# TASK 1.X.X Guidance on establishing a compliance and enforcement framework for participating ships

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| **Standard** | Vessel Traffic Services | | |
| **Topic Area** | VTS Operations | | |
| **Task** | Develop guidance for establishing a compliance and enforcement framework with respect to violations of VTS regulatory requirements by participating ships in accordance with relevant international conventions and IMO instruments, IALA standards and national law.  *(Propose a name for the task)* | | |
| **Objectives of the task** | To provide guidance to assist Competent Authorities and VTS providers establish a compliance and enforcement framework with respect to violations of VTS regulatory requirements.  *(Describe the objective/s of the task)* | | |
| **Expected outcome** | A new IALA Guideline specifying how to implement the practices associated with *Recommendation R0119 – Establishing, Planning and Implementing VTS* regarding establishing a compliance and enforcement framework with respect to violations of VTS regulatory requirements as described in IMO Resolution A.857(XX) (Refer to S 5.2.4 and S 6).  The Guideline should be prepared in a form that assist authorities achieve their obligations associated with the compliance and enforcement of VTS regulations in a manner that:   * Encourages compliance with the legal basis for VTS that gives effect to SOLAS regulation V/12 in national law, particularly by building awareness and providing education for mariner and other maritime users; and * Ensures compliance and enforcement action is consistent, transparent and fair.   *(Describe the expected outcome: e.g. Recommendation, Guideline or Other)* | | |
| **Compelling need** | The IMO Resolution for VTS states, inter alia, that the competent authority should:   * *establish a regulatory framework for establishing and operating VTSs in accordance with relevant international conventions and IMO instruments, IALA standards and national law*; * *“establish a compliance and enforcement framework with respect to violations of VTS regulatory requirements.”*   IALA Standard 1040 Vessel Traffic Services references IALA Recommendations that specify the practices associated with implementing and establishing VTS in *Recommendation 0119 - Establishment of VTS IALA* and associated *Guideline 1150 – Establishing, Planning and Implementing VTS.*  There is currently no guidance available to assist Competent Authorities and VTS providers establish a compliance and enforcement framework for participating ships with respect to violations of VTS regulatory requirements in a globally harmonized manner.  *(Describe briefly why this task should be included in the Work Programme)* | | |
| **Strategic Alignment**  *(See IALA Strategic Vision)* | **Goal**  G1 - Marine Aids to Navigation are developed and harmonised through international cooperation and the provision of standards.  **Strategy**  S1 - Develop standards suitable for direct citation by States, in areas deemed important by the General Assembly, and the related Recommendations and Guidelines.  S2 - Position IALA as the source of standards, knowledge, and expertise that will enable States to provide Marine Aids to Navigation, in accordance with relevant international obligations and recommendations.  S6 - Improve and harmonise the delivery of VTS globally and in a manner consistent with international conventions, national legislation and public expectations, to ensure the safety and efficiency of vessel traffic and to protect the environment. | | |
| **Scope** | **In Scope:**  The proposed guideline is associated with the requirements for participating ships with the regulatory and legal framework established under national law (Refer to Section 6 of IMO Resolution IMO Resolution A.857 X.X). That is:   * The provision of reports or information required by VTS; and * Complying with the requirements and instructions given to the ship by VTS, unless contradictory safety and/or marine environment protection reasons exist.   *(Describe key items that are in scope/out of scope)* | | |
| **Brief and concise description of the work to be undertaken and programme mile­stones** (where appropriate). | Preparation of a new IALA Guideline regarding establishing a compliance and enforcement framework with respect to violations of VTS regulatory. Key milestones include:   |  |  | | --- | --- | | First draft of revised/new Resolution | Oct 2022 (VTS52) | | Draft completed and forwarded to Council for approval | Mar 2023 (VTS53) | | Draft approved by Council | June 2023 | | | |
| **Expected numbers of sessions for completion** | Session number:  52 53 54 55 56 57 58  X  X | | |
| **Committee notes** | **Origins** |  | |
|  | **Agreed by session** | **TD#** | **Comments** |
| XX |  |  |
|  | **Approved by Council** | *(Council Session)* | *(Date)* |
|  | **Revision Notes:** |  | |