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MSC-MEPC.1/Circ.4/Rev.4
10 June 2015

**GUIDELINES ON THE ORGANIZATION AND METHOD OF WORK OF THE MARITIME
SAFETY COMMITTEE AND THE MARINE ENVIRONMENT PROTECTION COMMITTEE
AND THEIR SUBSIDIARY BODIES**

- 1 The Maritime Safety Committee, at its ninety-fourth session (17 to 21 November 2014), and the Marine Environment Protection Committee, at its sixty-eighth session (11 to 15 May 2015), reviewed and revised their *Guidelines on the organization and method of work of the Maritime Safety Committee and the Marine Environment Protection Committee and their subsidiary bodies* (MSC-MEPC.1/Circ.4/Rev.3) in order to make reference to the *Revised guidelines for Formal Safety Assessment (FSA) for use in the IMO rule-making process* (FSA Guidelines) (MSC-MEPC.2/Circ.12/Rev.1) and to include a new annex 6 on *Guidelines for considering and reviewing the outcome of FSA studies*.
- 2 The Committees approved the revised *Guidelines on the organization and method of work of the Maritime Safety Committee and the Marine Environment Protection Committee and their subsidiary bodies*, as set out in the annex.
- 3 Members are invited to apply the annexed revised guidelines with immediate effect, as appropriate, and to bring them to the attention of their representatives at relevant IMO meetings, advising them to strictly observe these guidelines.
- 4 This circular revokes MSC-MEPC.1/Circ.4/Rev.3.

ANNEX**GUIDELINES ON THE ORGANIZATION AND METHOD OF WORK OF THE MARITIME
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1 INTRODUCTION

Purpose and application

1.1 The purpose of these guidelines, also referred to as the "Committees' Guidelines", is to provide a uniform basis for the Maritime Safety Committee (MSC) and the Marine Environment Protection Committee (MEPC) and their subsidiary bodies to conduct their work in an efficient and effective manner and to strengthen the linkage between the Organization's strategy, the work of the Committees and the biennial budget, with a view to achieving IMO's objectives and the priorities over a biennium. This in turn will enable the Committees to respond successfully to the needs for enhanced maritime safety, maritime security and protection of the marine environment, thus providing an efficient mechanism towards achieving the desired goals of the Organization.

1.2 Proper application of the guidelines will also enhance the ability of Committee members and delegations to meetings of subsidiary bodies of the Committees to cover the full spectrum of IMO activities relevant to their work and thus provide for their effective participation in the rule-making process of the Organization. It is also expected that the guidelines will enable the Committees to further improve their decision-making functions.

1.3 The guidelines are applicable to the work of the Committees and their subsidiary bodies as well as to that of working, drafting and correspondence groups set up by these bodies. The Chairmen of the Committees, subsidiary bodies and working, drafting and correspondence groups should make all efforts to ensure strict compliance with the guidelines.

1.4 The guidelines will be kept under review and will be updated as necessary in the light of experience gained in their application, taking into account the *Guidelines on the application of the Strategic Plan and the High-level Action Plan of the Organization* (resolution A.1062(28)), as may be amended.

Objectives

1.5 The provisions of these guidelines are aimed at achieving the following objectives:

- .1 to align and strengthen the planning and reporting processes by linking agenda-setting and reporting more clearly to the Strategic Plan and High-level Action Plan;
- .2 to strengthen the linkage between planned outputs and the resources required to deliver the outputs;
- .3 to facilitate the efforts of the Committees in controlling and monitoring the Organization's work;
- .4 to promote greater understanding and assimilation of the interconnections between the Strategic Plan and High-level Action Plan and planned outputs;
- .5 to promote discipline in adherence to the planning procedures and guidelines;
- .6 to promote objectivity, clarity and realistic time frames in the establishment of biennial agendas by the Committees and their subsidiary bodies;

- .7 to ensure maximum possible participation by all Member States and organizations with observer status in the work of the Committees and their subsidiary bodies; and
- .8 to establish responsibilities and promote involvement in the planning and reporting processes of the Organization.

2 DEFINITIONS

For the purpose of these guidelines, the following definitions apply:

- .1 *Strategic Plan* is the Strategic Plan for the Organization for a six-year period as adopted by the Assembly, which includes key strategic directions to enable IMO to achieve its mission objectives.
- .2 *High-level Action Plan* is the High-level Action Plan of the Organization and the biennium's priorities, as adopted by the Assembly, which enables the Organization to effectively address strategic directives, identifies high-level actions necessary to achieve the IMO objectives and priorities over a biennium and provides the linkage between the Organization's strategy, the work of the various IMO organs and the biennial budget.
- .3 *Planned output* is a product planned in the High-level Action Plan to be delivered by the Organization during a biennium.
- .4 *Unplanned output* is a product that may be agreed by the Committees to be delivered during a biennium after the adoption of that biennium's High-level Action Plan.
- .5 *Provisional agenda* is a list of outputs for discussion at a particular meeting.
- .6 *Biennial agenda* is a list of planned outputs to be delivered during a biennium by a Committee or subsidiary body.
- .7 *Post-biennial agenda* is a list of accepted outputs¹ to be delivered or initiated beyond a current biennium.

3 COORDINATION OF WORK

3.1 The Committees should function as policy-making bodies and their subsidiary bodies as purely technical bodies.

3.2 The Committees should routinely examine their planned, unplanned and accepted outputs, allocate work to their subsidiary bodies, review the allocation of meeting weeks to each body and approve their respective biennial and provisional agendas, taking into account any recommendations made by meetings of the Committees' and subsidiary bodies' Chairmen, convened as provided in paragraph 3.4.

3.3 The Committees should regularly review the status of all conventions, protocols and other major instruments under their purview.

¹ A product that may be agreed by the Committees for delivery during a subsequent biennium is referred to as an "accepted output".

3.4 The Committee Chairmen may convene a meeting of Chairmen of the Committees' subsidiary bodies at least once a year. This meeting should preferably take place at the spring session of MSC or MEPC, to advise the Committees on subjects such as those referred to in paragraph 3.2, ensure coordination of the work and examine other matters pertinent to the effective conduct of business and management of the work of the Committees and their subsidiary bodies.

3.5 The Committee Chairmen should, at the end of the first year of the biennium, submit to their respective Committees a joint plan covering the activities, priorities and meetings of the Committees and their subsidiary bodies for the coming biennium, for consideration in the subsequent year.

3.6 When both Committees have been charged by the Council, Assembly or a conference with considering a specific item and one Committee has finalized its consideration, the other Committee should consider it at its first subsequent session.

3.7 When an issue is transferred to one of the Committees by another committee of the Organization for specific action, the Committee, before including the subject in question in the biennial agenda, should decide that the provisions of section 4, as appropriate, are fully satisfied, even if the issue, in accordance with the criteria of the referring committee, satisfies the requirements of resolutions A.500(XII), A.777(18) and A.900(21).

4 WORK PLANNING AND DELIVERY PROCESS

Planned outputs

4.1 The Committees should identify, in a timely manner, the products to be included as planned outputs in the High-level Action Plan for the coming biennium, and the Secretariat should develop its business plan, as such identification provides a basis for making an estimate of the budget required for that biennium.

4.2 In the process of formulating a proposal for planned outputs for inclusion in the High-level Action Plan, due account should be taken, inter alia, of:

- .1 planned outputs the delivery of which has been postponed from a prior biennium;
- .2 final outputs that may need to be produced following the delivery of related interim outputs in a prior biennium;
- .3 any specific requirement to review the effectiveness of planned outputs delivered in a prior biennium;
- .4 accepted outputs on the post-biennial agendas; and
- .5 new planned outputs.

Proposals for new planned outputs should comply with the provisions of paragraph 4.8.

4.3 Decisions on the inclusion of planned outputs in the High-level Action Plan for the coming biennium should be guided by the strategic directions and high-level actions established in the Strategic Plan and the High-level Action Plan, and should take due account of:

- .1 the anticipated workload of the Committees and their subsidiary bodies in delivering the output;

- .2 the demonstrated urgency to deliver the output;
- .3 the personnel and budgetary resources available; and
- .4 the potential adverse impact that a decision on whether or not to include an output may have on the ability of the Organization to meet its objectives.

4.4 Such planned outputs may be revised during the biennium by the Committees, taking into account the provisions of paragraph 4.3, if subsequently endorsed by the Council.

4.5 An overview of the Organization's strategic planning process and its steering and reporting flows are shown in diagrams 1 and 2 contained in annex 1 to the *Guidelines on the application of the Strategic Plan and the High-level Action Plan of the Organization* (resolution A.1062(28)).

Unplanned outputs

General

4.6 During the course of a biennium, the Committees may receive proposals for unplanned outputs within their domains. The Committees, in determining inclusion of unplanned outputs, should at all times be guided by the strategic directions and high-level actions established in the Strategic Plan and the High-level Action Plan, as shown in diagram 3 contained in annex 1 to the *Guidelines on the application of the Strategic Plan and the High-level Action Plan of the Organization* (resolution A.1062(28)), and should, in particular, take due account of:

- .1 the potential impact that inclusion of an unplanned output may have on the timely delivery of outputs planned in the current High-level Action Plan;
- .2 the potential impact that inclusion of an unplanned output may have on the workload of the Committees and the subsidiary bodies involved;
- .3 the personnel and budgetary resources available; and
- .4 the potential adverse impact that a decision on whether or not to accept a proposal for inclusion of an unplanned output may have on the ability of the Organization to meet its objectives.²

4.7 The Committees may receive the results of a Formal Safety Assessment (FSA) study carried out in accordance with the *Revised guidelines for Formal Safety Assessment (FSA) for use in the IMO rule-making process* (FSA Guidelines) (MSC-MEPC.2/Circ.12/Rev.1). The criteria in paragraphs 4.6.1 through 4.6.4 also apply to the outcome of an FSA study that may be regarded by the Committee as a proposal for an unplanned output.

Submission of proposals for unplanned outputs

4.8 To enable the Committees to carry out a proper assessment of proposals for inclusion of unplanned outputs, submissions containing such proposals should, at a minimum, contain the information, including demonstration and documentation, set out in annex 1 (see also annex 5).

² Refer to the IMO Risk Management Framework (C 110/3/5, annex 1).

4.9 Member Governments should refrain from submitting to the Committee(s) proposals for unplanned outputs under specific agenda items. The Secretariat should not accept such submissions and should advise the submitting Administrations accordingly.

4.10 Proposals for the inclusion of unplanned outputs should never be submitted to a subsidiary body. A subsidiary body should not undertake work on unplanned outputs or expand the scope of planned outputs unless directed or authorized to do so by the Committees.

4.11 Proposals for the inclusion of unplanned outputs submitted to Committees by non-governmental organizations should be co-sponsored by Member Governments. Notwithstanding the above, such organizations should not be restrained from submitting comments and recommendations on outputs for the provisional agenda of any Committees or subsidiary bodies, thus providing expert advice, contributing to discussion and enabling optimal decisions to be reached by the organs concerned.

4.12 Follow-up action in response to specific requests for action emanating from the Assembly and diplomatic conferences convened by IMO, or from United Nations conferences and bodies, regional intergovernmental conferences and other international and intergovernmental organizations, etc. should be evaluated in the light of paragraph 4.3 of these guidelines, unless they are specifically identified as, and demonstrated to be, urgent matters.

Preliminary assessment by the Committees' Chairmen of proposals for unplanned outputs

4.13 In order to facilitate consideration of proposals for inclusion of unplanned outputs by the Committees, the Chairman of the Committee concerned should undertake a preliminary assessment³ of such proposals. The Chairman should, for that purpose, be supported by the Vice-Chairman and the Secretariat and should consult the Chairman of any subsidiary body concerned.

4.14 The outcome of the preliminary assessment should be submitted to the Committee for consideration and approval, and should include the Chairman's appraisal of:

- .1 whether the proposal complies with the requirements for the submission of proposals for unplanned outputs, as specified in paragraph 4.8;
- .2 whether the proposal complies with the criteria specified in paragraph 4.15;
- .3 whether the demonstrated urgency of the proposal requires its inclusion in the biennial agenda; and, if so,
- .4 to what extent the general criteria specified in paragraph 4.6 should be taken into account.

³ This preliminary assessment will also include the assessment of proposed planned outputs and new outputs for inclusion in the Committee's post-biennial agenda.

Assessment of proposals for unplanned outputs

4.15 Before deciding to include an unplanned output in its biennial agenda, the Committee concerned should carry out a comprehensive and thorough assessment of such proposals. The assessment should at least include a test against the following criteria:

- .1 Is the subject addressed by the proposal considered to be within the scope of IMO objectives and the Strategic Plan for the Organization?
- .2 Does the proposal contribute to the high-level actions established in the High-level Action Plan?
- .3 Does the proposal involve the exercise of functions conferred upon the Committees by or under any international convention or related instrument?
- .4 Has a need – or, in the case of proposals calling for new conventions or amendments to existing conventions, a *compelling* need – for the measure been demonstrated and documented?
- .5 Has an analysis been provided that demonstrates and documents the practicality, feasibility and proportionality of the proposed measure?
- .6 Has the analysis of the issue sufficiently addressed the cost to the maritime industry as well as the relevant legislative and administrative burdens?⁴
- .7 Do the benefits in terms of enhanced maritime safety, maritime security or protection of the marine environment that are expected to be derived from the inclusion of the proposed unplanned output justify such action?
- .8 Do adequate industry standards exist or are they being developed, thereby reducing the need for action within IMO?
- .9 Has the intended output been properly specified in SMART terms (specific, measurable, achievable, realistic, time-bound)?
- .10 Does the completed checklist contained in MSC-MEPC.7/Circ.1 demonstrate that the human element has been sufficiently addressed?
- .11 Does the proposal properly demonstrate the urgency of the action proposed, and does it plausibly demonstrate why the unplanned output should be included in the biennial agenda?
- .12 Would a decision not to accept the proposal pose an unreasonable risk to the Organization's overall objectives?

4.16 Nothing in these guidelines should prohibit the Committees from taking immediate action on urgent matters if the risk of not acting will adversely affect the Organization's ability to meet its objectives.⁵

⁴ Refer to the checklist in annex 5, which should be completed by all proponents of unplanned outputs and attached to their proposals for consideration by the Committees. The Committees may also use the checklist in annex 5 before adopting new, or amending existing, mandatory instruments, in order to satisfy themselves that administrative requirements have been minimized to the greatest extent possible.

⁵ Refer to the IMO Risk Management Framework (C 110/3/5, annex 1).

4.17 Paragraph 4.14 above is also applicable to the outcome of an FSA study. Annex 6 provides guidance for considering and reviewing the outcome of FSA studies.

Acceptance and inclusion of unplanned outputs in the biennial or post-biennial agendas of the Committees

4.18 Based on its assessment in accordance with paragraph 4.15 and having taken due account of the Chairman's appraisal of the proposal in accordance with paragraphs 4.13 and 4.14, the Committee may decide:

- .1 to include the proposed unplanned output, together with a target date for completion, in its biennial agenda, if and after it has been satisfied that the implications for the present workload and planning may be considered acceptable; or
- .2 to include the proposed unplanned output, together with the timescale for completion, in its post-biennial agenda, if the implications for the present workload and planning are considered to be unacceptable; or
- .3 on concluding that the proposal is **not** within the scope of the current Strategic Plan and should, therefore, not be accepted for inclusion, to invite the proponent(s) to submit the proposal to the Council, together with a substantiated proposal for adjustment of the Strategic Plan.

4.19 Upon a decision to include a proposed unplanned output in its post-biennial agenda, the Committee should include the accepted output and the timescale for completion in its proposals for the High-level Action Plan of the next biennium.

4.20 In order to maintain a balance between effective control and the need for flexibility in addressing emerging trends, developments and challenges within the Organization's mandate, any decision to include unplanned outputs in the current High-level Action Plan should be endorsed by the Council (see also paragraph 4.21).

4.21 The Committees should report on their decisions on proposals for inclusion of unplanned outputs in their regular reports to the Council, for its endorsement and in order to facilitate Council monitoring of delivery of the current biennial agendas and the planning of future work.

4.22 In pursuance of resolution A.998(25) on *Need for capacity building for the development and implementation of new, and amendments to existing, instruments*, the Committees should assess the implications for capacity building and technical cooperation and assistance, initiated on acceptance of a proposal for an unplanned output concerning new, or amendments to existing, mandatory instruments, against the criteria for identification of capacity-building implications, set out in annex 2.

Acceptance and inclusion of unplanned outputs in the biennial agenda of subsidiary bodies

4.23 Upon consideration of a proposal for inclusion of an unplanned output in the biennial agenda of a subsidiary body and based on the assessment in accordance with paragraph 4.15, and having taken due account of the Chairman's appraisal of the proposal in accordance with paragraphs 4.13 and 4.14, the Committee may decide:

- .1 to agree, in principle, with the proposal and its inclusion in the biennial agenda, and to leave the detailed consideration of the technical aspects of the proposal and the development of appropriate requirements and/or recommendations to the subsidiary body or other bodies concerned; or

- .2 to agree, in principle, with the proposal, but request the subsidiary body or other bodies concerned to consider the proportionality and feasibility of the proposal on a preliminary basis, and to advise the parent organ as to whether, in its opinion, the unplanned output should or should not be included in the subsidiary body's biennial agenda; or
- .3 to agree, in principle, with the proposal, but request the subsidiary body or other bodies concerned to prepare a comprehensive plan of work in accordance with paragraph 4.26, and to advise the Committee on efficient organization of the work to be undertaken.

4.24 A decision by a Committee to include an unplanned output in the biennial agenda of a subsidiary body should include clear and detailed instructions for the work to be undertaken by, and the final output expected from, the subsidiary body or bodies concerned, preferably by establishing the terms of reference under which such work should be undertaken. Such instructions or terms of reference should also specify the output expected at the end of the current biennium.

4.25 In deciding to include an unplanned output in the biennial agenda of more than one subsidiary body, the Committee should:

- .1 designate the subsidiary body that is to coordinate the work so as to avoid duplication, maintain consistency in the standards being developed and ensure effective communication between the subsidiary bodies concerned;
- .2 ensure that the coordinating subsidiary body can complete the work by the date decided;
- .3 ensure that only those subsidiary bodies essential for the completion of the work will be involved, in order to avoid superfluous work and documentation; and
- .4 ensure that the work is included in the biennial agendas of all the subsidiary bodies concerned.

4.26 For unplanned outputs involving more than one subsidiary body and for which extensive work is required, such as the revision of conventions or the preparation of codes, the Chairman of the coordinating subsidiary body, in consultation with the Chairmen of the other subsidiary bodies involved and with the support of the Secretariat, may be invited to prepare a comprehensive and coherent plan of work in order to advise the Committee on efficient organization of the work to be undertaken.

Additional considerations

4.27 The High-level Action Plan may specify certain IMO activities that are dictated by the need to take action on specific areas of maritime safety, maritime security, environmental protection and maritime law, irrespective of any order of priority.

4.28 Submissions to the Committees or subsidiary bodies highlighting problems or shortcomings identified in a particular area(s) of maritime safety, maritime security or protection of the marine environment should, in general and where possible, also suggest appropriate solutions.

4.29 When new constructional requirements have been proposed for new ships, the Committees and subsidiary bodies should, in order to minimize the unavoidable gaps in safety standards between new and existing ships, consider applying the proposed new requirements, or any modifications to them, to existing ships using the *Interim guidelines for the systematic application of the grandfather clauses* (MSC/Circ.765-MEPC/Circ.315).

4.30 Recognizing the human factor as an integral part of any effort to enhance maritime safety, maritime security or protection of the marine environment, the subsidiary bodies should consider the human factor whenever new requirements are developed and existing requirements are reviewed, by taking into account the *Human element principles for the work of the Maritime Safety Committee, the Marine Environment Protection Committee and their subsidiary bodies* (MSC/Circ.763-MEPC/Circ.313), particularly when:

- .1 reviewing the adequacy of requirements and recommendations for equipment and operating manuals on board ships, including the simplification and standardization of terminology; in this respect, when developing new or amending existing performance standards, careful consideration should be given to including recommendations on:
 - .1 user-friendliness;
 - .2 safety of use of the equipment;
 - .3 harmonization of essential safety features of the equipment; and
 - .4 the need for clear, easily understandable and updated operating and technical manuals and drawings;
- .2 reviewing the adequacy of requirements and recommendations for operational guidelines on board ships, in particular with respect to their being easily understandable;
- .3 continuing the simplification and standardization of symbols and signs used on board ships; and
- .4 identifying words and phrases used in IMO instruments such as "adequate", "sufficient", "to the satisfaction of the Administration", etc. and determining the extent to which they can be more specifically defined.

4.31 Planned or unplanned outputs for which extensive work is required, such as the preparation of codes, should, when appropriate, be placed on the provisional agendas of alternate sessions of the bodies concerned to allow adequate time for preparatory work by delegations.

4.32 In respect of subjects requiring research, contributions from other organizations and appropriate entities should be encouraged and taken into account. Exchange of information on technological development should be encouraged.

4.33 In the context of resolution A.911(22) on *Uniform wording for referencing IMO instruments*, subsidiary bodies should be guided in their work, as appropriate, by the guidelines annexed thereto.

4.34 Substantial modifications of draft amendments to mandatory instruments being considered by the Committees with a view to adoption should be accepted for discussion only if they have been submitted in writing. However, in exceptional circumstances, where the draft amendments under consideration include significant discrepancies or omissions, or where serious difficulties in their application can be foreseen, the Committees may accept to discuss oral proposals aimed at resolving any problems identified.

Management, control and reporting

4.35 In implementing the High-level Action Plan, proper management and control mechanisms should ensure that:

- .1 biennial agendas and agendas are both clearly linked to the Strategic Plan and the High-level Action Plan;
- .2 the competing demands of the Strategic Plan and the High-level Action Plan can be prioritized within the resource constraints of the Organization and its membership;
- .3 the Organization's response to changes in the environment within which it operates is consistent with the Strategic Plan and the High-level Action Plan; and
- .4 monitoring and reporting are such that progress on biennial agendas is explicitly linked to progress on the production of planned outputs.

4.36 In order to provide a transparent link between the Strategic Plan and the Organization's work, the following principles should be applied:

- .1 the planned outputs included in the High-level Action Plan should explicitly form the basis of the biennial work of the Committees and their subsidiary bodies, taking into account the budget of the Organization;
- .2 the planned outputs contained in the agendas and biennial agendas of the Committees and their subsidiary bodies should all be included in the High-level Action Plan;
- .3 the biennial agendas of the Committees and their subsidiary bodies should follow format 1 set out in annex 3;
- .4 for outputs with a target completion date beyond the current biennium, the High-level Action Plan should specify the planned interim output at the end of the biennium;
- .5 target completion dates in the biennial agenda format in annex 3 (format 1) should specify the year of planned completion within the current biennium, or be specified as "annual" for tasks that are to be completed on an annual basis;
- .6 continuous outputs are discouraged but in those cases where they are deemed inevitable, efforts should be made to specify their expected interim outputs at the end of the current biennium; and

- .7 documents submitted to Committees and subsidiary bodies should clearly demonstrate the direct relation between the proposals that they contain and the planned output to be accomplished under the relevant agenda item, on the basis of the High-level Action Plan.

4.37 Reports on the status of planned outputs included in the High-level Action Plan should follow the format set out in annex 3, format 1, and should constitute or be annexed to the reports of each session of the subsidiary bodies⁶ and the Committees, and the biennial report of the Council to the Assembly. Such reports should separately identify unplanned outputs accepted for inclusion in the biennial agendas.

4.38 In preparing their own reports, the Committees and subsidiary bodies should incorporate all reports on the status of planned outputs which they have received since their previous report.

4.39 The Committees should establish and maintain post-biennial agendas which should follow format 2 set out in annex 3. These should be annexed to the reports of each session. For planning purposes, the subsidiary bodies should also maintain a list of the accepted outputs in the Committees' post-biennial agendas for outputs under their purview.

Responsibilities

4.40 The Committees, subsidiary bodies and the Secretariat should ensure consistency and discipline in the administrative management of the planning and reporting cycle.

4.41 The Chairmen, Vice-Chairmen and Secretaries of the Committees and subsidiary bodies have a specific responsibility for the effective management of the planning and reporting cycle and for consistent and rigorous application of these guidelines and the *Guidelines on the application of the Strategic Plan and the High-level Action Plan of the Organization*.

4.42 In order to fulfil the function in paragraph 4.41, well-established cooperation and coordination is expected between the Chairmen, Vice-Chairmen and Secretaries of the Committees and subsidiary bodies by all available means, including face-to-face meetings and teleconferences, as deemed necessary.

5 WORKING ARRANGEMENTS

Committees and subsidiary bodies

5.1 The subsidiary bodies should, as necessary, operate under the instructions of both MSC and MEPC and should report on specific outputs directly and separately to the Committee that has sought their expert advice, rather than reporting to both Committees.

5.2 The subsidiary bodies should periodically review their terms of reference to ensure that they accurately reflect the work being carried out.

5.3 The Committees should periodically review the necessity for the continued existence of their subsidiary bodies.

⁶ If an associated organ has not been requested to consider a planned output during a session in the biennium, that organ is not required to include the specific output in its biennial agenda for that session.

5.4 The subsidiary bodies should not recommend the convening of working groups during sessions of a Committee without prior consultation by the Chairman of the subsidiary body concerned with the Chairman of that Committee.

5.5 A subsidiary body may request a contribution from another body, in which case the latter should be allowed sufficient time to prepare its contribution, taking into account its planned outputs.

5.6 The Committees should not, as a rule, permit any subsidiary body to commence work on the review or improvement of provisions already approved by it until sufficient experience has been gained from the application of such existing provisions.

5.7 Subsidiary bodies should focus their efforts on carrying out the technical work entrusted to them and should not normally, without good reason, reopen discussions on the need or the compelling need for a planned or unplanned output, whether it is on their agenda or not.

5.8 With the aim of facilitating the technical work being carried out effectively and efficiently, the proponent(s) of proposals for new outputs should ensure that sufficient and relevant information, in line with the need or compelling need as determined by the Committee, is made available to the subsidiary body when embarking on its technical work.

5.9 Subsidiary bodies should not expand the scope of existing outputs unless directed or authorized to do so by a Committee. Subsidiary bodies should not develop amendments to, or interpretations of, any relevant IMO instrument without prior authorization from a Committee. However, in compliance with paragraph 4.10, when seeking a Committee's authorization to act as provided in the previous two sentences (or when spontaneously proposing an unplanned output for the current biennium or a new output to be accepted for inclusion in a Committee's post-biennial agenda), subsidiary bodies should ensure that their request complies with the provisions of paragraphs 4.6, 4.8 and 4.15, as appropriate. As subsidiary bodies may not have sufficient time to develop the required information, given that their biennial agendas are usually only discussed at the end of their sessions, interested delegations should, in consultation with the subsidiary-body Chairman and the Secretariat, prepare the information, which should accompany the proposal, necessary for the Committee to decide whether an unplanned output should be included in the subsidiary body's biennial agenda or in a Committee's post-biennial agenda.

5.10 Subsidiary bodies should not, as a rule, issue circulars, which are supposed to be issued only after approval by the Committees. However, in exceptional cases, subsidiary bodies may issue circulars within their area of competence, subject to endorsement of their action by the Committee or Committees concerned at their first subsequent session.

5.11 Subsidiary bodies should avoid developing unified interpretations of guidelines. In cases where the existing text of guidelines is vague and therefore needs modification, the subsidiary body concerned should amend the guidelines accordingly, in lieu of developing a unified interpretation.

5.12 When considering their planned outputs and/or their provisional agendas for the following session, subsidiary bodies should seek the advice of the Committees in the case of planned outputs for which no submissions have been received for two consecutive sessions.

Guidance on the selection of outputs for the provisional agenda

5.13 Subsidiary bodies should select outputs for their provisional agendas in a manner ensuring that proper consideration is given to important and urgent issues, taking into account:

- .1 the number of working days of each session; and

- .2 the number of working and drafting groups that the subsidiary body intends to establish.

5.14 Planned and unplanned outputs should be selected first from the biennial agenda and, where the subsequent session will occur in the coming biennium, from the accepted outputs included in the Committee's post-biennial agenda.

5.15 The total number of selected outputs and the workload of the subsidiary bodies' provisional agendas should be kept at an appropriate and manageable level, ensuring high-quality output. Outputs selected from the Committees' post-biennial agendas should be included in the subsidiary bodies' agendas only when the outputs of the relevant biennial agenda are completed and the capacity of the subsidiary body allows the inclusion of additional outputs.

5.16 The remaining outputs not selected will be kept in abeyance and will be transferred to the provisional agendas of the subsidiary bodies as and when selected by them and endorsed by the Committee concerned, taking into account the overall workload of the subsidiary bodies responsible for the work.

Working, drafting, correspondence, intersessional working and other groups

Working groups

5.17 The Committees and their subsidiary bodies should keep the number of working groups formed during their sessions to a minimum; however, a maximum of three working groups may be established when necessary, bearing in mind the difficulties that small delegations experience in being represented in such groups and the fact that such groups work without interpretation. When a working group has completed its task and has been terminated, no other working group should be convened in its place during the same session. To that end, subsidiary bodies should endeavour to consider, as appropriate, items on their agenda in plenary, rather than establishing groups to deal with them.

5.18 Where more than three working groups are needed to deal with different subjects in one session, the Committees and subsidiary bodies should establish an order of priority for possible subject items and decide accordingly. Where more than three unrelated topics need to be covered by independent working groups over several sessions, arrangements may be made for groups concerned to meet at alternate sessions of the Committee and subsidiary body concerned, within the maximum of three working groups per session.

5.19 Working groups may start work on the first morning of a session under draft terms of reference presented by the Chairman of the Committee or subsidiary body concerned, pending formal discussion of those terms of reference under the relevant agenda item. However, these measures should be an option and be decided at the meeting with caution. Whenever possible, terms of reference for working groups should be agreed at the previous sessions of the parent Committee or subsidiary bodies. Another option is for the draft terms of reference of working and drafting groups issued at the beginning of a session, in accordance with paragraph 5.36 of these guidelines, to identify items on which groups may start working on the first morning of the session, without prior consideration of the related agenda items in plenary.

5.20 In principle, a working group should not have splinter groups. However, where it is necessary to establish one or more splinter groups to facilitate efficient work, the working group should do so by unanimous agreement and should consider and agree to the outcome of the splinter group's work before incorporating it in its report. Splinter groups, if established, should meet outside normal working hours, unless the working group decides otherwise to improve the efficiency of the work.

5.21 Subsidiary bodies' working groups, if circumstances and time constraints so dictate, may submit their reports directly to the Committees if authorized to do so by the parent body, following consultations between the Chairman of the group, the Chairman of the parent body and the Chairmen of the Committees concerned.

5.22 When appropriate, working groups should make full use of the five working days of a session in submitting their reports to the next session of their parent body. When working group reports are to be prepared during a session, all efforts should be made to keep them as short as possible.

5.23 Permanent working groups should be avoided, however, if there is a need for such a group, a clear justification and appropriate terms of reference should be provided by the subsidiary body concerned.

Drafting groups

5.24 In addition to working groups, the Committees and their subsidiary bodies may form drafting groups. In no case should more than five groups (e.g. three working and two drafting groups) meet simultaneously during a session. If additional drafting groups are needed, they should meet outside normal working hours.

Other groups

5.25 In addition to working and drafting groups, the Committees and their subsidiary bodies may form other groups, such as technical or review groups, as required under relevant conventions. Depending on the necessity and urgency of the issue to be considered, such groups may meet in addition to or in lieu of working or drafting groups.

Correspondence groups

5.26 To facilitate the consideration of an issue, correspondence groups may be established by the Committees or subsidiary bodies and be instructed to work on a consolidated draft text prepared by a "lead country" or the Secretariat, provided that the Committee has agreed to consider the issue and has endorsed terms of reference for the group (see also paragraph 5.36). Thus, through consultation between interested delegations by correspondence, the volume of documents submitted and processed can be reduced.

5.27 Correspondence groups should utilize modern communications technology, such as the Internet, as much as possible.

5.28 The work of a correspondence group (e.g. the receipt and processing of comments and suggestions) should not pre-empt formal consideration of the relevant issue by the parent body concerned or the positions taken by Member Governments or international organizations participating in the group.

5.29 Normally, the Committees and subsidiary bodies should not establish more than three correspondence groups, although this number may be increased where the urgency of the matter under consideration so justifies. Sub-groups within a correspondence group should not be established. No official meetings of members of correspondence groups should be held without the prior approval of the Committee(s).

5.30 Participation in correspondence groups is open to all delegations (Governments and organizations) that can provide the necessary expertise on a timely basis or that have a particular interest in the issue under consideration. Any Member Government or international organization can join in the work of a correspondence group once the group is established; and the group should accept contributions at any stage of its work.

5.31 When establishing a correspondence group, a "lead country", "lead organization" or the Secretariat should be designated to coordinate the group's work. Responsibilities of group coordinators include:

- .1 preparation, maintenance and circulation of the list of participants;
- .2 establishment of deadlines for the preparation of draft texts and receipt of comments and proposals concerning them;
- .3 preparation and circulation of draft texts and comments concerning them;
- .4 preparation and submission to the Secretariat of the report of the correspondence group, including any consolidated draft texts (see paragraph 5.35); and
- .5 introduction of the above-mentioned report and consolidated draft texts to the appropriate Committee or subsidiary body.

5.32 Responsibilities of participants include:

- .1 active participation in the work of the group;
- .2 compliance with the deadlines established for the submission of comments on draft texts, proposals, etc.; and
- .3 relaying to other group members copies of comments, proposals, etc. submitted to the group coordinator.

5.33 The responsibilities of the Secretariat, in cases where the Secretariat acts as a group coordinator, should be the same as those described in paragraph 5.31 above. The Secretariat may also be requested to circulate consolidated draft texts, etc. on behalf of the group coordinator.

5.34 The results of work carried out by correspondence groups should normally take the form of a consolidated draft text reflecting the information received from members of the group. Such texts should be accompanied by a succinct report summarizing the work and indicating which members have provided input to the process. Where it has not been possible to prepare an agreed consolidated draft document, the texts or issues on which there was disagreement should be clearly indicated in the draft document or the report, as appropriate.

5.35 Correspondence groups' reports should be submitted to the first session of the parent body after the conclusion of the groups' work, in time to meet the deadline established for consideration of substantive documents, in accordance with the provisions of paragraph 6.12. Normally the work of correspondence groups should not overlap with sessions of the parent Committee or subsidiary body. If the group has not finalized its work in time to meet the applicable deadline, a progress report should be made to the parent body.

Terms of reference of working, drafting and correspondence groups

5.36 When working, drafting and correspondence groups are to be formed, draft terms of reference should be prepared, following consultations between the Chairman of the relevant Committee or subsidiary body and the Secretariat, for approval by plenary. In the case of working and drafting groups, these draft terms of reference should be issued by the Secretariat at the beginning of the session for agreement by plenary before the groups in question start their work. Thereafter, the agreed terms of reference should not be modified or extended without the parent body's prior consent.

Intersessional working groups

5.37 Subject to endorsement by the Council, intersessional meetings of working groups may be convened without interpretation services. Intersessional meetings should be held only if considered to be absolutely essential and after careful consideration of their necessity by the relevant Committee on a case-by-case basis, taking into account the priority and urgency of the specific matter that such meetings will be invited to address. Intersessional meetings of such groups should be held at IMO Headquarters immediately before or after a session of the parent body concerned. Other arrangements may be considered, however, no arrangements should be made in respect of an intersessional meeting until such a meeting has been approved by the Committee. Intersessional working groups and technical groups should not be held at the same time as Committee or Sub-Committee meetings.

6 PROCEDURES FOR PREPARATION AND SUBMISSION OF DOCUMENTS

Preparation of documents

6.1 Documents should be prepared in single spacing and be as concise as possible so as to facilitate their timely processing. In order to enhance the clear understanding of documents, the following should be observed:

- .1 all documents should be preceded by a brief summary prepared in the form, and containing the information, indicated in the table below. Documents, especially proposals for the inclusion of an unplanned output, – should demonstrate, where feasible, the linkages to the Strategic and High-level Action Plans by including, in the summary, references to the related strategic direction(s), high-level action(s) and planned output(s):

SUMMARY	
<i>Executive summary:</i>	This description should be brief, outlining the proposed objective (an amendment, an Assembly resolution, a circular, information only, etc.), and include information on whether a proposal will have any financial implications for the shipping industry or for the IMO budget.
<i>Strategic direction:</i>	A reference should be made to one or more relevant strategic directions in the Organization's Strategic Plan.
<i>High-level action:</i>	A reference should be made to one or more corresponding high-level actions in the Organization's High-level Action Plan.
<i>Planned output:</i>	A reference should be made to one or more corresponding planned outputs in the biennial's High-level Action Plan. If there is no corresponding planned output, an appropriate descriptive text should be included.
<i>Action to be taken:</i>	A reference should be made to the paragraph of the document that states the action to be taken by the Committee, sub-committee, etc.
<i>Related documents:</i>	Other key documents should be listed to the extent that they are known to the originator of the document.

- .2 substantive documents should conclude with a summary of the action the relevant body is invited to take; and
- .3 information documents should conclude with a summary of the information they contain.

6.2 To facilitate their processing, documents should be submitted on a USB flash drive or by email to info@imo.org, preferably in Microsoft Word using Arial font size 11. Hard copies of documents may also be submitted or requested, to facilitate processing of the document, e.g. by attachment of annexes to main texts, and to check that none of the text has been garbled during sending or conversion.

6.3 Documents made available at IMO, 13 weeks or more before a session, should not be introduced in the plenary unless the Chairman decides that this is essential for the proper consideration of the matter concerned. Information documents and documents requiring no action by the Committees or their subsidiary bodies other than for their contents to be noted should not be introduced in the plenary.

6.4 To indicate the importance of documents containing proposed amendments to IMO instruments related to maritime safety, maritime security and protection of the marine environment which have been approved for adoption by MSC or MEPC, such documents will be identifiable on the IMO document website (IMODOCS) by background highlighting in pink.

6.5 Documents containing proposed amendments to mandatory instruments should be presented in a format that permits clear identification of the changes being introduced (e.g. use of underlined and strike-through text).

6.6 Reports of the Committees and their subsidiary bodies should, in general, contain under each section only:

- .1 a summary of key documents and a list of other documents submitted by Member Governments, international organizations or the Secretariat;
- .2 a summary of the views expressed during consideration of an item that may have influenced the decision taken by the reporting body (but not allowing the reports to turn into summary records), with statements by delegations included only at their express request during the session; and
- .3 a record of the decisions taken.

6.7 In drafting recommendations, codes or guidelines, cross references should, whenever possible, be made to texts and terminology previously developed by IMO or other organizations. This will avoid unnecessary duplication and reduce the need for excessively detailed provisions and for subsequent harmonization.

6.8 The Chairmen of subsidiary bodies should **not** introduce their reports to the Committees as these should be taken as read.

6.9 With respect to urgent matters emanating from sessions of subsidiary bodies or IMO bodies other than the Council and the Assembly, which have taken place less than 13 weeks before a session of a Committee, the Committee should consider only such urgent matters as may have been specified by it at a prior session. As a general rule, the Committee should not consider reports or matters emanating from any subsidiary body session which has taken place less than nine weeks prior to the Committee's session. In exceptional cases, a subsidiary body

may invite the Committee to take action on a matter that the subsidiary body considers to be urgent and important emanating from a session that took place less than nine weeks prior to the Committee's session. In such cases, the subsidiary body Chairman should consult the Committee Chairman for approval of the contemplated action.

6.10 All concerned should be continuously aware of the financial and environmental impact of the volume of documentation generated by IMO meetings and should limit, to the greatest possible extent, the number of pages of documents submitted to such meetings. For information, the current arrangements in the Secretariat for the production of working papers during meetings are described in annex 4.

6.11 To encourage the action referred to in paragraph 6.10 above, documents other than information documents and reports from the Committees and subsidiary bodies, working, drafting, correspondence and other reporting groups and the Secretariat, which contain more than 20 pages, should not be translated in their entirety. They should include, for translation purposes, a summary of the document not longer than four pages, with the remaining content submitted as an annex in the language (e.g. English) that may be needed, for example, by working groups.

Submission of documents

6.12 To ensure that all documents are available at IMO Headquarters in all three working languages well in time for a session of a Committee or subsidiary body, so as to enable the timely study of documents and promote participation by all Members in the decision-making process of the Committees and their subsidiary bodies, the following provisions apply:

- .1 as a general rule, documents, other than information documents and reports of Committees and subsidiary bodies, working, drafting, correspondence and other reporting groups and the Secretariat, should not contain more than 50 pages. In the case of reports from working, drafting, correspondence or other reporting groups and in other exceptional circumstances, this number of pages may be exceeded, provided that the deadline for receipt of the document by the Secretariat, as specified in subparagraphs .2 and .3 below, is extended by one week for every 20 pages exceeding 50 pages;
- .2 documents containing proposals for inclusion of unplanned outputs should be received by the Secretariat not later than 13 weeks before the opening of the relevant Committee session. They should be made available at IMO Headquarters and on the IMO document website, in the Organization's three working languages, not later than 5 weeks before the opening of the session;
- .3 documents (including information documents) containing more than 6 pages of text (bulky documents) should be received by the Secretariat no later than 13 weeks before the opening of the relevant session of a Committee or subsidiary body. However, bulky information documents submitted in electronic format may be accepted by the Secretariat if they are received no later than 9 weeks before the session concerned. They should be made available at IMO Headquarters and on the IMO document website, in the Organization's three working languages, except for information documents (which should not be translated), not later than 5 weeks before the opening of the session;

- .4 non-bulky documents commenting on those referred to in subparagraphs .2 and .3 above, or on items already on the agenda, should be received by the Secretariat no later than 9 weeks before the opening of the relevant session of a Committee or subsidiary body. They should be made available at IMO Headquarters and on the IMO document website, in the Organization's three working languages, not later than 5 weeks before the opening of the session;
- .5 notwithstanding the provisions of subparagraph .4 above, documents commenting on those referred to in subparagraphs .2, .3 and .4 above containing 4 pages or less should be processed if received by the Secretariat not later than 7 weeks before the opening of the relevant session of a Committee or subsidiary body. These documents should start with a paragraph clearly indicating the document on which comments are made and stating that the document is submitted in accordance with the provisions of paragraph 6.12.5 of these guidelines. They should be made available at IMO Headquarters and on the IMO document website, in the Organization's three working languages, not later than 4 weeks before the opening of the session;
- .6 non-bulky information documents should be received by the Secretariat not later than 9 weeks before the opening of the relevant session of a Committee or subsidiary body. They should not be translated and should be made available at IMO Headquarters and on the IMO document website not later than 5 weeks before the opening of the session. No action will be taken on the basis of an information document only, other than to take note of it;
- .7 in addition and with reference to reports of subsidiary bodies on the basis of which a Committee is normally invited to take action, every possible effort should be made to ensure that such reports are made available at IMO Headquarters and on the IMO document website, in the Organization's three working languages, not later than 5 weeks before the opening of the session; and
- .8 in the case of basic documents submitted to a Committee reporting on urgent matters emanating from sessions of subsidiary bodies referred to in paragraph 6.9 which met less than 13 weeks before the Committee's session, such basic documents should include as an annex the text (e.g. draft Assembly resolutions, draft MSC circulars, etc.) on which the Committee will be invited to take action.

6.13 The Secretariat should make every effort to ensure the timely posting of documents on the IMO document website. Member Governments and international organizations should also endeavour to submit documents as early as possible and not just by the relevant deadlines.

6.14 The Secretariat should strictly apply the above provisions concerning the submission of documents and not accept late submissions from Member Governments or international organizations. Any exemption from these provisions should have the prior authorization of the Chairman of the Committee concerned, following consultations with the Secretariat. In exceptional circumstances, requiring immediate action by the Committee, a relevant document to that end consisting of no more than four pages should be received by the Secretariat not later than nine weeks before the opening of the session of the body concerned and be made available at IMO Headquarters, in the Organization's three working languages, not later than five weeks before the opening of the session. The Committee would consider such a document only if it decides to do so at the opening of its session.

6.15 In the exceptional cases referred to in paragraph 6.9, when a subsidiary body invites a Committee to take action on urgent matters emanating from a session that took place less than nine weeks prior to the Committee's session, documents commenting on those urgent matters containing four pages or less should be processed if received by the Secretariat not later than seven weeks before the opening of any session of the Committee concerned. Such documents should start with a paragraph clearly indicating the document on which comments are made and stating that the document is submitted in accordance with the provisions of paragraph 6.15 of these guidelines. They should be made available at IMO Headquarters, in the three working languages, not later than four weeks before the opening of the session.

7 OBSERVANCE OF THE GUIDELINES

These guidelines should be observed strictly. This will assist delegations in preparing adequately for each meeting and enhance their participation in the debate and decision-making process during meetings. It will also prevent delegations from experiencing difficulties when developing national positions on subjects on the agenda of the two Committees or their subsidiary bodies. In order to promote efficiency in the conduct of work overall, Committee members should ensure that their colleagues attending sessions of other committees are fully informed of the outcome of the meeting that they have attended. Committee members should also ensure that their experts attending meetings of subsidiary bodies and working, drafting or correspondence groups are adequately informed and instructed with regard to any action necessary to give effect to decisions made by the Committees.

ANNEX 1

INFORMATION TO BE CONTAINED IN PROPOSALS FOR UNPLANNED OUTPUTS

To enable the Committees to carry out a proper assessment of proposals for inclusion of unplanned outputs, submissions containing such proposals should contain, as a minimum, the following information, including demonstration and documentation:

- | | | |
|----|----------------------------------|---|
| .1 | IMO objectives: | Provide evidence as to whether and how the proposal: |
| | | .1 is within the scope of IMO's objectives; and |
| | | .2 is strictly related to the scope of the Strategic Plan and contributes to the implementation of the high-level actions established in the Plan. |
| .2 | (Compelling) need: | Demonstrate and document: |
| | | .1 the need for a proposed measure; and |
| | | .2 the compelling need addressed by a proposal for a new convention or an amendment to an existing convention. |
| .3 | Analysis of the issue: | Provide an analysis of the proposed measure, including a plausible demonstration of its practicability, feasibility and proportionality. |
| .4 | Analysis of implications: | Provide an analysis of the implications of the proposal, addressing the cost to the maritime industry as well as the relevant legislative and administrative burdens. ⁷ |
| .5 | Benefits: | Provide evidence that the benefits in terms of enhanced maritime safety, maritime security or protection of the marine environment expected to be derived from the inclusion of the new item justify the proposed action. |
| .6 | Industry standards: | Provide information on whether adequate industry standards exist or are being developed. |

⁷ See annex 5 (Checklist for identifying administrative requirements and burdens), which should be completed by all proponents of unplanned outputs and attached to their proposals for consideration by the Council and committees. Committees may also use this checklist before adopting new, or amending existing, mandatory instruments, in order to satisfy themselves that administrative requirements have been minimized to the greatest extent possible.

- .7 **Output:** Specify the intended output in SMART terms (specific, measurable, achievable, realistic, time-bound). If a final output cannot be specified, an interim output to be produced before the end of the current biennium should be specified in SMART terms.
- .8 **Human element:** Provide the completed Checklist for considering human element issues by IMO bodies (MSC-MEPC.7/Circ.1) to demonstrate that the human element has been sufficiently addressed.
- .9 **Priority/urgency:** Provide, with reference to the current Strategic Plan and High-level Action Plan:
- .1 evidence for the urgency of the proposed unplanned output;
- .2 the date by which the proposed unplanned output should be completed; and
- .3 the timescale needed for the respective IMO organ to complete the work.
- .10 **Action required:** Specify the action required of the IMO organ.

ANNEX 2

PROCEDURES FOR ASSESSING THE IMPLICATIONS OF CAPACITY-BUILDING REQUIREMENTS WHEN DEVELOPING NEW, OR AMENDING EXISTING, MANDATORY INSTRUMENTS

1 INTRODUCTION

1.1 Assembly resolution A.998(25) on *Need for capacity-building for the development and implementation of new, and amendments to existing, instruments* cautions that, unless the Council, the Committees and their subsidiary bodies adopt a cradle-to-grave approach in relation to matters concerning capacity building, technical cooperation and assistance, the chances of success in the ratification and effective implementation of IMO instruments may be reduced by the level of unpreparedness or lack of capacity that Governments, particularly of Small Island Developing States (SIDS) and Least Developed Countries (LDCs), experience at the point when implementation of such instruments is urgently required. Therefore, the development of this procedure is in keeping with the provisions of that resolution.

1.2 The assessment of capacity-building implications for the implementation of new, and/or amendments to existing, instruments is an iterative process that begins with the acceptance of the preliminary proposal and runs in parallel up to the process of its implementation.

1.3 These procedures do not prevent States from taking additional actions in promoting the advancement of the objectives of capacity building through technical assistance or cooperation.

2 DEFINITIONS

For the purpose of these procedures, the following definitions apply:

2.1 *Planned output* is as defined in paragraph 2.3 of the Committees' guidelines.

2.2 *Unplanned output* is as defined in paragraph 2.4 of the Committees' guidelines.

2.3 *Capacity building* means sustainable social, economical or legal measures undertaken through various means for the purposes of a comprehensive transformation of the performance of an Administration or industry player so as to implement and therefore comply with new or amended instruments.

2.4 *Technical assistance* is a methodology for providing capacity-building through bilateral and/or multilateral exchange of technical knowledge, resources or expertise to a party which has requested such assistance in order to enhance its technical capability to implement existing, new or amended instruments.

2.5 *Technical cooperation* refers to a methodology for providing capacity building, through a multilateral effort, to a group of cooperating countries of a particular region in the form of training and exchange of expertise, knowledge and information, in support of their efforts aimed at promoting the implementation of existing, new and/or amended instruments.

2.6 *Instruments* refers to IMO conventions and other treaties.

3 PURPOSE AND OBJECTIVES

3.1 The purpose of these procedures is to give effect to resolution A.998(25), aimed at enhancing efforts to promote universal implementation of IMO instruments.

3.2 These procedures are intended to assist in the identification and assessment of capacity-building implications in the following cases:

- .1 when a Committee has accepted a proposal for an unplanned output and/or on approval by a Committee of a new instrument;
- .2 during implementation of new instruments or amended instruments; and
- .3 during the scheduling of capacity-building measures or activities.

3.3 These procedures apply to the Committees of the Organization and constitute a specific implementation response to resolution A.998(25).

3.4 These procedures aim at:

- .1 promoting universal ratification and compliance with newly adopted IMO instruments;
- .2 improving the level and quality of implementation of new and/or amended instruments; and
- .3 promoting, as far as possible, a balanced level of implementation of new instruments.

4 PROCEDURE

4.1 The Committees should conduct an assessment of capacity-building implications by following the procedure in the flow chart in appendix 1 of these procedures.

4.2 Assessments of capacity-building implications should be initiated on the acceptance of a proposal for an unplanned output.

Preliminary assessment of capacity-building implications

4.3 In order to facilitate the assessment of capacity-building implications by a Committee, its Vice-Chairman should, in consultation with the Chairman and assisted by the Secretariat, undertake a preliminary assessment of capacity-building implications, using the checklist for assessing the need for capacity building contained in appendix 2 of these procedures.

4.4 The outcome of the preliminary assessment should be submitted to the Committee concerned for consideration. This should contain the Vice-Chairman's appraisal of whether there are or will be capacity-building implications or need for technical assistance; a list of possible implications; and recommendations on the way forward.

Assessment of capacity-building implications

4.5 Following the preliminary assessment, the Committee should, if necessary, decide to convene the Ad hoc Capacity-building Needs Analysis Group (ACAG) to be chaired by the Vice-Chairman of that Committee. The ACAG should consider the preliminary assessment, taking into account comments and any further submissions thereto and, if appropriate, conduct further assessment and present its report and recommendations to the Committee.

4.6 The ACAG may refer a matter through the Committee for further consideration by another organ.

Post-assessment of capacity-building implications for implementation of new measures

4.7 When new measures have been approved, the Committee may request the ACAG to:

- .1 conduct a post-assessment exercise using the criteria and mechanism contained in appendix 3 of these procedures to identify issues that require special focus when implementing technical cooperation and assistance activities; and
- .2 prepare, for the Committee's consideration, a draft circular describing the possible capacity-building implications and recommendations for a course of action, for consideration by the Organization, the membership and/or industry.

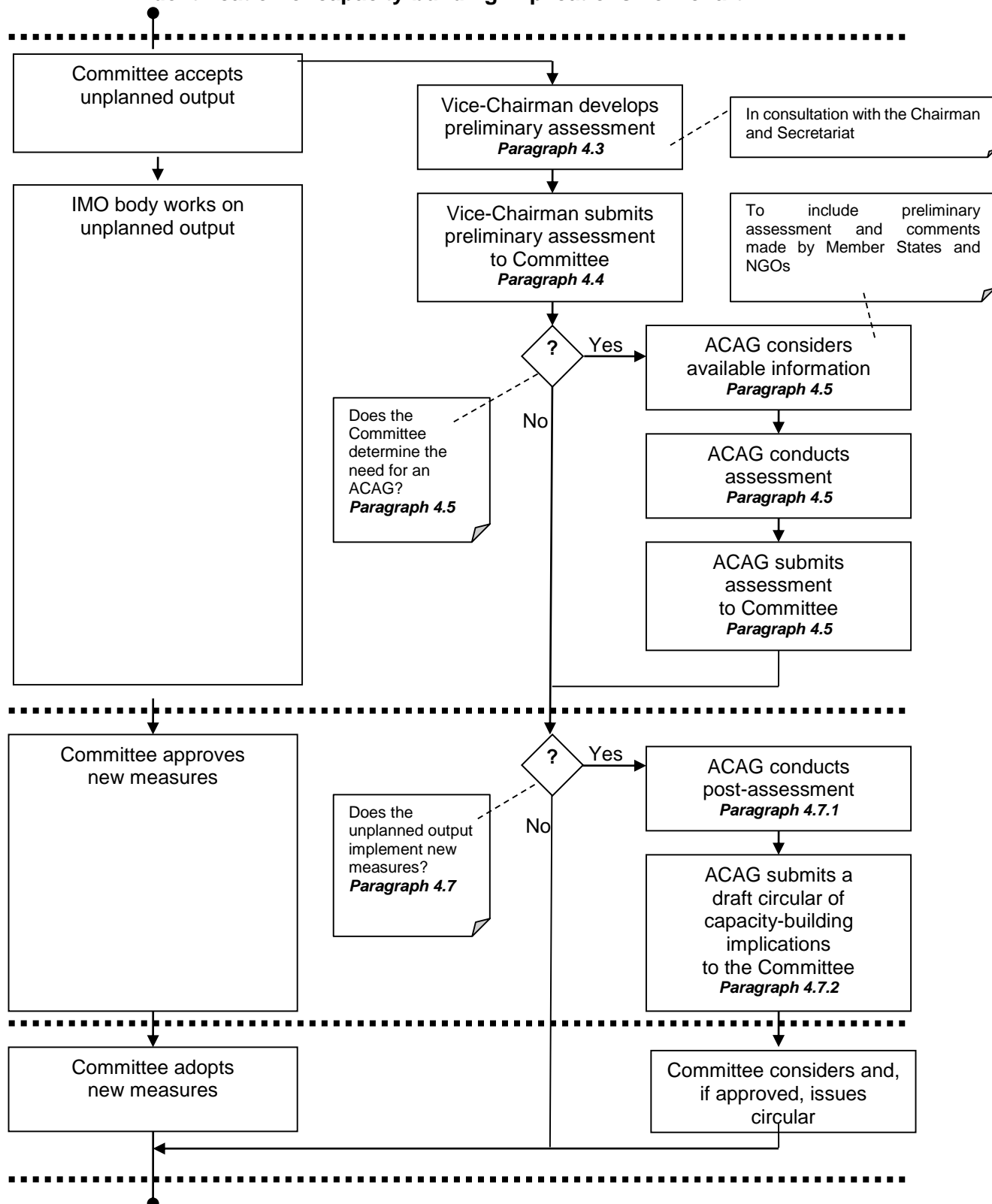
5 TERMS OF REFERENCE OF THE ACAG

In conducting its assessment of capacity building, the ACAG should be guided by the following terms of reference:

- .1 consider a preliminary assessment of capacity building and technical assistance actions;
- .2 conduct an assessment and, when new measures have been approved, a post-assessment, of the capacity-building actions that may be included in the technical assistance or technical cooperation required by Administrations for the implementation of the instrument;
- .3 in consultation with the industry and non-governmental organizations, conduct an assessment and, on implementing new measures, a post-assessment, of the capacity-building actions that may be required or expected of the shipping industry for the implementation of the instrument; and
- .4 advise the Committee concerned of the implications for capacity building relating to a new instrument or a proposed amendment to an existing instrument, whichever is being considered.

APPENDIX 1

Identification of capacity-building implications flow chart



APPENDIX 2

Checklist for the identification of capacity-building implications

1 For Administrations

- ☐ Is new legislation required?
- ☐ Is there a requirement for new equipment and/or systems?
 - Does equipment manufacturing capacity exist internationally?
 - Do equipment repair/servicing facilities exist internationally?
 - Is there capacity to develop new systems?
- ☐ Will the implementation require additional financial resources?
- ☐ Is there a need for additional human resources or new skills?
- ☐ Will there be a need to upgrade current infrastructure?
- ☐ Is there enough lead time towards implementation?
- ☐ Will a rapid implementation procedure be adopted?
- ☐ Is there a substantial modification of existing standards?
- ☐ Will a guide to implementation be needed?

2 For the industry

- ☐ Would the industry require new and/or enhancement of existing systems?
 - Does capacity exist internationally to develop new systems?
- ☐ Is there a need for additional training of seafarers?
 - Do related and validated training courses exist?
 - Are sufficient simulation training courses available internationally?
- ☐ Will there be a requirement for new equipment?
 - Does manufacturing capacity exist internationally?
- ☐ Is there repair/servicing and/or retrofitting and does maintenance capacity exist internationally?

APPENDIX 3

Checklist of issues requiring special focus when developing capacity building related to the implementation of new measures

Capacity-building Measures Form		
Instrument	_____	
Measure number	_____	of _____
Required for	<input type="checkbox"/>	Administration
	<input type="checkbox"/>	Industry
Implementation	<input type="checkbox"/>	Prior to adoption
	<input type="checkbox"/>	Once adopted
	<input type="checkbox"/>	Prior to entry into force
	<input type="checkbox"/>	Once ratified
	<input type="checkbox"/>	Phased in
Description of capacity-building activity needed for the implementation of new measures:		

ANNEX 3

FORMAT 1: BIENNIAL STATUS REPORT

[Name of organ]								
Planned output number ^a	Description	Target completion year ^b	Parent organ(s)	Coordinating organ(s)	Associated organ(s)	Status of output for Year 1 ^c	Status of output for Year 2 ^c	References ^d
Notes:								
Notes:								

Notes:

- a When individual outputs contain multiple deliverables, the format should report on each individual deliverable.
- b The target completion year should be specified as a year, or indicate that the item is annual or continuous. This should not indicate a number of sessions.
- c The entries under the "Status of output" columns are to be classified as follows:
 - "completed" signifies that the outputs in question have been duly finalized;
 - "in progress" signifies that work on the related outputs has been progressed, often with interim outputs (for example, draft amendments or guidelines) which are expected to be approved later in the same biennium;
 - "ongoing" signifies that the outputs relate to work of the respective IMO organs that is a permanent or continuous task; and
 - "postponed" signifies that the IMO organ has decided to defer the production of relevant outputs to another time (for example, until corresponding submissions have been received).
- d If the output consists of the adoption/approval of an instrument (e.g. resolution, circular, etc.), that instrument should be clearly referenced in this column.

FORMAT 2: POST-BIENNIAL AGENDAS OF COMMITTEES

[NAME OF COMMITTEE]								
ACCEPTED POST-BIENNIAL OUTPUTS				Parent organ(s)	Coordinating organ(s)	Associated organ(s)	Timescale	Reference
Number	Biennium ^e	Reference to High-level Actions	Description					

Notes:

e Biennium during which the output was placed on the post-biennial agenda.

ANNEX 4

CURRENT ARRANGEMENTS IN THE SECRETARIAT FOR THE PRODUCTION OF WORKING PAPERS DURING MEETINGS

1 The details of how to handle the preparation of working papers produced during meetings, which are agreed at a coordination meeting held between the Conference Division and the relevant technical division(s) during the week preceding each meeting, will be conveyed by the Secretary of the IMO body to the Chairman of that body, as well as the Chairmen of the working and drafting groups.

2 To ensure that all working papers, including the draft report, are available when needed in all three working languages, these documents should be as concise as possible, with a limited number of pages containing new text. The following provisions apply:

.1 Advance text

Whenever possible, for working/drafting group reports, advance text should be provided to the translation sections. This could be whole annexes or documents prior to the meeting, or parts thereof submitted as the work of the groups progresses.

.2 Final text

Final text should be delivered to the translation sections as early as possible in the course of the meeting week as follows:

.1 Working papers – these should be delivered no later than 9 a.m. on the day of the report night, so that they may be processed during the day shift.

.2 Draft report – the night shift is to be dedicated to the processing of the draft report and will end at 1 a.m. on the following day. In order to meet the established deadline, items for the draft report not delivered throughout the week should be sent to the translation sections as early as possible on the report night, with the last remaining item to be delivered no later than 11 p.m.

ANNEX 5

CHECKLIST FOR IDENTIFYING ADMINISTRATIVE REQUIREMENTS AND BURDENS

This checklist should be used when preparing the analysis of implications, required for submissions of proposals for inclusion of unplanned outputs. For the purpose of this analysis, the terms "administrative requirements" and "burdens" are as defined in resolution A.1043(27) on *Periodic review of administrative requirements in mandatory IMO instruments*, i.e. administrative requirements are an obligation arising from future IMO mandatory instruments to provide or retain information or data, and administrative burdens are those administrative requirements that are or have become unnecessary, disproportionate or even obsolete.

Instructions:

- (A) If the answer to any of the questions below is **YES**, the Member State proposing an unplanned output should provide supporting details on whether the burdens are likely to involve start-up and/or ongoing cost. The Member State should also give a brief description of the requirement and, if possible, provide recommendations for further work (e.g. would it be possible to combine the activity with an existing requirement?).
- (B) If the proposal for the unplanned output does not contain such an activity, answer **NR** (Not required).

1. Notification and reporting? Reporting certain events before or after the event has taken place, e.g. notification of voyage, statistical reporting for IMO Members, etc.	NR	Yes <input type="checkbox"/> Start-up <input type="checkbox"/> Ongoing
Description: (if the answer is yes)		
2. Record keeping? Keeping statutory documents up to date, e.g. records of accidents, records of cargo, records of inspections, records of education, etc.	NR	Yes <input type="checkbox"/> Start-up <input type="checkbox"/> Ongoing
Description: (if the answer is yes)		
3. Publication and documentation? Producing documents for third parties, e.g. warning signs, registration displays, publication of results of testing, etc.	NR	Yes <input type="checkbox"/> Start-up <input type="checkbox"/> Ongoing
Description: (if the answer is yes)		
4. Permits or applications? Applying for and maintaining permission to operate, e.g. certificates, classification society costs, etc.	NR	Yes <input type="checkbox"/> Start-up <input type="checkbox"/> Ongoing
Description: (if the answer is yes)		
5. Other identified burdens?	NR	Yes <input type="checkbox"/> Start-up <input type="checkbox"/> Ongoing
Description: (if the answer is yes)		

ANNEX 6

GUIDELINES FOR CONSIDERING AND REVIEWING THE OUTCOME OF FSA STUDIES

Purpose

1 The purpose of these guidelines is to assist the Committees in considering and reviewing the outcome (i.e. RCOs or other recommendations) of FSA studies. These guidelines provide a bridge between the FSA Guidelines (MSC-MEPC.2/Circ.12/Rev.1) and the Committees' Guidelines (MSC-MEPC.1/Circ.4/Rev.4).

Background

2 The FSA Guidelines adequately cover the procedures to manage the outcome of an FSA study from initial submission to the Committee through the report of the FSA Experts Group to the Committee.

3 The Committees' guidelines contain guidance on how the Committees may consider placing new planned and unplanned outputs on the biennial agenda of the different bodies.

Guidance for Committees

4 Upon receipt of the outcome of an FSA study, the Committees should conduct a preliminary assessment and may decide to:

- .1 reject an outcome without any further action; or
- .2 review the information submitted with an outcome in order to determine equivalence to the requirements for submitting proposals for new unplanned outputs.

5 Based on paragraph 4.2 above, the Committees may decide to:

- .1 accept the information submitted with the outcome as equivalent to a proposal for a new unplanned output, place the item on the biennial agenda or post-biennial agenda, and forward the outcome to the cognizant Sub-Committee or other bodies concerned for technical review and advice, and possible implementation actions; or
- .2 request submission of a proposal for a new unplanned output.

6 To enable the Committees to properly use the recommendations contained in FSA studies, the decision flow chart below (see figure 1) should be used to guide consistent management of outcomes.

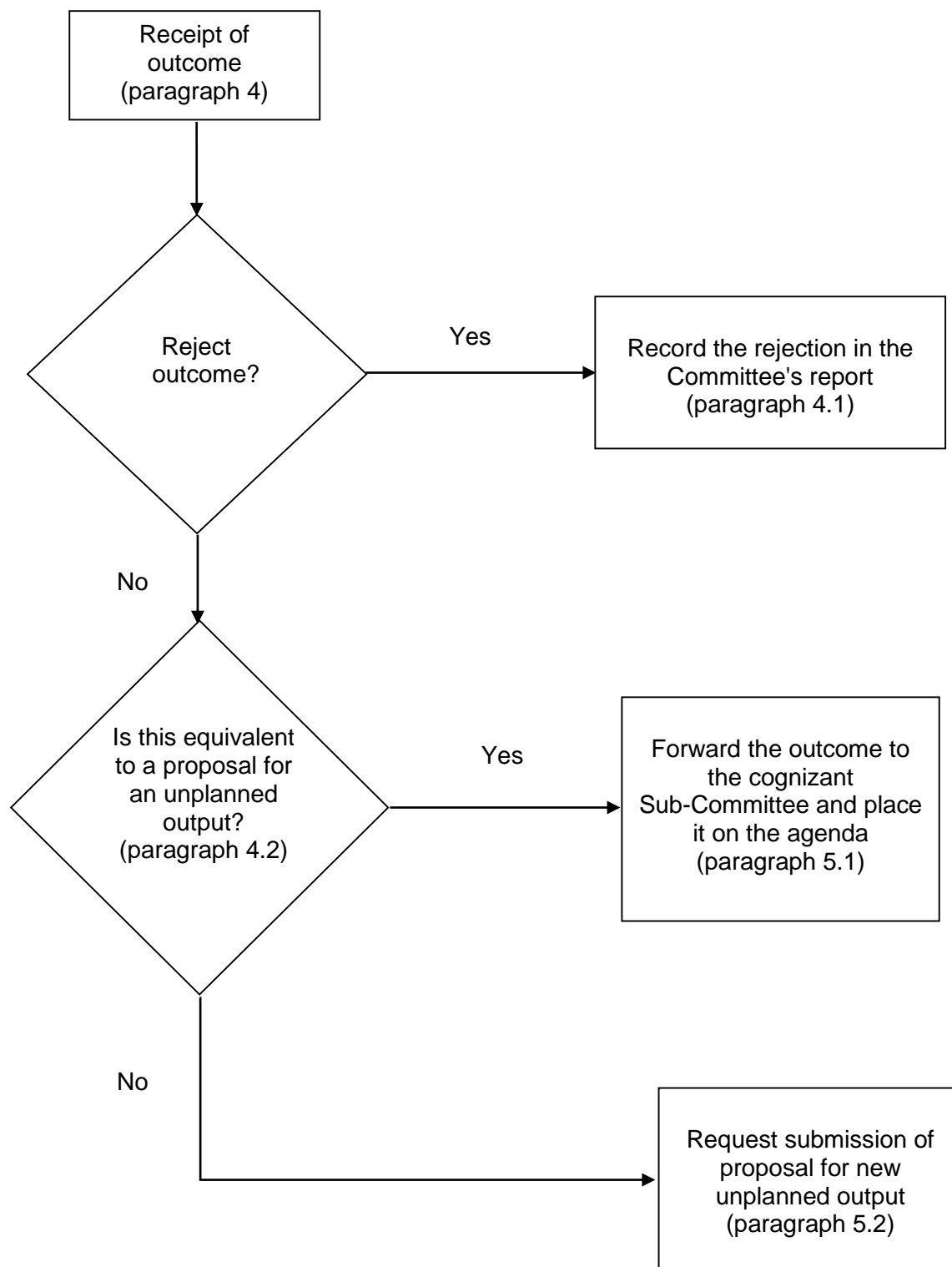


Figure 1 – Flow chart for Committees' management of the outcome of an FSA study