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**PERIODIC REVIEW OF ADMINISTRATIVE REQUIREMENTS  
IN MANDATORY IMO INSTRUMENTS**

**DRAFT ASSEMBLY RESOLUTION**

**Resolution A.[...](29)**

**Adopted on [... ...] 2015**

**PRINCIPLES TO BE CONSIDERED WHEN DRAFTING IMO INSTRUMENTS**

THE ASSEMBLY,

RECALLING resolution A.1043(27), by which it decided to establish a framework for the periodic review of administrative requirements in mandatory IMO instruments and its instruction to the Council to set up an Ad Hoc Steering Group for Reducing Administrative Requirements (SG-RAR),

REAFFIRMING its commitment to ensuring the Organization's aims and objectives to ensure better regulation are met through a systematic approach to reviewing administrative requirements in mandatory instruments to support the efficient use of resources within Administrations and industry,

EXPRESSING ITS APPRECIATION to the Council for establishing the SG-RAR and for the submission of the status report[s] to the twenty-eighth [and twenty-ninth] regular sessions of the Assembly updating it on progress made in the review of administrative requirements,

RECALLING its agreement, through resolution A.1043(27), on the definition of an administrative requirement arising from a mandatory IMO instrument as an obligation to provide or retain information and data, and an administrative burden as an administrative requirement that is, or has become, unnecessary, disproportionate or obsolete,

NOTING WITH APPRECIATION the work carried out by SG-RAR, in particular, its work in identifying administrative burdens within the identified administrative requirements, and its final report containing 13 specific recommendations,

EXPRESSING ITS SINCERE APPRECIATION to all stakeholders from various backgrounds who participated in the consultation process and provided valuable input as a result of their experiences in performing the duties related to the regulatory requirements developed by the Organization,

NOTING that multiple factors may contribute to the perception, by stakeholders, of administrative requirements as burdens, including but not limited to:

- (a) unclear purpose,
- (b) undefined relationship to other administrative requirements,
- (c) duplication of work in multiple formats to different parties, without making use of existing and emerging technologies,
- (d) the accumulation of administrative requirements.

NOTING FURTHER that overly burdensome administrative requirements may detract attention from seafarers, shipowners and ship managers from the primary responsibility of ensuring the safe and secure operation of ships,

RECOGNIZING the continued need to ensure that any work undertaken by the Organization to periodically review existing administrative requirements, or during the creation of new requirements, should not compromise its objectives to safeguard safe and secure shipping and to prevent and control pollution by ships,

RECOGNIZING FURTHER that the Organization should follow a set of agreed principles when developing future requirements to ensure regulation is of the highest standard, and that the same principles are applied when undertaking a review of existing requirements to ensure that they remain relevant and, if not, that these requirements are amended or removed,

RECALLING the work currently underway in the relevant committees, at the request by Council at its 113th session, to review administrative requirements under their purview and their decisions to include a planned output in the 2016-2017 HLAP, with a target completion year of 2017,

NOTING the request by many respondents to the consultation for increased use of electronic solutions for recording information and record-keeping to meet reporting requirements and for the carriage of certificates and other documentation,

RECALLING the decision by FAL on the acceptance by Port State control of electronic certificates and other ships documents, that take into account implementation, enforcement criteria and security protocols; and the work on the single window concept/electronic information exchange; and the work currently underway at MEPC on the use of electronic record books,

RECALLING FURTHER resolution A.1074(28) on the expanded capabilities of the Global Integrated Shipping Information System (GISIS) that have facilitated reporting from Member States, and the recognition of its potential to play an important role in fulfilling reporting and circulation of information requirements,

[HAVING CONSIDERED the recommendations of the Council at its twenty-eighth extraordinary session...]:

1. REQUESTS the committees, under the coordination of the Council, to continue the work on a review of existing requirements to identify those that are duplicative, obsolete, or that do not take into account electronic alternatives, and to modify these requirements as necessary;
2. URGES Member States, national maritime administrations, port authorities and relevant stakeholders to accept and further progress the use of electronic alternatives to certificates, record-keeping, and other documentation required;
3. URGES FURTHER Member States, national maritime administrations, port authorities and relevant stakeholders to further develop and progress the use of electronic information exchange for collecting, reporting and sharing standardized information with the aim to provide information only once, for example as a single window system;
4. ENCOURAGES the committees, under the coordination of the Council, to apply the principles outlined in the annex to this resolution when drafting requirements, or when reviewing existing requirements with the aim to arrive at better regulation;
5. SUPPORTS the Organization's ongoing efforts to conduct an assessment on the capabilities of its existing information systems in relation to the provision of a web-based information system that can meet stakeholder requirements, and looks forward to being kept informed on the Secretariat's proposals on how it will manage future work in this field;
5. INVITES Member States and the Secretariat to continue working together to promote the review of existing requirements and the development of new requirements that are free from unnecessary, disproportionate or obsolete administrative requirements, without compromising safety, security and the protection of the environment.

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## ANNEX

### PRINCIPLES TO BE CONSIDERED WHEN DRAFTING IMO INSTRUMENTS

The implementation of a systematic framework to better regulation will enable IMO to support the efficient and effective implementation of measures to achieve its objectives of safe and secure shipping, and the prevention of pollution by ships.

In an effort to ensure consistency in the review of existing requirements and the development of new requirements, the following principles should be applied. These principles are intended to complement the procedures in the committee's guidelines for submission of an output and other guidelines for drafting IMO instruments.

.1 Regulation should be **necessary**

.1 Before considering the introduction of new regulation, there is a need to establish, in advance, if the administrative requirement can be met through other means. In the case where the administrative requirement can be met through other means, consideration should be given to: 1) including the information from the other means into the requirement; 2) referring to the other means in the requirement; or 3) not taking action.

.2 Before the introduction of a new regulation, there is a need to establish if the requirement can be met in full or partially through an existing regulation. If it is determined that the new regulation is fully or partially met through an existing requirement, consideration should be given to consolidating the new requirement within the existing regulation through amendments to avoid duplicating requirements.

.2 Regulation should be **consistent**

New regulation should take into account existing regulation to ensure the new requirement does not contradict requirements included in other IMO regulations. If new regulation contradicts existing regulation, the proposed and existing regulations need to be assessed to determine changes or amendments necessary to ensure consistency and compatibility amongst the different regulations.

.3 Regulation should be **proportionate**

The introduction of new regulation should be considered as a proportionate solution to the issue it aims to address. The creation of new regulation should be a balanced response to a need, which takes into account the direct and indirect impacts of its creation.

[.3bis Regulation should be **fit-for-purpose**

Consideration should be given to the type of regulation that best suits a particular objective thus, focusing more on the outcome that is sought rather than the specific means of achieving that outcome.]

.4 Regulation should be **resilient**

When drafting new regulation, factors external to the Organization, such as the developments of technologies and the competences of stakeholders with established and emerging technologies, should be taken into account to ensure that the language used does not render the regulation obsolete in light of these external changes.

.5 Regulation should be **clear**

Regulation should be written in simple, unambiguous language that allows for a clear understanding of the requirement and facilitates implementation, compliance and enforcement. It should state the aims clearly and transparently with the objective of reducing the risk of misinterpretation or misinformation and it should be available and easily accessible to interested stakeholders.

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