

COUNCIL
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Agenda item 4

C 108/4/1
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**PERIODIC REVIEW OF ADMINISTRATIVE REQUIREMENTS
IN MANDATORY IMO INSTRUMENTS**

Inventory of administrative requirements

Submitted by Denmark

SUMMARY

Executive summary: This document reports on the creation of the inventory of administrative requirements in mandatory IMO instruments in force by Denmark in collaboration with the World Maritime University

Strategic direction: 8

High-level action: 8.0.1

Planned output: 8.0.4.2

Action to be taken: 12

Related documents: Resolution A.1043(27); C 108/4, C 108/INF.2 and C 106/3(a)/2

Introduction

1 At its twenty-seventh regular session, the Assembly adopted resolution A.1043(27) establishing a periodic review of administrative requirements in mandatory IMO instruments, as proposed in document C 106/3(a)/2. The first step in the implementation of the periodic review is the development of an inventory of administrative requirements in mandatory IMO instruments.

The creation of the inventory

2 At the twenty-sixth extraordinary session of the Council, Denmark declared its intention to finance the development of an inventory and to submit it to C 108 for consideration. This work commenced right after the adoption of resolution A.1043(27).

3 This document contains a brief description of how the inventory was created and under which terms.

4 As proposed in document C 106/3(a)/2, the inventory has been developed in collaboration with the World Maritime University.

5 The Danish Maritime Authority concluded an agreement with the President of the World Maritime University Dr. Björn Kjerfve and Mr. Jørgen Rasmussen, Visiting Professor, who acted as Project Director for the creation of the inventory.

6 The task was to identify and record in an agreed format administrative requirements in IMO mandatory instruments. The term "administrative requirement" was defined according to Assembly resolution A.1043(27) stipulating that it is "*an obligation to provide or retain information and data*" and that it "*does not necessarily mean that information has to be transferred to the public authority or private persons, but may include a duty to have information available for inspection or supply on request*".

7 The agreed format, as can be seen in the annex, is made up of five columns. Columns 1 and 2 refer to the article of the instrument (number and text). Column 3 relates to the type of requirement, e.g. the provision of information to the Administration, keeping record or approval. Column 4 concerns, who is obligated to perform the type of requirement in column 3, e.g. a contracting party, the IMO or the flag State. The last column concerns the frequency of the requirement, e.g. whether it is a one-time obligation or a continuing requirement.

8 An inventory has been made for each mandatory IMO instrument in force and to inform the Council a part hereof is set out in the annex and the entire inventory can be found in document C 108/INF.2.

9 Denmark would like to thank the World Maritime University and Mr. Jørgen Rasmussen for a fruitful and successful cooperation.

10 Denmark is pleased to present the inventory of administrative requirements in mandatory IMO instruments. It is Denmark's understanding that this work forms a solid basis for the further work to be conducted by the Ad Hoc Steering Group for Reducing Administrative Requirements, including consultations with stakeholders and reporting to Council and the Committees, as described in document C 108/4 by the Secretariat.

11 Denmark is mindful that important decisions and hard work lie ahead and would be prepared to take part in this and contribute constructively.

Action requested of the Council

12 The Council is invited to note the information and to consider how the inventory could be used by the Ad Hoc Steering Group for Reducing Administrative Requirements.

ANNEX

**INVENTORY OF ADMINISTRATIVE REQUIREMENTS
IN IMO MANDATORY INSTRUMENTS**

Ref.	Requirement	Type	Burden on?	Comments
CSC 72				
Article IV/2	An Administration which entrusts such testing, inspection and approval to an organization shall inform the Secretary-General of the International Maritime Consultative Organization (hereinafter referred to as "the Organization") ...	Provision of information to IMO	Approving Administration	Continuous
Article IV/2	... for communication to Contracting Parties.	Provision of information to Contracting Parties	IMO	Continuous
Article VI/2	Where the container appears to have become unsafe as a result of a defect which may have existed when the container was approved, the Administration responsible for that approval shall be informed by the Contracting Party which detected the defect.	Provision of information to Approving Administration	Contracting Party	Continuous
Article VII/4	Instruments of ratification, acceptance, approval or accession shall be deposited with the Secretary-General of the Organization...	Provision of information to IMO	Contracting Party	One off
Regulation 4	... When satisfied, the Administration shall notify the applicant in writing the ...	Provision of information to applicant	Approving Administration	Continuous
Regulation 5.3(d)	Keep a record of containers manufactured to the approved design type. ...	Keep record	Manufacturer	Continuous

Ref.	Requirement	Type	Burden on?	Comments
CSC 72				
Regulation 7	The manufacturer shall notify the Administration prior to commencement of production of each new series of containers to be manufactured in accordance with an approved design type.	Provision of information to Administration	Manufacturer	Continuous
Regulation 8	... the Administration, when so satisfied, shall notify the applicant in writing of approval and ...	Provision of information to applicant	Approving Administration	Continuous
Regulation 9.1	... then the Administration, after investigation, shall notify the owner in writing whether approval is granted, ...	Provision of information to owner	Approving Administration	Continuous
Regulation 10	... Where approval is granted, such approval shall be notified to the owner in writing, and ...	Provision of information to owner	Approving Administration	Continuous