval of equivalents and alternative designs, the Committee confirmed that it was the prerogative of Administrations to approve equivalents and alternatives, and that, therefore, the decision on the scope of application falls under their purview and should not be prescribed in the Guidelines.

#### **Safety-level approach (SLA)**

5.8 The Committee recalled that MSC 91 had noted the elements to be included in the draft *Interim Guidelines for the safety-level approach (SLA)*, developed by the GBS Working Group (MSC 91/WP.9, annex 2).

5.9 In this connection, the Committee agreed to concentrate at this session on finalizing the draft *Guidelines for the approval of equivalents and alternatives*, as provided for in various IMO instruments, and instructed the GBS Working Group to further consider the development of interim guidelines for the safety-level approach only if time permits, taking into account annex 2 to document MSC 91/WP.9, and advise the Committee accordingly.

#### **Establishment of the GBS Working Group**

5.10 Subsequently, the Committee established the GBS Working Group and instructed it, taking into account decisions, comments and proposals made in plenary, to:

- .1 finalize the draft *Guidelines for the approval of equivalents and alternatives*, as provided for in various IMO instruments, based on documents MSC 92/5 and MSC 92/INF.5, and taking into account document MSC 92/5/1, giving special consideration to the substantive changes in the draft text, as listed in the annex to document MSC 92/5;
- .2 finalize the associated MSC circular cover note for the above draft Guidelines, based on option 1 of annex 1 to document MSC 91/WP.9;



- .3 further consider the verification process for approving alternatives and equivalents, taking into account paragraph 16 to document MSC 92/5 and advise the Committee accordingly; and
- .4 if time permits, further consider the development of interim guidelines for the safety-level approach, taking into account annex 2 to document MSC 91/WP.9, and advise the Committee accordingly.

### **Report of the GBS Working Group**

5.11 Having considered the report of the working group (MSC 92/WP.[...]), the Committee approved it in general and took action as described in the following paragraphs.

[MORE TO COME]

## **6 PASSENGER SHIP SAFETY**

### **BACKGROUND**

6.1 The Committee recalled that MSC 90 had agreed that the fatal capsizing of the **Costa Concordia** had raised new challenges for the Organization that needed to be addressed expeditiously to ensure the safety of passengers at sea, in particular, it was agreed that a two-pronged approach should be taken, namely: consideration of short-term measures related to passenger ship operations and management; and development of a long-term action plan for the remaining work, which would be based on the **Costa Concordia** accident investigation report.

6.2 The Committee noted the information provided in document MSC 92/6 (Secretariat) relating to the discussions and action taken on passenger ship safety at MSC 91.

6.3 The Committee further recalled that MSC 91 had:

- .1 re-established its Working Group on Passenger Ship Safety and, having considered its report, approved draft amendments to SOLAS chapter III on emergency drills and updated the Recommended interim measures for passenger ship companies, which has been issued as MSC.1/Circ.1446/Rev.1; and
- .2 approved the Revised long-term action plan on passenger ship safety, as set out in annex 3 to document MSC 91/WP.8.

**COSTA CONCORDIA CASUALTY INVESTIGATION REPORT AND RECOMMENDATIONS**

6.4 The Committee considered document MSC 92/6/3 (Italy), providing the preliminary recommendations arising from the marine casualty investigation into the loss of the passenger ship **Costa Concordia**, together with documents MSC 92/INF.6 (Italy), informing that the casualty investigation report had been uploaded to GISIS, MSC 92/6/8 (IUMI) and MSC 92/6/10 (CLIA), both commenting on the preliminary recommendations.

6.5 In considering the above documents, the Committee noted the following views expressed during the discussion:

- .1 due to the late availability of the official casualty report, Member States and international organizations had not had sufficient time to scrutinize the report in detail and, as such, certain issues still needed to be clarified, which might require work to be conducted intersessionally before any comprehensive actions could be taken;
- .2 the background information supporting the preliminary recommendations in the casualty investigation report was difficult to find and the working group to be established should consider linking the various recommendations to the relevant parts of the report;
- .3 any proposed measures recommended by the working group to be established should be linked to the outcome of the casualty investigation report; their scope of application should be clearly established; and preparation of requisite justifications for any proposed new or expanded outputs should be in SMART terms;
- .4 a formal safety assessment study may be needed to evaluate the effectiveness of any substantial recommended measures, particularly measures that could impact on all types of passenger ships;
- .5 some delegations expressed the view that there may be a need to consider preparing definitions for different types and sizes of passenger ships while others pointed out that this issue had already been thoroughly discussed during the passenger ship safety initiative; and

- .6 while some delegations felt that the principles of safe manning should be further reviewed others pointed out that the principles had recently been revised with the adoption of resolution A.1047(27), together with the amendment of SOLAS regulation V/14, and it was premature to conduct another review until experience is gained with the latest set of amendments; noting that the ongoing revision to IMO Model courses could be a better way to improve the situation than amending mandatory instruments.

6.6 Having considered the above comments, the Committee decided to refer documents MSC 92/6/3, MSC 92/6/8, MSC 92/6/10 and MSC 92/INF.6 to the working group for detailed consideration.

#### **LATEST RECOMMENDATIONS EMANATING FROM THE CRUISE INDUSTRY OPERATIONAL SAFETY REVIEW**

6.7 The Committee, having considered documents MSC 92/6/1 (CLIA), providing three new outputs from the Operational Safety Review and proposing to revise MSC.1/Circ.1446/Rev.1, and MSC 92/6/9 (CLIA), providing comments relating to the **Costa Concordia** incident, decided to refer the documents to the working group for consideration with a view to preparing revisions to MSC.1/Circ.1446/Rev.1, as appropriate.

#### **OPERATIONAL SAFETY MEASURES TO ENHANCE THE SAFETY OF PASSENGER SHIPS**

6.8 The Committee, having considered document MSC 92/6/5 (ICS), providing information on a review on operational safety measures carried out by ICS members' passenger ship operating companies, including ro-ro passenger ships and high-speed craft, decided to refer the document to the working group for detailed consideration and advice.

#### **EVACUATION ANALYSIS**

6.9 The Committee considered document MSC 92/6/2 (Germany and Spain), expressing the view that simulation of evacuation procedures, including basic rules on how to carry out such simulation, should be made mandatory under SOLAS or the FSS Code, together with document MSC 92/6/4 (ITF and NI) providing comments on document MSC 92/6/2 and, having noted the following views expressed during the discussion that:

- .1 consideration should be given to make simulation of evacuation procedures mandatory;

- .2 the outcome of the ongoing revision of related recommendations by the FP Sub-Committee (MSC.1/Circ.1238) should be taken into account in making the final decision to make it mandatory; and
- .3 there would always be the need for a well-trained crew to provide professional assistance during evacuations,

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

#### **SURVIVABILITY OF PASSENGER SHIPS**

6.10 The Committee considered documents MSC 92/6/6 (Austria et al.), providing information on the results of the studies on damage stability of ro-ro passenger ships and a Goal-Based Damage Stability research and demonstration project, proposing a two-phase approach to review and improve the survivability of passenger ships after damage, and MSC 92/6/7 (United States) commenting on document MSC 92/6/6.

6.11 During the ensuing discussion, the Committee noted views of some delegations that a compelling need should be established before considering the expansion of ongoing work on damage stability while others expressed the view that the FSA Experts Group should be instructed to consider the research project and advise the Committee. In this connection, the IFSMA observer made a statement, which is set out in annex [...].

6.12 After a brief discussion, the Committee decided to refer documents MSC 92/6/6 and MSC 92/6/7 to the working group for detailed consideration and advice.

#### **RE-ESTABLISHMENT OF THE WORKING GROUP ON PASSENGER SHIP SAFETY**

6.13 The Committee re-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 based on the preliminary recommendations (MSC 92/6/3) and the **Costa Concordia** casualty investigation report (MSC 92/INF.6) and taking into account documents MSC 92/6/8 and MSC 92/6/10, consider recommendation by recommendation:
  - .1 whether a sufficient link for the proposed recommendation can be found in the casualty report or more information is needed;

- 
- .2 for recommendations having such a link, consider any actions to be taken and advise on the possible scope of application and the way forward; and
  - .3 prepare relevant draft text for any recommendations on operational, management or other issues where immediate action is needed;
- 
- .2 consider the latest recommendations from the Cruise Industry Operational Safety Review (MSC 92/6/1 and MSC 92/6/9) and prepare revisions to MSC.1/Circ.1446/Rev.1, as appropriate, for approval by the Committee;
  - .3 consider the outcome of the ICS Review of Operational Safety Measures to Enhance the Safety of Passenger Ships (MSC 92/6/5) and advise the Committee accordingly;
  - .4 consider whether the voluntary guidance on evacuation analysis should be made mandatory, taking into account documents MSC 92/6/2, MSC 92/6/4. MSC 92/6/10 and MSC.1/Circ.1238, and advise the Committee accordingly;
  - .5 consider the proposal related to survivability of passenger ships, taking into account documents MSC 92/6/6, MSC 92/6/7 and MSC 92/6/10, and advise the Committee accordingly;
  - .6 update the Revised long-term action plan on passenger ship safety (MSC 91/WP.8, annex 3), including the prioritization of the work to be undertaken (i.e. target completion dates for each task), taking into account the preliminary recommendations (MSC 92/6/3) and the **Costa Concordia** casualty investigation report (MSC 92/INF.6) and other documents submitted to the session, as appropriate; and
  - .7 consider whether a correspondence group should be established and, if so, prepare draft terms of reference for consideration by the plenary.

#### REPORT OF THE WORKING GROUP

[6.14 Having considered the report of the working group (MSC 92/WP.[...]), the Committee approved it in general and took action as indicated hereunder.]

[MORE TO COME]

## **7 DANGEROUS GOODS, SOLID CARGOES AND CONTAINERS**

### **General**

7.1 The Committee recalled that MSC 91 had considered urgent matters emanating from the seventeenth session of the Sub-Committee on Dangerous Goods, Solid Cargoes and Containers (DSC) (MSC 91/22, section 13).

7.2 The Committee, having considered remaining issues emanating from DSC 17 (documents DSC 17/17 and MSC 92/7), approved the report of DSC 17, in general, and took action as indicated hereunder.

### **Amendments to the 1979, 1989 and 2009 MODU Codes and the DSC Code**

7.3 With regard to the draft amendments to the 1979, 1989 and 2009 MODU Codes and the DSC Code, the Committee recalled that this matter was considered under agenda item 3 (see paragraph 3.[...]).

### **Guidelines for development of an ACEP**

7.4 The Committee approved CSC.1/Circ.[...] on the *Guidelines for development of an Approved Continuous Examination Programme (ACEP)*.

### **Amendments to CSC.1/Circ.138**

7.5 The Committee approved CSC.1/Circ.138/Rev.1 on Revised Recommendations on harmonized interpretation and implementation of the International Convention for Safe Containers, 1972, as amended.

### **Training requirements for fire fighting related to water-reactive materials**

7.6 The Committee noted that document DSC 17/11/2 (Germany) was forwarded to the STW Sub-Committee for consideration of matters related to training requirements for fire-fighting when water-reactive materials are involved.

### **Investigation report on the very serious casualty on board the bulk carrier *La Donna I***

7.7 With regard to the investigation report on the very serious casualty on board the bulk carrier **La Donna I**, the Committee noted that the Sub-Committee had invited Member States and international organizations to submit comments and proposals to DSC 18 on the matter and forwarded its outcome to FSI 21 accordingly.

## **8 FIRE PROTECTION**

### **REPORT OF THE FIFTY-SIXTH SESSION OF THE SUB-COMMITTEE**

#### **General**

8.1 The Committee approved, in general, the report of the fifty-sixth session of the Sub-Committee on Fire Protection (FP) (FP 56/23 and Corr.1; and MSC 92/8) and took action as indicated in the following paragraphs.

#### **Draft amendments to SOLAS regulations II-2/4.5.5 and II-2/16.3.3**

8.2 The Committee considered the draft amendments to SOLAS regulations II-2/4.5.5 and II-2/16.3.3 concerning inert gas systems for new tankers, together with document MSC 92/3/9 (Argentina), containing an analysis of the scope of application of the draft SOLAS regulation II-2/4.5.5 and the draft chapter 15 of the FSS Code. Having noted the concerns regarding the term "hydrocarbon" in the text of draft SOLAS regulation II-2/4.5.5.1.4 and matters related to application, the Committee approved the above regulations, in principle, and instructed the drafting group established under agenda item 3 (see paragraph 3.68) to carefully consider the proposals contained in document MSC 92/3/9 and ensure that no unintended consequences arise, particularly with respect to the proposal in paragraph 7 of the aforementioned document, and prepare the final text of the draft amendments to SOLAS regulations II-2/4.5.5 and II-2/16.3.3 and chapter 15 of the FSS Code, for consideration by the Committee.

8.3 Having considered the relevant part of the report of the drafting group (MSC 92/WP.7), the Committee approved the draft amendments to SOLAS regulations II-2/4.5.5 and II-2/16.3.3, as set out in annex [...], and requested the Secretary-General to circulate them in accordance with SOLAS article VIII, with a view to adoption at MSC 93.

#### **Draft amendments to chapter 15 of the FSS Code**

8.4 Having considered the relevant part of the report of the drafting group (MSC 92/WP.7), the Committee approved the draft amendments to chapter 15 of the International Code for Fire Safety Systems (FSS Code) concerning inert gas systems for new ships, as set out in annex [...], and requested the Secretary-General to circulate them in accordance with SOLAS article VIII, with a view to adoption at MSC 93.

**Draft amendments to SOLAS regulations II-2/3 and II-2/9.7**

8.5 In considering the draft amendments to SOLAS regulations II-2/3 and II-2/9.7 concerning fire resistance of ventilation ducts for new ships, the Committee noted the views of the observer from IACS that the draft text did not contain any reference to the date of application of the amendments, and therefore the draft amendments would be applicable to ships constructed after 2012. Additionally, the observer pointed out that in the draft amendments the words "heat resisting" were introduced without a definition in the SOLAS Convention, which would need to be clarified. In this context, the Committee also noted the information from the Chairman of the Sub-Committee that in paragraph 4.10 of the report of the Sub-Committee (FP 56/23) it was stated clearly that the draft amendments applied to new ships only.

8.6 Consequently, the Committee requested the Secretariat to modify the draft amendments to introduce the date of application, approved the draft amendments to SOLAS regulations II-2/3 and II-2/9.7 concerning fire resistance of ventilation ducts for new ships, as set out in annex [...], and requested the Secretary-General to circulate them in accordance with SOLAS article VIII, with a view to adoption at MSC 93.

8.7 With regard to the term "heat resisting", the Committee invited the observer from IACS to submit comments and a proposal to MSC 93 for consideration in conjunction with the adoption of the aforementioned draft amendments.

**Draft amendments to SOLAS regulation II-2/10**

8.8 The Committee considered the draft amendments to SOLAS regulation II-2/10 concerning fire protection requirements for on-deck cargo areas for new ships, together with document MSC 92/8/2 (Denmark and Norway), proposing amendments to clarify the requirements of the aforementioned draft amendments, in particular, to amend the draft text of SOLAS regulation II-2/7.3.2.4.2 to require a minimum capacity of 60 m<sup>3</sup>/h.

8.9 In this connection, the Committee noted the following views:

- .1 the draft amendments should be approved as prepared by FP 56;
- .2 the flow rates of water monitors cannot be easily measured at the location covered by the monitors. A flow rate verification at the top level of the top tier of containers, as suggested in paragraph 11 of document MSC 92/8/2, does not appear to be feasible; and



.3 the proposal to include a pressure requirement is redundant.

8.10 Following discussion, the Committee approved the draft amendments to SOLAS regulation II-2/10, as set out in annex [...], and requested the Secretary-General to circulate the draft amendments in accordance with SOLAS article VIII, with a view to adoption at MSC 93.

8.11 In light of the above decision, the Committee noted the concern expressed by the delegation of the Bahamas regarding the proposed new SOLAS regulation II-2/10.7.3.1, which requires ships to carry at least one water mist lance. The delegation disagrees with the inclusion of this new requirement, as in its opinion the use of this equipment may expose seafarers to significant danger, if the seafarers approach a container stack in which there is a fire of unknown extent or progression. Problems of inaccurate information regarding the contents of containers are well known and the undeclared presence of explosive or water-reactive contents only adds to the danger. The Committee also noted that the delegation had already expressed concern during the discussion on the output of the working group at FP 56, although that was not reflected in the report of the Sub-Committee. The delegation of the Bahamas pointed out that fires in container stacks can be extremely dangerous, as the fatalities of seafarers on the MSC **Flaminia**, 11 months ago, attest. Therefore, the principle of fighting a fire from a safe location and distance should be maintained. In its view it is unacceptable to give seafarers the impression that entering into risky situations is acceptable through mandating carriage of equipment which, by its very nature and mode of use, may require them to do so. The delegation noted the footnote proposed by the correspondence group (paragraph 34 of document FP 56/5), and would refer to this in reserving their position at the approval of the aforementioned draft amendments.

**Draft 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**

8.12 The Committee considered the draft *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*, together with document MSC 92/8/2 (Denmark and Norway), proposing amendments to clarify the draft text of the Guidelines, in particular, to combine paragraphs 3.5 and 3.7 of the draft Guidelines to the required flow rate and throw length of a water jet at a horizontal elevation of 30° to 35°.

8.13 Following discussion, and noting that there was no support for the proposal contained in document MSC 92/8/2, the Committee approved, in principle, the draft *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 the associated draft MSC circular, for final approval at MSC 93, in conjunction with the adoption of the amendments to SOLAS regulation II-2/10.

#### **FSA study on sea transport of dangerous goods**

8.14 The Committee noted that the proposed draft amendments to SOLAS regulation II-2/20 and the associated draft MSC circular on the *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*, are consistent with Recommendation 2 of the FSA study on safe transport of dangerous goods (DSC 16/INF.2). Therefore, the intent of Recommendation 2 had been achieved and no further action was necessary in this regard.

#### **Review of recommendations on evacuation analysis for new and existing passenger ships**

8.15 The Committee noted the progress made on review of the recommendations on evacuation analysis for new and existing passenger ships, which is part of the Committee's long-term work plan on passenger ship safety.

#### **Draft amendments to SOLAS regulation II-2/13.4**

8.16 The Committee considered the draft amendments to SOLAS regulation II-2/13.4 concerning additional means of escape from machinery spaces for new passenger and cargo ships, together with document MSC 92/8/1 (IACS), commenting on the term "a continuous fire shelter" in the draft amendments, which, in the opinion of the observer from IACS, is a vague expression that will be subject to differing interpretations, and providing several diagrams to clarify the matter.

8.17 Following discussion, the Committee noted the views expressed that the issues contained in document MSC 92/8/1 had been discussed during FP 56 and that the Sub-Committee could not agree with the proposal, which instead had agreed to a compromised solution. Consequently, the Committee approved the draft amendments to SOLAS regulation II-2/13.4, as set out in annex [...], and requested the Secretary-General to

circulate the draft amendments in accordance with SOLAS article VIII, with a view to adoption at MSC 93.

8.18 In this connection, the Committee noted that the delegation of Sweden could not agree with the aforementioned draft amendments, as e.g. electrical or even electronic workshops within machinery spaces and adjacent to a main workshop would not need to have two escape routes under the amendments proposed, in which case the escape is supposed to be effected by means of the room-to-room escape principle, and that this might not be possible if the electrical workshop is separated from the main workshop. Additionally, the Committee noted that, therefore, the delegation of Sweden favoured the deletion of the term "main workshop" appearing in paragraphs 4.1.5 and 4.2.3 of the draft amendments to regulation II-2/13.

#### **Proposed interpretations to SOLAS regulation II-2/13.4**

8.19 In the context of the above, the Committee noted the agreement of the Sub-Committee to discuss any proposed interpretations to SOLAS regulation II-2/13.4, regarding the insulation of escape trunks for machinery spaces of category A, at FP 57, under "Any other business".

#### **Draft amendments to SOLAS regulations II-2/1 and 3 and the draft new regulation II-2/20-1**

8.20 The Committee approved the draft amendments to SOLAS regulations II-2/1 and 3 and the draft new regulation II-2/20-1 concerning requirements for ships carrying hydrogen and compressed natural gas vehicles for new ships, as set out in annex [...], and requested the Secretary-General to circulate them in accordance with SOLAS article VIII, with a view to adoption at MSC 93.

#### **Fire protection requirements for waste stowage spaces (resolution MEPC.76(40))**

8.21 Having noted the relevant decision of MEPC 65 (MEPC 65/22, paragraph 11.17), the Committee concurrently endorsed the view of the Sub-Committee that the survey and certification of fire protection of incinerator and waste stowage spaces should be covered by the SOLAS Convention.

[8.22 Consequently, the Committee instructed the FSI Sub-Committee to include the survey and certification of fire protection of incinerator and waste stowage spaces in the *Survey Guidelines under the Harmonized System of Survey and Certification (HSSC), 2011* (resolution A.1053(27)).]

**Unified interpretations of SOLAS chapter II-2 and the FSS and FTP Codes**

8.23 The Committee approved MSC.1/Circ.[...] on Unified interpretations of SOLAS chapter II-2 and the FSS and FTP Codes.

**Unified interpretations of the 2000 HSC Code, as amended by resolutions MSC.175(79) and MSC.222(82)**

8.24 The Committee approved MSC.1/Circ.[...] on Unified interpretations of the 2000 HSC Code, as amended by resolutions MSC.175(79) and MSC.222(82).

**Interpretation to the Revised Guidelines for the approval of equivalent water-based fire-extinguishing systems for machinery spaces and cargo pump-rooms (MSC/Circ.1165)**

8.25 The Committee approved MSC.1/Circ... on Interpretation to the *Revised Guidelines for the approval of equivalent water-based fire-extinguishing systems for machinery spaces and cargo pump-rooms* (MSC/Circ.1165).

**Unified interpretation of the SOLAS Convention and the IBC and IGC Codes**

8.26 The Committee approved MSC.1/Circ... on Unified interpretation of the SOLAS Convention and the IBC and IGC Codes.

**Development of Guidelines for the use of fibre reinforced plastic (FRP) within ship structures**

8.27 The Committee endorsed the agreement of the Sub-Committee to develop *Guidelines for the use of FRP within ship structures*, which would be based on an engineering and risk-based approach which may be followed under SOLAS regulation II-2/17 and the associated circular MSC/Circ.1002.

8.28 In light of the above, the Committee noted the statement of the delegation of the United States, as set out in annex [...], expressing concerns on the agreement of the Sub-Committee to develop guidelines for the use of combustible FRP construction within ship structures, as the delegation does not support the use of combustible FRP construction within the existing framework of SOLAS chapter II-2 at this time.

**Development of amendments to SOLAS chapter II-2 on the location of EEBDs**

8.29 The Committee endorsed the agreement of the Sub-Committee not to proceed with the development of amendments to SOLAS chapter II-2 on the location of emergency escape breathing devices (EEBDs).

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**Draft amendments to SOLAS regulation II-2/18**

8.30 The Committee approved the draft amendments to SOLAS regulation II-2/18 concerning helicopter landing areas on ro-ro passenger ships for new ships, as set out in annex [...], and requested the Secretary-General to circulate them in accordance with SOLAS article VIII, with a view to adoption at MSC 93.

**TESTING OF AUTOMATIC SPRINKLER SYSTEMS ON PASSENGER SHIPS**

8.31 The Committee noted with appreciation document MSC 92/INF.10 (Bahamas), drawing its attention to the fact that during annual testing of automatic sprinkler systems on several passenger ships, several sprinklers failed to operate. Further testing had noted an elevated sprinkler failure rate which, in some instances had exceeded 50 per cent. The elevated failure rates suggest the scope of testing in the *Revised Guidelines for the maintenance and inspection of fire protection systems and appliances* (MSC.1/Circ.1432) may not adequately assess the actual condition of automatic sprinkler systems.

8.32 In this connection, the Committee noted the update on recent developments provided by the delegation of the Bahamas. Basic testing of automatic sprinkler systems had been completed on 15 ships, nine of which had suffered sprinkler head fail rates sufficient to require extended testing. Four ships had completed the extended testing and three of these had failed to meet the pass criterion. The highest fail rate experienced was 68 per cent of sprinklers. The manufacturer of the sprinkler heads in question has continued investigations and the conclusion was that the water used in the automatic sprinkler systems did not meet their standards over the range of required characteristics. This had led to hardening of nitrile sealing rings and deposition of corrosion and chemical products on internal components. The manufacturer in question issued technical bulletins on these problems in 2012 but these had not been made widely available; however, the delegation would provide copies of the bulletins to interested parties.

8.33 Subsequently, the Committee agreed to refer document MSC 92/INF.10 and the above updated information to FP 57 for consideration under its agenda item "Any other business" for advice, as appropriate.

## **10 BULK LIQUIDS AND GASES**

### **Report of the seventeenth session of the Sub-Committee**

10.1 The Committee approved, in general, the report of the seventeenth session of the Sub-Committee on Bulk Liquids and Gases (BLG) (BLG 17/18 and Add.1 and MSC 92/10) and took action, taking into account the decisions made by MEPC 65 (MSC 92/2/2), as indicated hereunder.

### **Outcome of ESPH 18**

10.2 The Committee endorsed the decisions taken by the Sub-Committee regarding the outcome of ESPH 18, as endorsed by MEPC 65.

### **Draft amendments to the IBC Code**

10.3 The Committee approved the draft amendments to the IBC Code, prepared by BLG 17, together with further amendments to the Code relating to mandatory carriage requirements for stability instruments on board tankers prepared by SLF 55 (annex 5 of document SLF 55/17), which were approved by MEPC 65, as set out in annex [...], and requested the Secretary-General to circulate them, in accordance with SOLAS article VIII, for consideration at MSC 93 with a view to adoption.

### **Guidance on the timing of replacement of existing certificates by revised certificates according to the IBC Code**

10.4 The Committee approved MSC-MEPC.5/Circ.[...] on *the Guidance on the timing of replacement of existing certificates by revised certificates as a consequence of the entry into force of amendments to chapters 17 and 18 of the IBC Code*, as amended by MEPC 65.

### **Development of the IGF Code**

10.5 The Committee noted the progress made on the development of the International Code for Ships using Gas as Fuel (IGF Code). With regard to document MSC 92/10/3 (United States), proposing that diesel fuel with a flashpoint between 52°C and 60°C should be excluded from the scope of the IGF Code and that further consideration should be given to the acceptability of diesel fuels with a flashpoint between 52°C and 60°C for propulsion, in the context of SOLAS regulations II-2/4.2.1 and 4.2.2.3.2, the Committee noted, in particular:

- .1 some delegations supported to exclude fuels with a flashpoint between 52°C and 60°C from the scope of the IGF Code;

- .2 some delegations supported further consideration of the acceptability of diesel fuels with a flashpoint between 52°C (or even lower) and 60°C for propulsion in the related SOLAS chapter II-2 regulations;
- .3 many delegations did not support the proposal to modify the scope of the IGF Code at this stage, taking into account that provisions for alternative fuels other than LNG have been included in the draft and the need to finalize the Code as soon as practicable; and
- .4 many delegations expressed the view that, if SOLAS chapter II-2 would be reviewed in relation to low-flashpoint fuels between 52°C and 60°C, it should be considered as a separate output in a holistic manner, since it may affect a wide range of other requirements, including MARPOL requirements for cargoes with similar flashpoints.

10.6 After lengthy discussion, the Committee, bearing in mind that the draft IGF Code should be finalized as soon as possible, decided not to exclude fuel with a flashpoint between 52°C and 60°C from the scope of the Code and invited Member States and international organizations, if they so wish, to submit documents to the Committee to propose a new output, in accordance with the Committee's Guidelines, on a SOLAS chapter II-2 review in relation to low-flashpoint fuels between 52°C and 60°C.

### **Revision of the IGC Code**

10.7 The Committee considered the draft amendments to the International Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk (IGC Code), together with the following documents:

- .1 MSC 92/10/1 (Germany, Japan, Norway, United Kingdom and SIGTTO), providing a draft "standard for the use of limit state methodologies in the design of cargo containment systems of novel configuration" to be made mandatory via draft amendments to the Code;
- .2 MSC 92/10/2 (Secretariat), proposing further modifications to the draft amendments;
- .3 MSC 92/10/4 (Norway), proposing a number of modifications to the draft amendments to the IGC Code and that the draft revised IGC Code should not set precedence for the content of the IGF Code; and

- .4 SLF 55/17 (annexes 8 and 17), providing further modifications to the draft amendments to the IGC Code prepared by SLF 55, particularly included in annex 17 since the contents of annex 8 is incorporated in annex 17.

10.8 The Committee agreed, in principle, to modifications proposed in documents MSC 92/10/1, MSC 92/10/2 and SLF 55/17 and authorized the Secretariat to effect any editorial corrections to the draft amendments to the IGC Code.

10.9 With regard to proposals in document MSC 92/10/4 to further modify the draft amendments to the IGC Code, the Committee, while noting some support for them, did not agree on the proposals, taking into account concerns expressed on making further substantial modifications at this stage, including concerns that some of the proposals may reduce the safety level of the Code. In addition, the Committee agreed that the draft revised IGC Code should not set precedence for the content of the IGF Code and that the relationship between the IGC Code and the IGF Code may be considered once the draft IGF Code is finalized.

10.10 Consequently, the Committee approved the draft amendments to the IGC Code, as set out in annex [...], and requested the Secretary-General to circulate the amendments in accordance with SOLAS article VIII, with a view to adoption at MSC 93.

#### **ESPH Working Group in 2014**

10.11 The Committee approved the holding of an intersessional meeting of the ESPH Working Group in 2014.

### **11 STABILITY, LOAD LINES AND FISHING VESSELS SAFETY**

#### **REPORT OF THE FIFTY-FIFTH SESSION OF THE SUB-COMMITTEE**

11.1 The Committee approved, in general, the report of the fifty-fifth session of the Sub-Committee on Stability and Load Lines and on Fishing Vessels Safety (SLF) (SLF 55/17 and MSC 92/11) and took action as indicated hereunder.

#### **Revised Recommendation on a standard method for evaluating cross-flooding arrangements**

11.2 The Committee considered the draft MSC resolution on Revised Recommendation on a standard method for evaluating cross-flooding arrangements, together with the following documents:



- .1 MSC 92/11/2 (Finland, Japan), proposing a modification of the revised regression formulae for cross-flooding through a series of structural ducts with 1 and 2 manholes; and
- .2 MSC 92/11/3 (United States), proposing several minor editing corrections and updates to the draft Revised Recommendation,

and noted that calculations to evaluate cross-flooding arrangements performed before the adoption of the Revised Recommendation remain valid, and that calculations for ships constructed on or after the date of the adoption of the Revised Recommendation should follow the latter.

11.3 Following discussion, the Committee, having noted that those who spoke did not support the proposals contained in document MSC 92/11/2, and having agreed to the modifications set out in document MSC 92/11/3, adopted resolution MSC.[...](92) on the *Revised Recommendation on a standard method for evaluating cross-flooding arrangements*, as set out in annex [...].

#### **Draft Guidelines for verification of damage stability requirements for tankers**

11.4 The Committee approved MSC.1/Circ.[...] on the *Guidelines for verification of damage stability requirements for tankers*.

#### **Draft amendments to the BCH Code**

11.5 The Committee approved the draft amendments to the Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk (BCH Code), concerning carriage requirements for stability instruments on board tankers, which were prepared in conjunction with the *Guidelines for verification of damage stability requirements for tankers* (see paragraph 11.4 above), as set out in annex [...], with a view to adoption at MSC 93, in conjunction with the adoption of the associated mandatory carriage requirements for stability instruments on board tankers under the IBC and IGC Codes.

#### **Draft amendments to the IBC Code**

11.6 The Committee recalled that the draft amendments to the International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk (IBC Code), concerning carriage requirements for stability instruments on board tankers, had already been dealt with under agenda item 10 (see paragraph 10.3).

**Draft amendments to the EGC Code**

11.7 The Committee approved the draft amendments to the Code for Existing Ships Carrying Liquefied Gases in Bulk (EGC Code), concerning carriage requirements for stability instruments on board tankers, as set out in annex [...], with a view to adoption at MSC 93, in conjunction with the adoption of the associated mandatory carriage requirements for stability instruments on board tankers under the IBC and IGC Codes.

**Draft amendments to the GC Code**

11.8 The Committee approved the draft amendments to the Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk (GC Code), concerning carriage requirements for stability instruments on board tankers, as set out in annex [...], with a view to adoption at MSC 93, in conjunction with the adoption of the associated mandatory carriage requirements for stability instruments on board tankers under the IBC and IGC Codes.

**Draft amendments to the IGC Code**

11.9 The Committee recalled that the draft amendments to the International Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk (IGC Code), concerning carriage requirements for stability instruments on board tankers, had already been dealt with under agenda item 10 (see paragraphs 10.7 and 10.8).

**Survey Guidelines under the Harmonized System of Survey and Certification (HSSC), 2011**

11.10 The Committee approved the draft amendments to the *Survey Guidelines under the Harmonized System of Survey and Certification (HSSC), 2011* (resolution A.1053(27)), concerning carriage requirements for stability instruments on board tankers, as set out in annex [...], with a view to subsequent adoption, and referred the draft amendments to FSI 22 for inclusion in the appropriate revision of the HSSC Guidelines once the associated amendments to mandatory instruments have entered into force.

**EMSA and GOALDS research related to survivability level of passenger ships after damage**

11.11 The Committee considered the request for referral of the EMSA and GOALDS research related to survivability level of passenger ships after damage to the FSA Experts Group, and having noted views that this research was under consideration by the Working Group on Passenger Ship Safety (see paragraphs 6.10 to 6.12), agreed, in principle, to refer the aforementioned research projects to the group for advice on the FSA-related aspects of

the research studies, as appropriate, after consideration of the relevant part of the report of the working group (MSC 92/WP.8).

### **Use of national tonnage in applying international conventions**

11.12 The Committee approved the draft Assembly resolution on Use of national tonnage in applying international conventions, as set out in annex [...], with a view to adoption at A 28.

### **Draft Polar Code**

11.13 The Committee noted that matters related to the proposed text of chapters 3 and 4 of the draft Polar Code were forwarded to the IS and SDS Correspondence Groups for further consideration and reporting to SLF 56.

### **Performance standards for electronic inclinometers**

11.14 The Committee adopted resolution MSC.[...](92) on the *Performance standards for electronic inclinometers*, as set out in annex [...], which was forwarded to SLF 55 by NAV 58 for advice on appropriate criteria for alarming functionality of inclinometers.

### **Procedure for calculating the number of fishing vessels of each Contracting State to the 2012 Cape Town Agreement**

11.15 The Committee adopted resolution MSC.[...](92) on the *Procedure for calculating the number of fishing vessels of each Contracting State to the 2012 Cape Town Agreement* on the Implementation of the Provisions of the Torremolinos Protocol of 1993 relating to the Torremolinos International Convention for the Safety of Fishing Vessels, 1977, by the Depositary, as set out in annex [...]. In this context, the Committee urged all Contracting States of the Torremolinos Protocol to sign the Cape Town Agreement as soon as possible, using the simplified procedure under the Cape Town Agreement. Additionally, the Committee invited Member Governments to submit to the Depositary, when signing the Agreement, the number of fishing vessels of 24 m in length and over under their flag, authorized to operate on the high seas.

### **Damage stability standard for OSVs carrying limited amounts of hazardous and noxious liquid substances in bulk**

11.16 The Committee endorsed the action taken by the Sub-Committee on matters related to a proposed damage stability standard for OSVs carrying limited amounts of hazardous and noxious liquid substances in bulk, and noted the text referred to BLG 18 for consideration (SLF 55/17, annex 16).

**Risk-based distance criteria for gas-fuel tanks providing appropriate collision protection**

11.17 The Committee noted that due to time constraints the SDS Working Group did not consider matters related to appropriate risk-based distance criteria for gas fuel tanks providing appropriate collision protection, which was referred to the Sub-Committee by BLG 16 and BLG 17; and also noted that the Sub-Committee invited Member Governments and international organizations to submit comments and proposal on this matter to SLF 56.

**Draft revised IGC Code**

11.18 With regard to the proposed modifications to sections 2.2 to 2.7 of chapter 2 of the draft IGC Code, the Committee agreed to consider the modifications in conjunction with the approval of the draft revised IGC Code, under agenda item 10 (Bulk liquids and gases (report of the seventeenth session of the Sub-Committee)).

**CAPE TOWN AGREEMENT OF 2012 ON THE IMPLEMENTATION OF THE PROVISIONS OF THE TORREMOLINOS PROTOCOL OF 1993 RELATING TO THE TORREMOLINOS INTERNATIONAL CONVENTION FOR THE SAFETY OF FISHING VESSELS, 1977**

11.19 The Committee recalled that the International Conference on Safety of Fishing Vessels, 2012, having adopted the Cape Town Agreement of 2012 on the Implementation of the Provisions of the Torremolinos Protocol of 1993 relating to the Torremolinos International Convention for the Safety of Fishing Vessels, 1977 (the Agreement), adopted Conference resolution 4 on Preparation of a consolidated text, whereby the Secretary-General of the Organization was requested to prepare a consolidated text of the newly established international regime for the safety of fishing vessels of 24 m in length and over.

11.20 In this connection, the Committee had for its consideration document MSC 92/11/1 (Secretariat), containing the consolidated text of the regulations annexed to the Torremolinos Protocol of 1993 relating to the Torremolinos International Convention for the Safety of Fishing Vessels, 1977, as modified by the 2012 Cape Town Agreement.

11.21 Having considered document MSC 92/11/1, and following discussion, the Committee:

- .1 approved the consolidated text of the regulations annexed to the Torremolinos Protocol of 1993 relating to the Torremolinos International Convention for the Safety of Fishing Vessels, 1977, as modified by the 2012 Cape Town Agreement;
- .2 agreed that attachments 1 to 3 to the annex to document MSC 92/11/1 be attached to the approved consolidated text;

- .3 noted that, as requested by Conference resolution 4, the certified copies of the consolidated text, as approved by the Committee, will be sent to the Governments of States which were invited to be represented at the aforementioned Conference; and
- .4 authorized the Secretariat, when preparing the certified copies of the consolidated text, to effect any editorial corrections that may be identified, and to bring to the attention of the Committee any errors or omissions which require action by the Governments of States which were invited to be represented at the aforementioned Conference.

## **14 TRAINING AND WATCHKEEPING**

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

#### **General**

14.1 The Committee considered urgent issues emanating from the forty-fourth session of the Sub-Committee (MSC 92/14) and took action as indicated hereunder.

#### **Revision of Recommendations for the training, competency and fitness for duty of personnel on mobile offshore units (MOUs)**

14.2 The Committee approved the draft Assembly resolution on Recommendations for the training, competency and fitness for duty of personnel on mobile offshore units (MOUs), with a view to adoption at A 28.

#### **Development of a mandatory Code for ships operating in Polar waters**

14.3 The Committee concurred with the conclusion of the Sub-Committee that it was appropriate to include training and certification provisions for the Polar Code in chapter V of the STCW Convention and Code, and instructed the Secretariat to inform DE 58 accordingly.

#### **Code for the implementation of mandatory IMO instruments (III Code)**

14.4 The Committee approved amendments to the International Convention on Standards of Training, Certification and Watchkeeping, 1978, as amended and the Seafarers' Training, Certification and Watchkeeping (STCW) Code, to make the Code for the implementation of mandatory IMO instruments (III Code) mandatory and requested the Secretary-General to circulate them in accordance with article XII of the STCW Convention.

**International Code of safety for ships using gas or other low flash-point fuels with properties similar to liquefied natural gas (IGF Code)**

14.5 The Committee concurred with the view of the Sub-Committee that the appropriate instrument to include training and certification provisions for personnel on ships using gases or other low flash-point fuels was chapter V of the STCW Convention and Code, and accordingly, to make reference in chapter 18 of the IGF Code to the appropriate provisions of STCW Convention and Code, and instructed the Secretariat to inform BLG 18 accordingly.

**Amendments to the STCW Code's vision requirements**

14.6 The Committee approved STCW.7/Circ.[...] on *Interim Guidance on colour vision testing*.

14.7 The Committee approved amendments to part A of the STCW Code related to Minimum in-service eyesight standards for seafarers, and requested the Secretary-General to circulate them in accordance with article XII of the STCW Convention.

**Secretary-General's report pursuant to STCW regulation I/7, paragraph 2**

14.8 The Sub-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**

14.9 In introducing his report (MSC 92/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 5 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.

14.10 Having considered the Secretary-General's reports attached to document MSC 92/WP.3, the Committee confirmed that the procedures for the assessment of information provided had been correctly followed in respect of 2 STCW Parties, and requested the Secretariat to issue an updated circular as MSC.1/Circ.1164/Rev.12.

**Approval of competent persons**

14.11 The Committee approved additional competent persons nominated by Governments (MSC 92/14/1), and requested the Secretariat to issue an updated circular as MSC/Circ.797/Rev.24.

**16 CAPACITY-BUILDING FOR THE IMPLEMENTATION OF NEW MEASURES****General**

16.1 The Committee recalled that MSC 91 (MSC 91/22, paragraph 15.10), had requested the Vice-Chairman of the Committee, in consultation with the Chairman and assisted by the Secretariat, to submit to MSC 92, 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 were approved at that session.

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

16.2 The Committee considered document MSC 92/16 (Vice-Chairman) providing the outcome of the preliminary assessment referred to above. The Committee noted that new/updated legislation is required for most of the items considered under the draft amendments to mandatory instruments as reflected in annex 2 and recalled that technical and/or legal support, which may be necessary, could be addressed through the Organization's Integrated Technical Co-operation Programme (ITCP).

16.3 The Committee, having further noted that no validated training existed for the training of seafarers and port personnel to improve the safe transport and operation procedures involving solid bulk cargoes, agreed that the development of such a training course should be considered by the DSC Sub-Committee. With respect to the assessment of the items in annex 3 of document MSC 92/16, the Committee agreed that the outputs may need to be monitored in due course.

16.4 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 93, a preliminary assessment of the amendments to mandatory instruments and the new outputs related to proposed new measures approved at this session.

[MORE TO COME]

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