

MARITIME SAFETY COMMITTEE  
92nd session  
Agenda item 26

MSC 92/WP.1/Add.2  
20 June 2013  
Original: ENGLISH

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

**[For items 1, 2, 3 (part), 5 (part), 6 (part), 7, 8, 10, 11, 14 and 16  
see MSC 92/WP.1]**

**[For items 4, 9, 12, 13, 15, 17 18, 19, 20 and 21,  
see MSC 92/WP.1/Add.1]**

**3 CONSIDERATION AND ADOPTION OF AMENDMENTS TO MANDATORY  
INSTRUMENTS (continued)**

*(Note: the following paragraphs replace paragraphs 3.69 to 3.85 of document MSC 92/WP.1)*

**REPORT OF THE DRAFTING GROUP**

3.69 Having considered the report of the drafting group (MSC 92/WP.7), 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 of the code prepared by the drafting group (MSC 92/WP.7, annex 1) and, having noted minor editorial modifications, adopted the Code for recognized organizations, by resolution MSC.[...](92), as set out in annex [...].

3.71 The delegation of Ireland made a declaration in relation to the adoption of the RO Code, as set out in annex [...]. The delegations of Belgium, Bulgaria, Cyprus, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Luxembourg,

Malta, the Netherlands, Poland, Portugal, Romania, Slovenia, Spain, Sweden and the United Kingdom aligned themselves with the declaration provided by Ireland.

3.72 In response to the aforementioned declaration, the delegation of Japan made a statement, which is also set out in annex [...]. The delegations of Angola, Antigua and Barbuda, Australia, the Bahamas, Belize, Canada, China, the Cook Islands, Dominica, India, Indonesia, Kenya, Kiribati, Liberia, Malaysia, the Marshall Islands, Mexico, New Zealand, Nigeria, Panama, the Republic of Korea, the Russian Federation, Singapore, the United Republic of Tanzania, the United States and Vanuatu aligned themselves with the statement made by Japan.

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

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

3.73 The expanded Committee, including the delegations of 111 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.7, annex 2), and adopted the amendments unanimously by resolution MSC.[...](92), as set out in annex [...].

3.74 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***

3.75 The expanded Committee, including delegations of 111 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.7, annexes 3 and 4), and, having agreed to remove the square brackets in the draft amendments to the codes, adopted the amendments unanimously by resolutions MSC.[...](92) and MSC.[...](92), as set out in annexes [...] and [...], respectively.

3.76 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***

3.77 The expanded Committee, including delegations of 111 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.7, annex 5), 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 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***

3.79 The expanded Committee, including delegations of 111 Contracting Governments to the 1974 SOLAS Convention, having considered the final text of the proposed amendments to the IMSBC Code, prepared by the drafting group (MSC 92/WP.7, annex 6), adopted the amendments unanimously by resolution MSC.[...](92), as set out in annex [...], and requested the Secretariat to update the table of contents of the code accordingly.

3.80 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***

3.81 The Committee, including delegations of 64 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.7, annex 7), and adopted the amendments unanimously by resolution MSC.[...](92), as set out in annex [...].

3.82 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 July 2014 unless, prior to 1 January 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**

3.83 The expanded Committee, including delegations of 77 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.7, annex 8), and adopted the amendments unanimously by resolution MSC.[...](92), as set out in annex [...].

3.84 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**

3.85 The Committee considered the final text of amendments to non-mandatory instruments, prepared by the drafting group (MSC 92/WP.7, annexes 9 to 12), and, having agreed to remove the square brackets in the draft amendments to the 1979, 1989 and 2009 MODU Codes:

- .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 which 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***

3.86 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 the United Kingdom<sup>1</sup>, and instructed it, taking into account relevant decisions made at this session (see paragraph 3.67) to:

- .1 review and finalize the draft guidance on drafting of amendments to the SOLAS Convention and related mandatory codes, taking into account comments and recommendations provided in documents MSC 92/3/13 (Germany and Spain), MSC 92/3/14 (Spain) and MSC 92/3/16 (Germany) and issues contained in document MSC 92/3/6 that were not addressed at MSC 92;

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<sup>1</sup>

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- .2 review and finalize the draft roadmap for the implementation of the methodology for existing and future amendments (MSC 92/3/6, annex 4); and
- .3 submit a report to MSC 93, with the view to finalization of the above guidance and roadmap at that session.

3.87 The Committee agreed that, during the preparation of the above guidance, the Correspondence Group should, in particular:

- .1 address the consequences of the "four-year period entry-into-force" scheme with separate MSC resolutions and develop details of a workable solution, which might entail at least the following:
  - .1 further detailed criteria for allowing "exceptional circumstances" for the entry into force of amendments between the regular four-year period;
  - .2 any other possible consequential changes in the work methods and drafting practices;
- .2 further develop the relevant part of the guidance to reflect decisions taken at this session; and
- .3 further review the following issues that were not addressed at this session:
  - .1 the main drafting challenges and considerations related to the improvement of current drafting practices;
  - .2 the MSC drafting group on amendments to be instructed to review texts of draft amendments at the approval stage;
  - .3 possible instruction to the Secretariat to produce, where applicable, track change versions of proposed amendments, as follows:
    - .1 at the sub-committee level in relation to the process of the work; and

.2 at the MSC drafting group prior to the final adoption of the proposed amendments; and

.4 keep the list of issues related to the scope of application under review (MSC 92/3/6, annex 1) and address them as part of the guidance, as appropriate.

3.88 The Committee also agreed that the Correspondence Group should also address, if time permits, the issue relating to "drafting terminology" (MSC 92/3/15 and relevant parts of MSC 92/3/6).

3.89 The Committee endorsed the views of the group related to the need to have a Working Group to review the outcome of the Correspondence Group at its next session in order to finalize the guidance and the assistance and participation of the Secretariat during the work of the Correspondence Group (see also agenda item 23).

#### **INSTRUCTIONS TO THE SECRETARIAT**

3.90 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, including updating references to renumbered paragraphs, 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 (continued)**

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

5.11 Having considered the report of the working group (MSC 92/WP.9), the Committee approved it in general and took action as described in the following paragraphs.

#### ***Development of guidelines on the evaluation criteria determination***

5.12 Having noted that the group, proposed to develop guidelines on evaluation criteria determination, which would be a separate document from the draft *Guidelines for the approval of alternatives and equivalents as provided for in various IMO instruments*, the Committee noted that evaluation criteria are already addressed in the aforementioned draft Guidelines, therefore, presently there was no need for the development of additional

guidelines. Nevertheless, some delegations were of the view that there was a need to develop guidelines on the evaluation criteria determination, which would be beneficial for the implementation of the draft Guidelines for the approval of alternatives and equivalents. Having considered the above views, the Committee endorsed the group's recommendation to develop guidelines on the evaluation criteria determination, at a later stage.

***Existing IMO guidance concerning alternative designs and arrangements***

5.13 The Committee endorsed the group's recommendation to further consider developing consolidated guidelines for the approval of alternative and equivalent designs.

***Guidelines for the approval of alternatives and equivalents as provided for in various IMO instruments***

5.14 In considering the draft Guidelines for the approval of alternatives and equivalents, two views emerged:

- .1 that the draft Guidelines should be interim, since they leave many issues to the discretion of the Administrations, which could potentially be problematic in cases of change of flag and also for port State control purposes. Additionally, according to the draft Guidelines, the Organization and/or the Administration should define the evaluation criteria, however, there was no detailed procedure on how to define such criteria; and
- .2 IMO mandatory instruments have allowed the approval of equivalents by Administrations for decades, and, presently, there is no structured documentation on guidance for such approvals. The draft Guidelines are recommendatory, therefore, by nature their application is left to the discretion of Administrations. It was important that experience is gained by Administrations in their use so that any feedback can be reported to the Organization, and, if there is the need, a revision of the Guidelines could be undertaken in the future.

5.15 Having considered the above views, the Committee approved MSC.1/Circ.[...] on the *Guidelines for the approval of alternatives and equivalents as provided for in various IMO instruments* and encouraged Member Governments to provide feedback to the Organization on experience gained with their application.



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***Development of Interim Guidelines for the safety-level approach (SLA)***

5.16 Having noted the group's discussions on the development of *Interim Guidelines for the safety-level approach (SLA) to IMO rule-making process*, the Committee invited Member Governments and international organizations to submit comments and proposals on elements for consideration in the development of such guidelines (MSC 92/WP.9, annex 2) to MSC 93.

**6 PASSENGER SHIP SAFETY (continued)****REPORT OF THE WORKING GROUP**

6.14 Having considered the report of the working group (MSC 92/WP.8), the Committee approved it in general and took action as indicated hereunder.

***Costa Concordia* casualty investigation report and recommendations**

6.15 The Committee, having noted that the group had considered at length the **Costa Concordia** casualty investigation report and the associated preliminary recommendations, took the following actions:

- .1 invited Italy to provide more technical information on penetration depth supporting the recommendation for double-skin for protecting the WTCs containing equipment and the recommendation for consideration of the relocation of the UHF radio switchboard above the bulkhead deck;
- .2 expanded the planned output, 5.2.1.15, on Revision of SOLAS chapter II-1 subdivision and damage stability regulations to include consideration to limit the down-flooding points on the bulkhead deck for passenger ships;
- .3 instructed the FSI Sub-Committee to consider the **Costa Concordia** accident investigation report and advise MSC 93 accordingly;
- .4 invited Member Governments and international organizations to submit detailed comments and proposals to MSC 93 on the **Costa Concordia** official casualty investigation report; and
- .5 invited Italy to assist both the FSI Sub-Committee and the MSC Working Group by providing further clarification and information, as appropriate, with regard to the **Costa Concordia** casualty investigation report.

**Latest recommendations emanating from the Cruise Industry Operational Safety Review**

6.16 The Committee noted that the group had considered, in detail, the latest recommendations emanating from the Cruise Industry Operational Safety Review (MSC 92/6/1 and MSC 92/6/9) and had agreed to include three additional guidance notes in the Recommended interim measures (MSC.1/Circ.1446/Rev.1) (see paragraph 6.24). In this connection, the Committee endorsed the view of the group that the role of shoreside management was critical to the proper development and function of an effective Safety Management System.

**Operational safety measures to enhance the safety of passenger ships**

6.17 The Committee noted that the group, having considered in detail the review carried out by ICS passenger ship operating companies (MSC 92/6/5), had agreed to include four additional guidance notes in the Recommended interim measures (MSC.1/Circ.1446/Rev.1) (see paragraph 6.24).

**Evacuation analysis**

6.18 The Committee, having noted the group's consideration of documents MSC 92/6/2, MSC 92/6/4, MSC 92/6/10 and MSC.1/Circ.1238 related to evacuation analysis, agreed to instruct FP 57 to consider the mandatory application of evacuation analysis to non-ro-ro passenger ships and advise MSC 93 accordingly.

**Survivability of passenger ships**

6.19 In considering the group's recommendations related to the survivability of passenger ships, the Committee agreed to forward documents MSC 92/6/6 and MSC 92/6/7, together with the EMSA and GOALDS studies (SLF 55/INF.6, SLF 55/INF.7, SLF 55/INF.8 and SLF 55/INF.9), to SLF 56 for consideration. In this regard, the Committee instructed SLF 56 to examine the Phase 1 options that were technically justifiable to raise the Required Subdivision Index 'R' and to review other aspects deemed relevant to the issue such as the length of the ship, number of persons on board and practical and operational aspects, taking into account actual economic factors, and advise MSC 93 accordingly.

6.20 In light of the above decision, the Committee re-established the Experts Group on Formal Safety Assessment (FSA) and instructed it to review the EMSA and GOALDS studies, taking into account the risk models and calculated risk and the validity of the data and assumptions that were used, in accordance with the revised FSA Guidelines

(MSC-MEPC.2/Circ.12), and advise MSC 93 accordingly (see also paragraph 23.28)<sup>2</sup>. The Committee noted that the report of the FSA Experts Group would be submitted to MSC 93 for consideration under the agenda item on Passenger Ship Safety.

### **Revised long-term action plan on passenger ship safety**

6.21 Noting that the group had updated the Revised long-term action plan on passenger ship safety (MSC 92/WP.8, annex 2), the Committee agreed to bring forward the output on "Review of conditions under which passenger ship watertight doors may be opened during navigation and prepare amendments to SOLAS regulation II-1/22 and MSC.1/Circ.1380", for inclusion in the agenda for SLF 56.

6.22 In considering the updated revised long-term action plan on passenger ship safety, the following views were expressed during the discussion, in particular that:

- .1 any action to be taken as a result of the **Costa Concordia** accident should be directly linked to the cause of the accident;
- .2 the **Costa Concordia** accident had provided the opportunity to review and take appropriate action on SOLAS regulations and guidance material related to passenger ship safety issues and, therefore, should not be restricted to issues emanating solely from the accident;
- .3 the long-term action plan was not clear and should indicate the status of each action item; and
- .4 actions related to existing outputs should be separated from those which could lead to new unplanned outputs, which should require a full justification in accordance with the Committees' Guidelines.

6.23 Having considered the above views, the Committee instructed the Secretariat, in consultation with the Chairman of the working group, to revise the long-term action plan (MSC 92/WP.8, annex 2) with a view to clearly identifying whether any proposed actions are related to existing outputs or are new outputs arising from the loss of the **Costa Concordia**, and reissue it as document MSC 92/WP.8/Rev.1.

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<sup>2</sup> The intersessional meeting of the FSA Experts Group was tentatively scheduled for 11 and 12 November 2013.

**Recommended interim measures for passenger ship companies to enhance the safety of passenger ships**

6.24 The Committee approved MSC.1/Circ.1446/Rev.2 on Recommended interim measures for passenger ship companies to enhance the safety of passenger ships. In this connection, the Committee noted the view of the group that, in the future, a decision would need to be taken regarding the final status of the above interim guidance.

**22 REVIEW AND REFORM OF THE ORGANIZATION, INCLUDING APPLICATION OF THE COMMITTEE'S GUIDELINES****COMMITTEES' GUIDELINES**

22.1 With regard to the Committees' Guidelines (MSC-MEPC.1/Circ.4./Rev.2), the Committee noted that FAL 38 had revised the *Guidelines on the organization and method of work of the Facilitation Committee* (FAL.3/Circ.209) and had invited the MSC to note the revision and to consider if the editorial improvements made by FAL 38 should be included in the relevant Guidelines of the MSC and MEPC in due course.

22.2 The Committee agreed to request the Secretariat to prepare a document for consideration at MSC 93, setting out the revised text prepared by FAL 38, so that the Committee may take a decision on the matter.

**REVIEW AND REFORM OF THE ORGANIZATION****Background**

22.3 The Committee recalled that C 109 had considered and endorsed in principle the Secretary-General's proposals on the review and reform of the Organization (C 109/D, section 3) and, in regard to matters relating to the proposed Sub-Committee restructuring, invited the MSC and MEPC to give consideration to the implications and practicability of the relevant proposals under their purview, including appropriate new names for the sub-committees in question, and to report to C 110 accordingly.

22.4 The Committee also recalled that MSC 91, following an extensive debate on the matter (MSC 91/22, paragraphs 19.38 to 19.51), had requested the Secretariat to prepare a detailed proposal containing proposed names, terms of reference, provisional agendas and biennial agendas, a cost-benefit analysis and meeting dates for each body, for consideration at MEPC 65 and MSC 92. MSC 91 also agreed to establish a working group at this session to consider the matter further.

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**Documents submitted and information provided**

22.5 The Committee had for its consideration the following two documents by the Secretary-General:

- .1 MSC 92/22, containing a detailed proposal on the proposed sub-committee restructuring, including draft terms of reference of each sub-committee, biennial and provisional agendas for each body and a provisional meeting programme for 2014, and proposing to rearrange the existing nine sub-committees as a new structure of seven sub-committees as follows (in alphabetical order):
  - .1 Sub-Committee on Implementation of IMO Instruments (III):  
Renaming the FSI Sub-Committee to better reflect its actual work.
  - .2 Sub-Committee on Human Element, Training and Watchkeeping (HTW):  
Renaming the STW Sub-Committee to better reflect the increased importance placed on matters relating to the role of the human element.
  - .3 Sub-Committee on Navigation, Communications and Search and Rescue (NCSR):  
Amalgamation of the work of the COMSAR and NAV Sub-Committees to maximize the efficiency of the operational work undertaken by the Committee, taking into account that communication-related matters are essential for both navigation and SAR operations and that both navigation and communication equipment is virtually all computer-software based.
  - .4 Sub-Committee on Pollution Prevention and Response (PPR):  
Renaming the BLG Sub-Committee, expanding its terms of reference in order for it to deal with environmental-related matters in addition to its traditional work on bulk liquid cargoes, including the ESPH Group, and reallocating it to the MEPC as the principal parent body.

- .5 Sub-Committee on Transport of Cargoes (TOC):  
Consequential to the changed nature of the work of the BLG Sub-Committee and its renaming, broadening the responsibilities of the DSC Sub-Committee to concentrate on packaged dangerous goods, solid bulk cargoes, bulk gas cargoes and containers and reporting to the MSC and MEPC, as appropriate.
  - .6 Sub-Committee on Ship Design and Construction (SDC):  
Amalgamation of the work of the DE and SLF Sub-Committees, except for all matters related to life-saving appliances which are to be transferred to the new SSE Sub-Committee (see below).
  - .7 Sub-Committee on Ship Systems and Equipment (SSE):  
Amalgamation of the work of the FP Sub-Committee and all matters related to life-saving appliances, currently under the DE Sub-Committee; and
- .2 MSC 92/INF.2, providing information on anticipated costs and benefits resulting from the proposed restructuring of the sub-committees, as requested by MSC 91; reporting on possible savings due to the reduction in meeting-weeks, engagement of translators, and professional staff, as well as cost reduction for Member States due to the reduced number of meetings; and pointing out opportunities for a reorganization of the Secretariat, leading to enhanced flexibility of staff, and a reduction of the need to refer specific items between sub-committees which in the past resulted in delays.

22.6 In respect of the two aforementioned documents, the Committee noted further information provided by the Secretary-General, who recalled that C 109 in endorsing, in principle, his proposals for modifications to the sub-committees' structure, had requested the MSC and MEPC to consider the implications and practicability of the proposals.

He advised the Committee that, taking into account the comments expressed at MSC 91 and having consulted with the MSC and MEPC Chairmen and the Chairmen of the subsidiary bodies and specialist groups established by them, and having sought the views of the expert bodies themselves in the beginning of this year at various sub-committee meetings, he had prepared the detailed proposals set out in document MSC 92/22 for consideration, reflecting

the comments expressed at the sub-committee meetings, including the related cost-benefit analysis as contained in document MSC 92/INF.2.

A synopsis of the purpose, implications and practicability of the various proposals was provided in paragraphs 5 to 17 of document MSC 92/22 and the proposed terms of reference, provisional agendas for 2014, arrangements for the respective sessions and biennial agendas of the sub-committees for 2014-2015 were set out in the annexes to the document. He noted that the proposed names of the new sub-committees reflected the draft terms of reference for each body, as set out in the document, and that they may change, based on the final terms of reference and the preferences of the Committees.

He emphasized that he had maintained in his proposals a very important principle agreed in 2005, i.e. that each sub-committee should also cover respective marine environmental issues, and that both Committees may give instructions to any of the sub-committees, as and when necessary, since all sub-committees were equally subsidiary bodies of the MSC and MEPC, whereby the Committees may, as set out in their Rules of Procedure, establish such subsidiary bodies as they consider necessary.

Referring to document MSC 92/INF.2, he explained that it had been prepared in response to the discussions at C 109 and MSC 91 on the anticipated cost reduction and benefits of the sub-committee restructuring with the assumption that, under the new structure, seven sub-committee meetings would be held per year. The document covered potential opportunities for cost reduction in the Secretariat and possible other benefits contemplated as information for the Committee.

Referring to the outcome of MEPC 65, which had discussed all these issues, he noted that there had been wide support and principle agreement to his proposals for restructuring the sub-committees as part of the wider programme of review and reform of the Organization and that suggestions for minor changes to the terms of reference and titles of the sub-committees would be introduced in more detail when the Committee would consider the outcome of MEPC 65 on the matter (see paragraph [...]).

He emphasized the importance of restructuring the sub-committees within the total work of the review and reform initiative, covering issues such as long-term financial sustainability; review of the work methods of the Organization; review of the reporting procedure (a proposal for trial of the new reporting procedure would be presented to the Council in 2014); review of meeting support arrangements in the Secretariat; creation of a

priority-setting mechanism; staff motivation initiatives; staff succession and evolution plan; and continuous activities of review and reform beyond 2014.

The Secretary-General expressed his appreciation to Member Governments for their understanding on the need for review and reform as reflected at the last Council session and to the Secretariat staff for its support and cooperation. He stressed that the views of the Committee on the practicability and implications of the proposals for restructuring the sub-committees were important and that the dedicated working group, to be established at this session, would provide the Committee and the Council with a workable solution, so that a final decision, taking into account the budgetary implications of the proposed restructuring, could be made by the Council in July of this year, for subsequent endorsement by the Assembly.

22.7 The Committee thanked the Secretary-General for the extensive work undertaken on this important initiative.

22.8 In this connection, the Committee also considered document MSC 92/22/1 (Republic of Korea) which, while agreeing with the proposed restructuring of the sub-committees, stressed the need to ensure that it neither impaired the quality of the sub-committees' work nor lead to the omission or inadequacy of relevant discussions; also pointing out that the amalgamation of sub-committees with already heavy agendas may cause problems dealing with the workload inherited and that these could be addressed by either temporarily increasing the number of working, drafting, correspondence and intersessional working groups or increasing the number of intersessional correspondence groups while keeping the current number of working groups.

22.9 The Committee further noted information by the Secretariat on the outcome of MEPC 65 on the matter (MSC 92/WP.6), in particular that there had been wide support and agreement in principle for the Secretary-General's proposals for restructuring the sub-committees as part of the wider programme of review and reform of the Organization, and that MEPC 65 had:

- .1 regarding the restructuring and renaming the BLG and DSC Sub-Committees, agreed to the inclusion of the words "technical and operational matters" in the draft terms of reference for all the sub-committees; that the reference to "air pollution" in paragraph 1.1 of the terms of reference for the proposed PPR Sub-Committee should be put in



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- square brackets; and that the new name for the BLG Sub-Committee should be decided based on its final terms of reference;
- .2 agreed, in principle, to the restructuring and renaming of the BLG and DSC Sub-Committees, together with the proposed names, terms of reference, provisional agendas and working arrangements for 2014 and biennial agendas for 2014-2015, subject to the concurrent decision of MSC 92, and invited MSC 92 to take into account comments and decisions made at MEPC 65;
- .3 agreed, in principle, to the renaming of the FSI Sub-Committee to Sub-Committee on Implementation of IMO Instruments (III) and its terms of reference, provisional agenda and working arrangements for 2014 and biennial agenda for 2014-2015, subject to concurrent decision of MSC 92, and confirmed that there would be no intersessional working group on Casualty Analysis and Statistics;
- .4 agreed, in principle, to the amalgamation of the FP, DE and SLF Sub-Committees into two sub-committees; the amalgamation of the NAV and COMSAR Sub-Committees into one sub-committee; the renaming of the STW Sub-Committee; together with the proposed names, terms of reference, provisional agendas and working arrangements for 2014 and biennial agendas for 2014-2015, subject to the concurrent decision of MSC 92.

### **Consideration of submitted documents and information provided**

22.10 Following extensive discussion, the Committee endorsed the Chairman's summary as follows:

- .1 there was general acceptance of the need to adapt the work methods of the Committees and embrace new possibilities;
- .2 there was also general appreciation for the extensive work done by the Secretariat in preparing the documents submitted by the Secretary-General;

- .3 there was further general support in principle for the proposals of the Secretary-General, which would be subject to detailed consideration in the working group;
- .4 a holistic approach should be taken, not only considering the costs to the Organization but also those of the Member States;
- .5 the proposals for restructuring and reform were aimed at the introduction of a more effective way of conducting the work, leading to savings in costs;
- .6 the sound technical work of the Organization should not suffer;
- .7 a proper transition to the new structure should be facilitated by stricter prioritization and not by increasing the number of working, drafting, correspondence and intersessional groups since that would adversely affect, in particular, small delegations and raise the costs of Member States;
- .8 consideration should be given to adapting the sequence and duration of meetings to accommodate the workload of all bodies of the Organization and not just the sub-committees;
- .9 the newly merged NCSR, SDC and SSE Sub-Committees had heavy agendas;
- .10 it was essential to have proper reports of meetings and working/drafting groups and to have them approved before the end of the respective session; and
- .11 early advice by the Secretariat on planned working and drafting group arrangements would be helpful in order to plan for the attendance of meetings.

22.11 Having established that there was in principle agreement to proceed with the restructuring as proposed in document MSC 92/22, the Committee agreed that a working group should consider the matter in detail and finalize the arrangements for its consideration, taking into account that there should be no increase in the number of working, drafting, correspondence or intersessional groups and that issues of reporting should not be addressed by the group. In view of the above decisions, the Committee agreed that the

group should not consider the proposals made in document MSC 92/22/1 (see paragraph 22.8).

### **Establishment of a working group**

22.12 Consequently, the Committee established a Working Group on Review and Reform of the Organization and instructed it, taking into account documents MSC 92/22 and MSC 92/INF.2, the outcome of MEPC 65 (MSC 92/WP.6) and decisions and comments made in plenary, to consider the proposals for the restructured sub-committees based on the annexes to document MSC 92/22 and finalize:

- .1 their proposed names and terms of reference;
- .2 their provisional agendas for 2014, including their working, drafting and correspondence group arrangements;
- .3 their biennial agendas for the 2014-2015 biennium; and
- .4 their proposed working arrangements for 2014, in particular the proposed intersessional working groups and the timetable of meetings for 2014.

### **Report of the working group**

22.13 Having considered the report of the Working Group (MSC 92/WP.10), the Committee approved it in general and took action as outlined in the following paragraphs.

### ***Names and terms of reference of the restructured sub-committees***

22.14 In considering the proposed names and terms of reference of the restructured sub-committees, the Committee noted the following statements with regard to the PPR Sub-Committee.

22.15 The delegation of China stated that they appreciated the hard work of the working group, especially the efforts made by the Chairman and the Secretariat. The delegation was of the view that paragraph 16 of the working group report conflicted with Article 38(a) of the IMO Convention, and caused misinterpretation of the term "pollution of the marine environment" contained in UNCLOS, and thus requested the deletion of paragraph 16. China was also of the view that the explanation included in the paragraph touched legal and policy issues and was beyond the mandate of the working group. The IMO Convention provided that MEPC shall perform functions for the prevention and control of marine pollution from ships and the Rules of Procedures of the MEPC allowed the establishment of subsidiary

bodies. Therefore, from a legal point of view, the terms of reference of subsidiary bodies of MEPC shall strictly follow the functions specified by the IMO Convention, but the text contained in paragraph 16 of the working group report went beyond the IMO Convention. The existing terms of reference of the BLG Sub-Committee clearly defined that the Sub-Committee considered issues for the prevention and control of marine pollution. The objective of the review and reform of the sub-committees was to reorganize the existing functions and responsibilities of sub-committees, not to expand the existing functions and responsibilities. Therefore, the task of the working group was to develop the terms of reference for each new sub-committee within the current framework of IMO sub-committees' responsibilities specified in their existing terms of reference, and the working group was not tasked and entitled to define what marine pollution or the marine environment was. It was the view of the delegation that the terms of reference of sub-committees originated from and should strictly follow the IMO Convention. Therefore, the delegation of China, supported by the delegations of Brazil, India and Peru opposed the text contained in paragraph 16 of the working group report.

22.16 The delegation of Norway, supported by the delegations of Canada, Denmark, France and the United States, stated that they did not support the outcome of the discussions in the working group on the terms of reference for the new PPR Sub-Committee, in particular with the inclusion of the word "marine" in paragraph 1.1. They recalled that the Organization had adopted Annex VI to MARPOL and had renamed MARPOL to cater for air emissions and that the Assembly had adopted resolution A.1011(26) which, inter alia, stated that IMO should contribute to international efforts to reduce atmospheric pollution and address climate change and global warming. Norway agreed that policy decisions shall be taken by the parent bodies; however, the parent bodies may need assistance from sub-committees to develop tools and mechanisms to address the policy decisions, hence the terms of reference developed should not create obstacles in fulfilling the objectives of the Organization. Nevertheless, acknowledging the long and in-depth discussions that had taken place in the working group, the delegation was willing to accept the outcome, provided that paragraphs 15, 16 and 18 were lifted from the working group's report into the main report of the Committee, since they saw these paragraphs as part of a package together with paragraph 1.1 of the terms of reference, and, should anything in that package be changed, they reserved their right to revert to their original position, i.e. to delete the word "marine" in paragraph 1.1 of the terms of reference.

22.17 In this connection, the Committee also noted the view of the group that only the MEPC could discuss, develop and adopt policy issues concerning GHG emissions, which

may then lead to the PPR Sub-Committee being instructed to consider related technical and operational matters.

22.18 Following consideration, the Committee approved the names and terms of reference, as set out in annex [...], for the following subsidiary bodies of the MSC and MEPC, as appropriate, which will replace the existing subsidiary bodies starting from the 2014-2015 biennium:

- .1 Sub-Committee on Carriage of Cargoes and Containers (CCC);
- .2 Sub-Committee on Human Element, Training and Watchkeeping (HTW);
- .3 Sub-Committee on Implementation of IMO Instruments (III);
- .4 Sub-Committee on Navigation, Communications and Search and Rescue (NCSR);
- .5 Sub-Committee on Pollution Prevention and Response (PPR);
- .6 Sub-Committee on Ship Design and Construction (SDC); and
- .7 Sub-Committee on Ship Systems and Equipment (SSE).

22.19 The delegation of the Cook Islands, supported by the delegation of Vanuatu, stated that in its view the Committee could not take a final decision on this issue since it was subject to the agreement of the Council and the Assembly.

22.20 In response, the Chairman referred to the Rules of Procedure of the Committees which state that "The Committee may establish such subsidiary bodies as it considers necessary." and clarified that endorsement by the Council and Assembly was related to any budgetary implications of the restructuring.

***Provisional agendas, biennial agendas and working arrangements of the restructured sub-committees***

22.21 The Committee approved the provisional agendas for the respective first sessions of the restructured sub-committees and their biennial agendas for 2014-2015, as set out in annexes [...] and [...] and as further described in section 23 (Work programme).

22.22 The Committee also approved the tentative arrangements for correspondence, working, drafting and intersessional groups (see also paragraph 23.[...]) relating to the restructured sub-committees, as set out in the respective annexes to document

MSC 92/WP.10, noting that they may be subject to modifications, depending on documentation submitted to the respective meetings and the advice of the out-going Chairmen of the existing sub-committees.

22.23 With regard to the work methods of the restructured sub-committees, the Committee endorsed the views of the group that:

- .1 matters already under consideration in the existing sub-committees should be considered with priority by the restructured sub-committees, in order that ongoing work could be completed before work on new outputs commences; and
- .2 new outputs should only be included in the provisional agendas of sub-committees if a corresponding number of existing outputs had been completed.

22.24 In this connection, the Committee invited Member Governments to carefully consider the necessity of proposing new unplanned outputs during the transition period (considered to be the 2014-2015 biennium) from the old sub-committee structure to the new one.

22.25 The Committee also endorsed the proposal for full five-day sessions with interpretation for the first sessions only of the newly formed NCSR and SDC Sub-Committees, to enable those sub-committees to cope with their heavy agendas.

#### ***Consideration of casualty reports by sub-committees***

22.26 In the context of discussion of the working arrangements of the sub-committees, the Committee considered the current practice of the casualty review process, whereby the FSI (future III) Sub-Committee, following the advice of its Casualty Analysis Working Group makes recommendations as to which casualty reports should be referred to other IMO bodies for consideration under the blanket output on "Casualty analysis", noting that this no longer meets the SMART requirements introduced by the Council in recent years.

22.27 Following discussion, the Committee agreed to change the procedure for the review of casualty reports by sub-committees as follows:

- .1 the III Sub-Committee will only refer casualty reports directly to other sub-committees for consideration if an identifiable current output

addressing the matter in question was on the agenda of such sub-committees;

- .2 in cases where sub-committees had no related outputs on their agendas, casualty reports will only be referred to them after consideration by the Committee and establishment of a relevant dedicated output; and
- .3 as a consequence, the output on "Casualty analysis" will be deleted from the biennial agendas of the CCC, HTW, NCSR, PPR, SDC and SSE Sub-Committees.

### ***Provisional timetable of meetings for 2014***

22.28 The Committee noted the views of the group regarding the provisional timetable of meetings for 2014, as set out in paragraph 28 of document MSC 92/WP.10, and forwarded them to the Secretariat for consideration and action, as appropriate, when preparing the draft programme of meetings for 2014 for consideration by the Council.

## **23 WORK PROGRAMME**

### **BIENNIAL AGENDAS OF THE NAV AND DSC SUB-COMMITTEES AND PROVISIONAL AGENDAS FOR THEIR FORTHCOMING SESSIONS**

23.1 The Committee, taking into account that NAV 59 and DSC 18 will meet after this session, before the restructuring of the sub-committees (see section 22) would take effect, considered the biennial and provisional agendas for the two sub-committees.

#### **Biennial agenda of the Sub-Committee and provisional agenda for NAV 59**

23.2 The Committee confirmed the Sub-Committee's biennial agenda and the provisional agenda for NAV 59, as set out in annex [...].

#### **Biennial agenda of the Sub-Committee and provisional agenda for DSC 18**

23.3 The Committee confirmed the Sub-Committee's biennial agenda and the provisional agenda for DSC 18, as set out in annex [...].

### **BIENNIAL AGENDAS OF THE RESTRUCTURED SUB-COMMITTEES AND PROVISIONAL AGENDAS FOR THEIR FORTHCOMING SESSIONS, INCLUDING CONSIDERATION OF NEW OUTPUTS PROPOSED BY MEMBER GOVERNMENTS AND INTERNATIONAL ORGANIZATIONS AND SUB-COMMITTEES CONCERNED**

23.4 Taking into account the recommendations made by the sub-committees which had met since MSC 91 (MSC 92/23 and MSC 92/23/Add.1); the *Guidelines on the application of*

*the Strategic Plan and the High-level Action Plan of the Organization* (resolution A.1013(26)); various proposals for new outputs submitted to the session by Member Governments, international organizations and sub-committees; a preliminary assessment of such proposals (MSC 92/WP.2), undertaken by the Chairman with the assistance of the Secretariat, in accordance with the relevant provisions of the Committees' Guidelines (MSC-MEPC.1/Circ.4/Rev.2); and decisions taken during the session, especially with regard to the restructuring of the sub-committees (see section 22), the Committee reviewed the biennial agendas of the restructured/renamed sub-committees and the provisional agendas for their forthcoming sessions and took action as indicated hereunder.

23.5 In this connection, the Committee recalled that MEPC 65 had agreed in principle to the provisional agendas for 2014 and biennial agendas for 2014-2015 of the restructured/renamed sub-committees (see paragraph 22.7).

23.6 The Committee also recalled that, with regard to the Committee's method of work relating to the consideration of proposals for new outputs, MSC 78 had agreed that the objective when discussing these proposals was to decide, based upon justification provided by Member States in accordance with the Committees' Guidelines, whether an output should or should not be included in a sub-committee's biennial agenda. A decision to include an output in a sub-committee's biennial agenda does not mean that the Committee agreed with the technical aspects of the proposal, and detailed consideration of those aspects and the development of appropriate requirements and recommendations should be left to the sub-committee concerned.

#### ***SUB-COMMITTEE ON CARRIAGE OF CARGOES AND CONTAINERS (CCC)***

##### **Training on transportation of dangerous goods by sea**

23.7 The Committee recalled that it had agreed to include in the 2014-2015 biennial agenda of the HTW Sub-Committee and the provisional agenda for HTW 1, an output on "Development of guidelines for shipowners and seafarers for proper implementation of relevant IMO instruments in relation to the carriage of dangerous goods in packaged form by sea", with a target completion year of 2015, assigning the HTW Sub-Committee as the coordinating organ, in association with the CCC Sub-Committee as and when requested by the HTW Sub-Committee (see paragraph 23.9).



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**Biennial agenda of the Sub-Committee and provisional agenda for CCC 1**

23.8 The Committee approved the Sub-Committee's biennial agenda and the provisional agenda for CCC 1, as set out in annexes [...] and [...], respectively, and requested the Secretariat to inform the MEPC accordingly.

***SUB-COMMITTEE ON HUMAN ELEMENT, TRAINING AND WATCHKEEPING (HTW)*****Training on transportation of dangerous goods by sea**

23.9 The Committee considered document MSC 92/23/3/Rev.1 (Australia, et al.), proposing to develop guidelines for shipowners and seafarers for proper implementation of relevant IMO instruments in relation to carriage of dangerous goods in packaged form by sea, and agreed to include in the 2014-2015 biennial agenda of the HTW Sub-Committee and the provisional agenda for HTW 1, an output on "Development of guidelines for ship owners and seafarers for proper implementation of relevant IMO instruments in relation to the carriage of dangerous goods in packaged form by sea", with a target completion year of 2015, assigning the HTW Sub-Committee as the coordinating organ, in association with the CCC Sub-Committee as and when requested by the HTW Sub-Committee.

**Format of training certificates**

23.10 The Committee considered document MSC 92/23/4 (Republic of Korea), proposing to develop a requirement to ensure global consistency in the format of training certificates, including names and lists of training to be stated on the certificate as a minimum requirement, and agreed to include in the 2014-2015 biennial agenda of the HTW Sub-Committee and the provisional agenda for HTW 1, an output on "Development of a globally consistent format for the certificate of training and education issued under the STCW Convention", with a target completion year of 2015.

**Biennial agenda of the Sub-Committee and provisional agenda for HTW 1**

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

***SUB-COMMITTEE ON IMPLEMENTATION OF IMO INSTRUMENTS (III)*****Biennial agenda of the Sub-Committee and provisional agenda for III 1**

23.12 The Committee approved the Sub-Committee's biennial agenda and the provisional agenda for III 1, as set out in annexes [...] and [...], respectively, and requested the Secretariat to inform the MEPC accordingly.

***SUB-COMMITTEE ON NAVIGATION, COMMUNICATIONS AND SEARCH AND RESCUE (NCSR)*****Interconnection of NAVTEX and Inmarsat SafetyNET receivers and their display on Integrated Navigation Display Systems**

23.13 The Committee considered document MSC 92/23/5 (United States), proposing to amend performance standards as necessary to allow Inmarsat C SafetyNET Maritime Safety Information messages to be presented on an integrated navigation display system, and agreed to include, in the post-biennial agenda of the Committee, an output on "Interconnection of NAVTEX and Inmarsat SafetyNET receivers and their display on Integrated Navigation Display Systems" with one session needed to complete the item, assigning the NCSR Sub-Committee as the coordinating organ.

23.14 The delegation of Ireland informed the Committee on the developments within the European Union concerning the European radio navigation satellite system Galileo, the performance of which was successfully demonstrated last April and which would provide first services at the end of 2014. The delegation stressed the great potential of Galileo in maritime navigation, for both regulated and unregulated ships, that it would provide accuracy and availability to the maritime community in multi-constellation solutions promoted within the e-Navigation concept, that the European Union would be seeking recognition of the Galileo service by IMO as a component of the World Wide Radio Navigation System (WWRNS), similarly to the GPS and Glonass, and that it was intended to present to MSC 93 a proposal for a new output to be included in the biennial agenda of the NCSR Sub-Committee.

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

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

***SUB-COMMITTEE ON POLLUTION PREVENTION AND RESPONSE (PPR)*****Biennial agenda of the Sub-Committee and provisional agenda for PPR 1**

23.16 The Committee approved the Sub-Committee's biennial agenda and the provisional agenda for PPR 1, as set out in annexes [...] and [...], respectively, and requested the Secretariat to inform the MEPC accordingly.

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**SUB-COMMITTEE ON SHIP DESIGN AND CONSTRUCTION (SDC)****Conditions under which watertight doors on passenger ships may be opened during navigation**

23.17 The Committee considered document MSC 92/23/2 (Norway, Spain, United Kingdom and United States), proposing to review the conditions under which watertight doors of passenger ships may be opened during navigation and to prepare amendments to MSC.1/Circ.1380 and SOLAS regulation II-1/22, as appropriate, and agreed to include, in the post-biennial agenda of the Committee, an output on "Review of conditions under which passenger ship watertight doors may be opened during navigation and prepare amendments to SOLAS regulation II-1/22 and MSC.1/Circ.1380", with two sessions needed to complete the item, assigning the SDC Sub-Committee as the coordinating organ.

23.18 The Chairman of the DE Sub-Committee highlighted the difficulties of some overloaded Sub-Committees, such as the DE Sub-Committee, which were struggling to complete their agendas, especially taking into account the decisions taken by the Committee at this session which would effectively reduce the resources of the DE Sub-Committee by a third, as a consequence of the restructuring of the Sub-Committees.

**Guidelines addressing the carriage of more than 12 industrial personnel on board vessels engaged on international voyages**

23.19 The Committee considered a proposal by DE 57 (DE 57/25/Add.1, annex 10), to develop guidance/clarification on appropriate methods for addressing the carriage of more than 12 industrial personnel, taking into account comments provided in document MSC 92/13/2 (United Kingdom). The Committee agreed to include, in the 2012-2013 biennial agenda of the DE Sub-Committee, the 2014-2015 biennial agenda of the SDC Sub-Committee and in the provisional agenda for SDC 1, an unplanned output on *Guidelines addressing the carriage of more than 12 industrial personnel on board vessels engaged on international voyages*, with a target completion year of 2015. The Committee further agreed to instruct the correspondence group established at DE 57 to consider guidelines for offshore wind farm vessels, coordinated by the United Kingdom, to include the new output in the scope of its work (as agreed at DE 57, pending the decisions of MSC 92).

**Biennial agenda of the Sub-Committee and the provisional agenda for SDC 1**

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

**SUB-COMMITTEE ON SHIP SYSTEMS AND EQUIPMENT (SSE)****Biennial agenda of the Sub-Committee and provisional agenda for SSE 1**

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

**ENDORSEMENT OF OUTPUTS**

23.22 In accordance with the relevant provisions of the *Guidelines on the application of the Strategic Plan and the High-level Action Plan of the Organization* (resolution A.1013(26)), the Committee, having agreed to the Sub-Committees' biennial agendas and the provisional agendas for their forthcoming sessions, invited the Council to endorse, for inclusion in the current High-level Action Plan, the unplanned output on *Guidelines addressing the carriage of more than 12 industrial personnel on board vessels engaged on international voyages* (paragraph 23.19).

**STATUS OF PLANNED OUTPUTS FOR THE 2012-2013 BIENNIUM**

23.23 Having recalled that the status of planned outputs will only be produced after the session as an annex to the Committee's report, to avoid any unnecessary duplication of work, the Committee invited the Council to note the Report on the status of planned outputs for the 2012-2013 biennium, as set out in annex [...], instructed the Secretariat to undertake a holistic review of the outputs to ensure consistency across the Organization, and requested the Secretariat to submit any changes to the aforementioned report emanating from NAV 59 and DSC 18 to CWGSP 13 or C/ES.27, as appropriate.

**PROPOSALS FOR THE HIGH-LEVEL ACTION PLAN AND PRIORITIES FOR THE 2014-2015 BIENNIUM**

23.24 The Committee recalled that for the preparation of the High-level Action Plan for the 2014-2015 biennium, MSC 91 instructed the sub-committees to prepare their respective biennial agendas for the coming biennium at their forthcoming sessions, for consideration at this session, and requested the Secretariat to assist them in the usual manner, taking into account that:

- .1 outputs selected for the biennial agenda should be phrased in SMART terms;
- .2 where the target completion year for a specific output goes beyond the 2014-2015 biennium, an interim output should be placed on the biennial agenda with a target completion year of 2014 or 2015, as appropriate, and

a related output should be placed in the Committee's post-biennial agenda with the anticipated completion year; and

- .3 biennial and provisional agendas should not contain sub-items and items placed on the provisional agendas should correspond with the outputs in the Sub-Committee's biennial agenda.

23.25 The Committee further recalled that MSC 91 requested the Secretariat, in consultation with the Chairman, to prepare the Committee's proposals for the High-level Action Plan for the coming biennium, for consideration at this session and submission to C 110.

23.26 The Committee, having considered document MSC 92/23/1 (Secretariat), proposing modifications to the planned outputs assigned to the Committee for the 2012-2013 biennium, which took into account the progress made by the sub-committees during the current biennium, and document MSC 92/23/6 (United Kingdom), proposing to simplify the COMSAR agenda and planned outputs in the High-level Action Plan in line with the request of C 109, approved the proposals for the High-level Action Plan of the Organization and priorities for the 2014-2015 biennium for matters under the purview of the Maritime Safety Committee, as set out in annex [...], for submission to C 110; instructed the Secretariat to undertake a holistic review of the outputs to ensure consistency across the work of the Organization, taking into account document MSC 92/23/6; and requested the Secretariat to submit any changes to the annexed proposals emanating from NAV 59 and DSC 18 to CWGSP 13 or C/ES.27, as appropriate.

#### **POST-BIENNIAL AGENDA OF THE COMMITTEE**

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

#### **INTERSESSIONAL MEETINGS**

23.28 The Committee, taking into account the decisions made under various agenda items at MSC 91 and at this session, approved/confirmed, as appropriate, the following intersessional meetings:

- .1 a meeting of the ESPH Working Group, to be held from 21 to 25 October 2013, as approved by MSC 91 and MEPC 64;
- .2 a meeting of the ESPH Working Group, to take place in 2014, as approved by MEPC 65;
- .3 the second meeting of the E&T Group for the IMDG Code, to be held from 23 to 27 September 2013, directly after DSC 18, as approved by MSC 91;
- .4 the first meeting of the E&T Group for the IMBSC Code, to take place in the first half of 2014;
- .5 a meeting of the Polar Code Working Group, to be held from 30 September to 4 October 2013, as concurrently approved by MEPC 65;
- .6 the twentieth session of the ICAO/IMO Joint Working Group on Search and Rescue, to be held in Amsterdam, the Netherlands, from 23 to 27 September 2013;
- .7 a meeting of the ICAO/IMO Joint Working Group on Search and Rescue, to take place in 2014;
- .8 the ninth meeting of the Joint IMO/ITU Experts Group on Maritime Radiocommunication Matters, to be held at IMO Headquarters from 14 to 18 October 2013; and
- .9 a meeting of the Joint IMO/ITU Experts Group on Maritime Radiocommunication Matters, to take place in 2014,

and invited the Council to endorse the above decisions.

**SUBSTANTIVE ITEMS FOR INCLUSION IN THE COMMITTEE'S AGENDAS FOR THE NEXT TWO SESSIONS AND PROPOSED ARRANGEMENTS FOR MSC 93**

**Substantive items for inclusion in the agendas for MSC 93 and MSC 94**

23.29 The Committee agreed to the substantive items to be included in the agendas of its ninety-third and ninety-fourth sessions, as set out in document MSC 92/WP.11.

23.30 The Committee further agreed to consider during MSC 94, under the agenda item on Application of the Committee's Guidelines, consideration of the impact of the review and reform of the Organization, taking into account the experience gained during the year throughout the meetings of the bodies held in the Organization.

### **Establishment of working and drafting groups during MSC 93**

23.31 The Committee, taking into account the decisions made under various agenda items, agreed that working and drafting groups on the following subjects should be established at the Committee's ninety-third session:

- .1 passenger ship safety;
- .2 goal-based standards;
- .3 application of amendments; and
- .4 consideration and adoption of amendments to mandatory instruments.

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

### **Meeting weeks of the Committee for the 2014–2015 biennium**

23.33 The Committee recalled that MSC 91 had approved the proposed plan of 21 meeting weeks for the MSC and the MEPC and their subsidiary bodies for the 2014-2015 biennium, as a basis for the preparation of the Secretary-General's relevant budget proposals.

23.34 The Committee further recalled that MSC 91 had approved eight days for MSC 93 (May 2014), five days for MSC 94 (November 2014) and, provisionally, eight days for MSC 95 (May 2015).

### **Duration and dates of the next two sessions**

23.35 The Committee noted that its ninety-third session has been tentatively scheduled to take place from 14 to 23 May 2014 and its ninety-fourth session has been tentatively scheduled to be held in November 2014.

**24 ELECTION OF CHAIRMAN AND VICE-CHAIRMAN FOR 2014**

24.1 The Committee unanimously re-elected Mr. Christian Breinholt (Denmark) as Chairman, and Capt. M. Segar (Singapore) as Vice-Chairman, for 2014.

**25 ANY OTHER BUSINESS****Further National Contact Points to be made available on GISIS**

25.1 The Committee considered document MSC 92/25 (Saint Kitts and Nevis) proposing to maintain in GISIS, lists of contact point details of Administrations with regard to matters related to continuous synopsis records (CSRs) and the Maritime Labour Convention (MLC).

25.2 With regard to CSRs, the Committee requested the Secretariat to develop relevant direct reporting facilities for Member States in the module on contact points. Regarding contact point details for the MLC, the Committee, having recalled that the matter had already been considered by the FSI Sub-Committee, instructed it to address the matter in detail following consultation between the Secretariats of the Organization and ILO, and to take action, as appropriate.

**IMO/IACS Cooperation on the IACS Quality System Certification Scheme (QSCS)**

25.3 Having recalled that MSC 90 had requested the Secretariat to continue the arrangement for the IMO observer participation in IACS QSCS during the current biennium (2012-2013), with financial contributions provided by IACS, the Committee considered document MSC 92/25/1 containing the report of the IMO consultant/observer. The report provided information on the development in the Scheme, following the transition to Accredited Certification Bodies (ACBs) assuming sole and independent responsibility for audit and assessment of compliance with the Scheme.

25.4 In noting that the current arrangement between IACS and IMO regarding IMO observer participation in the Scheme was due to come to an end in June 2013, the Committee requested the Secretariat to continue IMO's participation for the next two years, with financial contributions provided by IACS, and to provide a report to MSC 94.

**Difficulties encountered in the implementation of IMO instruments**

25.5 In the absence of comments made after introduction of document MSC 92/25/2 (Islamic Republic of Iran), the Committee noted the information contained therein on difficulties encountered in the implementation of IMO instruments due to the refusal by classification societies which are members of IACS to provide technical services



since 1 July 2012 and in which all Member States, IGOs and NGOs were requested to continue their cooperation with the Islamic Republic of Iran in order to enhance maritime safety and security. Furthermore, the delegation of the Islamic Republic of Iran referred to paragraph (b) of article 1 of the IMO Convention and considered restrictive measures by some Governments against its commercial shipping as a discriminatory action that is completely against the goals and objectives of IMO and other instruments, such as SOLAS and MARPOL, and therefore, have to be avoided. The full statement of the delegation of the Islamic Republic of Iran is set out in annex [...].

### **Global Integrated Shipping Information System (GISIS)**

25.6 The Committee noted the information contained in document MSC 92/INF.3 (Secretariat) which indicated that GISIS presently consists of 28 modules that are already developed or in the process of development.

### **Bulk Carrier Casualty Report**

25.7 The Committee noted the information on Bulk Carrier casualties as provided in document MSC 92/INF.8 (INTERCARGO) under item 12 on "flag State implementation" (see paragraph [...]).

### **Sustainable Maritime Transportation System**

25.8 The Committee considered document MSC 92/INF.9 (Secretary-General) related to the theme for this year's World Maritime Day – **"Sustainable Development: IMO's Contribution Beyond Rio+20"** and the follow-up to the United Nations Conference on Sustainable Development (Rio+20) work for the development of Sustainable Development Goals. In this regard, the Committee noted that the Secretary-General had initiated an internal process, with input from the shipping industry and other stakeholders, to establish his vision for a sustainable maritime transportation system, serving the needs of society as maritime transportation is vital for global growth and prosperity. The outcome of this internal process would be the Secretary-General's own contribution to celebrate this year's World Maritime Day.

25.9 The delegation of Argentina drew attention to the role of the United Nations in Sustainable Development and the need for the content and scope of the Secretary-General's proposals to be fully considered. Its statement on this matter is set out in annex [...].

**Safe Mooring – A Guide to prevent accidents while mooring**

25.10 The Committee noted the information contained in document MSC 92/INF.11 (Denmark) providing information on current challenges while preparing and executing safe mooring, and providing guidance on how to prevent unsafe situations within the current layouts of mooring systems.

**Meeting of Experts to Adopt Guidelines on the Training of Ships' Cooks**

25.11 The Committee noted the information contained in document MSC 92/INF.13 (ILO) providing information on a Meeting of Experts to adopt Guidelines on the Training of Ships' Cooks that will be held at the ILO in Geneva from 23 to 27 September 2013.

**Threshold values for asbestos**

25.12 The Committee was advised that MEPC 65, in the context of its review of the *2011 Guidelines for the development of the inventory of hazardous materials* (resolution MEPC.197(62)), invited it to give consideration to a threshold value for asbestos in view of its expertise on the matter.

25.13 In this context, the Committee recalled various initiatives taken on matters related to asbestos, i.e. the approval by MSC 75 of MSC/Circ.1045 on Guidelines for maintenance and monitoring of onboard materials containing asbestos, the coverage of new installation of materials containing asbestos by SOLAS regulation II-1/3-5, the approval by MSC 88 of MSC.1/Circ. 1374 on information on prohibiting the use of asbestos on board ships and MSC.1/Circ.1379 on Unified interpretation of SOLAS regulation II-1/3-5, the letter from the Secretary-General to interested parties also reiterated the advice on prohibiting the use of asbestos contained in the former circular and the approval by MSC 90 of MSC.1/Circ.1426 on Unified interpretation of SOLAS regulation II-1/3-5, concerning new installation of materials containing asbestos and referring to appendix 8 of the above-mentioned MEPC Guidelines for the development of the inventory of hazardous materials.

25.14 Due to the short period of time that had elapsed since MEPC 65 and in the absence of submission to be considered, the Committee referred the detailed technical review of the issue referred by MEPC 65 to the DE Sub-Committee under its agenda item on "Any other business" for reporting to MSC 93.

**Outcome of the IMO Symposium on the Future of Ship Safety**

25.15 The Committee noted with appreciation the information provided by the Secretariat (MSC 92/25/3) regarding the outcome of the IMO Symposium on the Future of Ship Safety,

which was held at IMO Headquarters on 10 and 11 June 2013. In particular, the Committee noted that the Symposium was attended by some 500 participants and comprised six panels of internationally recognized experts in maritime affairs and included speakers and moderators from Member States, United Nations Agencies, IGOs, NGOs, academic institutions, consultants, researchers and the maritime industry, who gathered to discuss the trends impacting ship design and operation and questioned where this will lead from the perspectives of the shipping industry, society and others. Risk assessment, data collection, new technology, the human element and the man/machine interface were identified as important issues to be addressed when reviewing the existing safety regulatory framework in order to effectively respond to future challenges.

25.16 Due to the close proximity of the Symposium to MSC 92, the Committee decided to only note the outcome of the Symposium at this session and consider, at a future session, the recommendations contained in the Statement of the participants to the IMO Symposium on the Future of Ship Safety (attached to document MSC 92/25/3).

## **MOL COMFORT**

25.17 The Committee noted the information provided by the delegation of the Bahamas regarding the casualty involving the **Mol Comfort** (IMO 9358761) 200 nm south of the coast of Yemen on 17 June 2013. The statement made is set out in annex [...].

## **26 ACTION REQUESTED OF OTHER IMO BODIES**

*[to be prepared by the Secretariat after the meeting]*

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## **ANNEXES**

*[to be prepared by the Secretariat after the session]*

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**LIST OF ANNEXES**

ANNEX ...	RESOLUTION MSC.349(92) – CODE FOR RECOGNIZED ORGANIZATIONS (RO CODE)
ANNEX ...	RESOLUTION MSC.350(92) – AMENDMENTS TO THE INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974, AS AMENDED
ANNEX ...	RESOLUTION MSC.351(92) – AMENDMENTS TO THE INTERNATIONAL CODE OF SAFETY FOR HIGH-SPEED CRAFT, 1994 (1994 HSC CODE)
ANNEX ...	RESOLUTION MSC.352(92) – AMENDMENTS TO THE INTERNATIONAL CODE OF SAFETY FOR HIGH-SPEED CRAFT, 2000 (2000 HSC CODE)
ANNEX ...	RESOLUTION MSC.353(92) – AMENDMENTS TO THE INTERNATIONAL MANAGEMENT CODE FOR THE SAFE OPERATION OF SHIPS AND FOR POLLUTION PREVENTION (INTERNATIONAL SAFETY MANAGEMENT (ISM) CODE)
ANNEX ...	RESOLUTION MSC.354(92) – AMENDMENTS TO THE INTERNATIONAL MARITIME SOLID BULK CARGOES (IMSBC) CODE
ANNEX ...	RESOLUTION MSC.355(92) – AMENDMENTS TO THE INTERNATIONAL CONVENTION FOR SAFE CONTAINERS (CSC), 1972
ANNEX ...	RESOLUTION MSC.356(92) – AMENDMENTS TO THE PROTOCOL OF 1988 RELATING TO THE INTERNATIONAL CONVENTION ON LOAD LINES, 1966 (1988 LOAD LINES PROTOCOL)
ANNEX ...	RESOLUTION MSC.357(92) – AMENDMENTS TO THE CODE FOR THE CONSTRUCTION AND EQUIPMENT OF MOBILE OFFSHORE DRILLING UNITS (MODU CODE) (RESOLUTION A.414(XI))
ANNEX ...	RESOLUTION MSC.358(92) – AMENDMENTS TO THE CODE FOR THE CONSTRUCTION AND EQUIPMENT OF MOBILE OFFSHORE DRILLING UNITS, 1989 (1989 MODU CODE) (RESOLUTION A.649(16))
ANNEX ...	RESOLUTION MSC.359(92) – AMENDMENTS TO THE CODE FOR THE CONSTRUCTION AND EQUIPMENT OF MOBILE OFFSHORE DRILLING UNITS, 2009 (2009 MODU CODE) (RESOLUTION A.1023(26))

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ANNEX ...	RESOLUTION MSC.360(92) – AMENDMENTS TO THE CODE OF SAFETY FOR DYNAMICALLY SUPPORTED CRAFT (DSC CODE) (RESOLUTION A.373(X))
ANNEX ...	DRAFT AMENDMENTS TO SOLAS REGULATIONS II-2/4 AND II-2/16
ANNEX ...	DRAFT AMENDMENTS TO THE FSS CODE
ANNEX...	DRAFT AMENDMENTS TO SOLAS REGULATIONS II-2/3 AND II-2/9
ANNEX...	DRAFT AMENDMENTS TO SOLAS REGULATION II-2/10
ANNEX...	DRAFT AMENDMENTS TO SOLAS REGULATION II-2/13
ANNEX...	DRAFT AMENDMENTS TO SOLAS REGULATIONS II-2/1, II-2/3 AND II-2/20-1
ANNEX...	DRAFT AMENDMENTS TO SOLAS REGULATION II-2/18
ANNEX...	RESOLUTION MSC.361(92) – OPERATION OF THE INTERNATIONAL LRIT DATA EXCHANGE AFTER 2013
ANNEX...	DRAFT AMENDMENTS TO THE INTERNATIONAL CODE FOR THE CONSTRUCTION AND EQUIPMENT OF SHIPS CARRYING DANGEROUS CHEMICALS IN BULK (IBC CODE)
ANNEX ...	DRAFT AMENDMENTS TO THE INTERNATIONAL CODE FOR THE CONSTRUCTION AND EQUIPMENT OF SHIPS CARRYING LIQUEFIED GASES IN BULK (IGC CODE)
ANNEX...	RESOLUTION MSC.362(92) – REVISED RECOMMENDATION ON A STANDARD METHOD FOR EVALUATING CROSS-FLOODING ARRANGEMENTS
ANNEX...	DRAFT AMENDMENTS TO THE CODE FOR THE CONSTRUCTION AND EQUIPMENT OF SHIPS CARRYING DANGEROUS CHEMICALS IN BULK (BCH CODE)
ANNEX...	DRAFT AMENDMENTS TO THE CODE FOR EXISTING SHIPS CARRYING LIQUEFIED GASES IN BULK (EGC CODE)
ANNEX...	DRAFT AMENDMENTS TO THE CODE FOR THE CONSTRUCTION AND EQUIPMENT OF SHIPS CARRYING LIQUEFIED GASES IN BULK (GC CODE)
ANNEX...	DRAFT ASSEMBLY RESOLUTION ON USE OF NATIONAL TONNAGE IN APPLYING INTERNATIONAL CONVENTIONS
ANNEX...	RESOLUTION MSC.363(92) – PERFORMANCE STANDARDS FOR ELECTRONIC INCLINOMETERS

ANNEX...	RESOLUTION MSC.364(92) - PROCEDURE FOR CALCULATING THE NUMBER OF FISHING VESSELS OF EACH CONTRACTING STATE TO THE 2012 CAPE TOWN AGREEMENT BY THE DEPOSITARY
ANNEX...	DRAFT ASSEMBLY RESOLUTION ON NOTIFICATION AND CIRCULATION THROUGH THE GLOBAL INTEGRATED SHIPPING INFORMATION SYSTEM (GISIS)
ANNEX...	DRAFT ASSEMBLY RESOLUTION ON GUIDELINES TO ASSIST INVESTIGATORS IN THE IMPLEMENTATION OF THE CASUALTY INVESTIGATION CODE (RESOLUTION MSC.255(84))
ANNEX...	DRAFT ASSEMBLY RESOLUTION ON AMENDMENTS TO THE SURVEY GUIDELINES UNDER THE HARMONIZED SYSTEM OF SURVEY AND CERTIFICATION (HSSC), 2011
ANNEX...	DRAFT ASSEMBLY RESOLUTION ON 2013 NON-EXHAUSTIVE LIST OF OBLIGATIONS UNDER INSTRUMENTS RELEVANT TO THE IMO INSTRUMENTS IMPLEMENTATION CODE
ANNEX...	DRAFT ASSEMBLY RESOLUTION ON IMO SHIP IDENTIFICATION NUMBER SCHEME
ANNEX...	DRAFT MSC RESOLUTION ON REQUIREMENTS FOR PERIODIC SERVICING AND MAINTENANCE OF LIFEBOATS AND RESCUE BOATS, LAUNCHING APPLIANCES AND RELEASE GEAR
ANNEX....	DRAFT AMENDMENTS TO SOLAS CHAPTER III
ANNEX....	DRAFT AMENDMENTS TO THE LIFE-SAVING APPLIANCE (LSA) CODE
ANNEX....	DRAFT AMENDMENTS TO THE REVISED RECOMMENDATION ON TESTING OF LIFE-SAVING APPLIANCES (RESOLUTION MSC.81(70))
ANNEX....	DRAFT AMENDMENTS TO SOLAS REGULATION II-1/29
ANNEX....	DRAFT AMENDMENTS TO INTERNATIONAL CODE ON THE ENHANCED PROGRAMME OF INSPECTIONS DURING SURVEYS OF BULK CARRIERS AND OIL TANKERS, 2001 ( 2011 ESP CODE)
ANNEX...	DRAFT ASSEMBLY RESOLUTION ON THE RECOMMENDATIONS FOR THE TRAINING AND CERTIFICATION OF PERSONNEL ON MOBILE OFFSHORE UNITS (MOUs)

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ANNEX...	DRAFT AMENDMENTS TO THE INTERNATIONAL CONVENTION ON STANDARDS OF TRAINING, CERTIFICATION AND WATCHKEEPING FOR SEAFARERS, 1978
ANNEX....	DRAFT AMENDMENTS TO PART A OF THE SEAFARERS TRAINING, CERTIFICATION AND WATCHKEEPING (STCW) CODE ( MAKING THE III CODE MANDATORY)
ANNEX...	DRAFT AMENDMENTS TO PART A OF THE SEAFARERS TRAINING, CERTIFICATION AND WATCHKEEPING (STCW) CODE (MINIMUM IN-SERVICE EYESIGHT)
ANNEX...	BIENNIAL AGENDA OF THE NAV SUB-COMMITTEE AND PROVISIONAL AGENDA FOR NAV 59
ANNEX...	BIENNIAL AGENDA OF DSC SUB-COMMITTEE AND PROVISIONAL AGENDA FOR DSC 18
ANNEX...	TERMS OF REFERENCE FOR THE RESTRUCTURED SUB-COMMITTEES
ANNEX ...	BIENNIAL AGENDAS OF THE RESTRUCTURED SUB-COMMITTEES
ANNEX...	PROVISIONAL AGENDAS OF THE RESTRUCTURED SUB-COMMITTEES
ANNEX...	REPORT ON THE STATUS OF PLANNED OUTPUTS FOR THE 2012-2013 BIENNIUM
ANNEX...	PROPOSALS FOR HIGH-LEVEL ACTION PLAN OF THE ORGANIZATION AND PRIORITIES FOR THE 2014-2015 BIENNIUM
ANNEX...	POST-BIENNIAL AGENDA OF THE MARITIME SAFETY COMMITTEE
ANNEX ...	SUBSTANTIVE ITEMS TO BE INCLUDED IN THE AGENDAS OF THE NINETY-THIRD AND NINETY-FOURTH SESSIONS OF THE MARITIME SAFETY COMMITTEE
ANNEX ...	STATEMENTS BY DELEGATIONS AND OBSERVERS

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**LIST OF CIRCULARS APPROVED BY MSC 92**

MSC.1/Circ.1452	Early implementation of amendments (02-13) to the International Maritime Solid Bulk Cargoes (IMSBC) Code
MSC.1/Circ.1453	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
MSC.1/Circ.1454	Guidelines for developing and approving procedures for sampling, testing and controlling the moisture content for solid bulk cargoes that may liquefy
MSC.1/Circ.1395/Rev.1	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
MSC.1/Circ.1455	Guidelines for the approval of alternatives and equivalents as provided for in various IMO instruments
MSC.1/Circ.1446/Rev.2	Recommended interim measures for passenger ship companies to enhance the safety of passenger ships
MSC.1/Circ.1456	Unified interpretations of SOLAS chapter II-2 and the FSS and FTP Codes
MSC.1/Circ.1457	Unified interpretation of the 2000 HSC Code, as amended by resolutions MSC.175(79) and MSC.222(82)
MSC.1/Circ.1458	Interpretation of the revised guidelines for the approval of equivalent water-based fire-extinguishing systems for machinery spaces and cargo pump-rooms (MSC/Circ.1165)
MSC.1/Circ.1459	Unified interpretations of the SOLAS Convention and the IBC and IGC Codes
MSC.1/Circ.1382/Rev.2	Questionnaire on shore-based facilities for the Global Maritime Distress and Safety System (GMDSS)
MSC.1/Circ.1287/Rev.1	Amendments to resolution A.705(17), as amended, on Promulgation of Maritime Safety Information
MSC.1/Circ.1288/Rev.1	Amendments to resolution A.706(17), as amended, on World-Wide Navigational Warning Service
MSC.1/Circ.1460	Guidance on the validity of radiocommunications equipment installed and used on ships
MSC.1/Circ.1461	Guidelines for verification of damage stability requirements for tankers



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MSC.1/Circ.1462 FAL.2/Circ.127 MEPC.1/Circ.817	List of certificates and documents required to be carried on board ships, 2013
MSC.1/Circ.1463	Application of SOLAS regulations XII/3, XII/7 and XII/11
MSC.1/Circ.1464	Unified interpretations of the provisions of SOLAS chapters II-1 and XII, the technical provisions for means of access for inspections (resolution MSC.158(78)) and of the performance standards for water level detectors on bulk carriers (resolution MSC.145(77))
MSC.1/Circ.1465	Unified interpretation of the performance standard for protective coatings for dedicated seawater ballast tanks in all types of ships and double-side skin spaces of bulk carriers (resolution MSC.215(82))
MSC.1/Circ.1466	Unified interpretations on fall preventer devices (MSC.1/Circ.1392 and MSC.1/Circ.1327)
MSC.1/Circ.1467	Unified interpretation of SOLAS regulation II-1/26.3
MSC.1/Circ.1468	Unified interpretation of paragraph 1.1.4 of the LSA Code
MSC.1/Circ.1164/Rev.12	Promulgation of information related to reports of independent evaluation submitted by Parties to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW), 1978, as amended, confirmed by the Maritime Safety Committee to have communicated information which demonstrates that Parties are giving full and complete effect to the relevant provisions of the Convention
MSC.1/Circ.797/Rev.24	List of competent persons maintained by the Secretary-General pursuant to section A-I/7 of the STCW Code

**OTHER CIRCULARS**

MSC-MEPC.5/Circ.7	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
MSC-MEPC.5/Circ.8	Unified interpretation of the application of regulations governed by the building contract date, the keel laying date and the delivery date for the requirements of the SOLAS and MARPOL Conventions
MSC-MEPC.3/Circ.4	Revised harmonized reporting procedures – Reports required under SOLAS regulations I/21 and XI-1/6, and MARPOL, articles 8 and 12
DSC.1/Circ.71	Guidelines for development of an approved continuous examination programme (ACEP)
CSC.1/Circ.138/Rev.1	Revised recommendations on harmonized interpretation and implementation of the International Convention for Safe Containers, 1972, as amended
COMSAR.1/Circ.57	Guidance on the use of the graph at figure N.14, appendix N of IAMSAR Manual, Volume II
COMSAR.1/Circ.54/Rev.1	Audits of LRIT Data Centres and of the International LRIT Data Exchange Conducted by the LRIT Coordinator
SN.1/Circ.322	Information on the display of AIS-SART, AIS Man Overboard and EPIRB-AIS devices
STCW.7/Circ.20	Interim guidance on colour vision testing

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