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

**Report of the Working Group on the Periodic Review of
Administrative Requirements in Mandatory IMO Instruments**

General

1 The Working Group on the periodic review of administrative requirements in mandatory IMO instruments (hereinafter referred to as "the Working Group") met from 11 to 13 June 2012, under the chairmanship of Mr. Ranjeet Singh (Singapore).

2 The meeting was attended by representatives from the following Member Governments:

AUSTRALIA	MOROCCO
BELGIUM	NETHERLANDS
CHINA	NORWAY
CYPRUS	REPUBLIC OF KOREA
DENMARK	RUSSIAN FEDERATION
GERMANY	SINGAPORE
GREECE	SOUTH AFRICA
INDIA	SPAIN
IRAN (ISLAMIC REPUBLIC OF)	SWEDEN
JAPAN	THAILAND
KENYA	UNITED KINGDOM
MARSHALL ISLANDS	UNITED STATES

and by observers from the following non-governmental organizations in consultative status:

INTERNATIONAL ASSOCIATION OF CLASSIFICATION SOCIETIES (IACS)
INTERNATIONAL TRANSPORT WORKERS' FEDERATION (ITF)

Terms of reference

3 The Working Group was instructed to take into account any comments, proposals and decisions made in plenary, to:

- .1 develop terms of reference (ToR) for the Ad Hoc Steering Group for Reducing Administrative Requirements (SG-RAR), taking into account,

inter alia, resolutions A.1043(27) on the *Periodic review of administrative requirements in mandatory IMO instruments*, A.1037(27) on the *Strategic Plan for the Organization (for the six-year period 2012 to 2017)*; A.1038(27) on the *High-level Action Plan of the Organization and priorities for the 2012-2013 biennium*; C/ES.26/3, annex 6, and relevant decisions of the Council at its previous sessions. The ToR should address at least the following elements:

- .1 the development of an inventory, taking into account documents C 108/INF.2 and FSI 20/INF.14;
 - .2 the consultative process with stakeholders; and
 - .3 the reporting process of the SG-RAR to the Council and the Committees;
- .2 develop a work plan for the process of periodic review to be carried out by the SG-RAR;
 - .3 consider the proposed composition of the SG-RAR and advise the Council if expansion or reduction in size is needed; and
 - .4 submit a written report by Thursday, 14 June 2012, in the form of summary of decisions.

Terms of reference of the SG-RAR

4 The Working Group agreed that the ToR should be drafted with the following considerations. First, the ToR should direct the work of the SG-RAR by providing a broad structure; second, the ToR should provide flexibility to the SG-RAR in carrying out its work; third, the ToR should not micromanage the work of the SG-RAR; and fourth, the ToR should ensure that the work of the SG-RAR is transparent.

5 Regarding the inventory, the Working Group expressed appreciation to the Government of Denmark for the work carried out through the World Maritime University. Having considered documents C 108/4/1 and C 108/INF.2, the Working Group agreed that document C 108/INF.2 should form the basis for further developing the inventory. Bearing in mind the comments made in plenary, the Working Group further agreed that the SG-RAR should also take into account document FSI 20/INF.14 in further developing the inventory.

6 The Working Group further agreed that the inventory should be presented in a manner that facilitates consultations without pre-empting responses from stakeholders.

7 With regard to the consultative process with stakeholders, the Working Group reiterated the importance of adopting an open and inclusive approach and of gathering information and suggestions from a variety of sources. In this regard, the Working Group was of the opinion that a dedicated website could be a useful mechanism to achieve this. The Working Group further agreed that this should not prevent the SG-RAR from exploring other ways to elicit comments from stakeholders.

8 The Working Group agreed that the SG-RAR should establish proper information management, including documentation and record-keeping, to ensure transparency and informed decision-making by the Council and the committees.

9 The Working Group was of the view that the SG-RAR, when analysing the responses from stakeholders, should identify those administrative requirements that were perceived as a burden and make recommendations to address these burdens.

10 It was recognized that during the consultative process as well as the subsequent analysis phase, the SG-RAR might come across other relevant findings. The Working Group concluded that it would be useful to report these findings and make recommendations to the Council, as appropriate.

11 The Working Group recalled that the outcome of the SG-RAR would be submitted to the Council for consideration, which, in turn, would decide how best to take the recommendations forward.

12 The Working Group agreed to recommend to the Council the TOR of the SG-RAR, as set out in the annex, for approval.

Work plan for the process of periodic review

13 The Working Group recognized the complexity in the task ahead as well as the need not to micromanage or pre-empt the process and agreed that the SG-RAR should formulate its own work plan. However, to ensure that the Council could monitor the progress and outcome of the periodic review, the Working Group agreed that the SG-RAR must present its work plan to the Council at its 109th session.

Proposed composition of the SG-RAR

14 In considering the proposed composition of the SG-RAR, as contained in document C 108/INF.3, and taking into account comments at plenary, the Working Group concluded that a limited number of additional members should be included in the SG-RAR to take into account the following interests:

- ship/crew managers; and
- ship recycling.

15 The Working Group agreed to recommend to the Council for the SG-RAR to be composed of as set out in document C 108/INF.3, taking into account the need to include the two interests highlighted above.

16 The Working Group further agreed to urge the Council to establish the SG-RAR at its current session so that the SG-RAR could commence its work as soon as possible.

Other considerations

17 In addition, the Working Group agreed to recommend to the Council to request the Secretary-General to disseminate information to Member States and observer organizations when the consultative process is established.

18 The Working Group recognized that there was a checklist for identifying administrative burdens in future unplanned outputs. However, there remained a gap in the periodic review process as new regulations, *currently* under development in the Organization that are not yet in force, would not be reviewed by the SG-RAR.

19 The Working Group agreed to recommend to the Council to keep this latter issue under consideration.

Action requested of the Council

20 The Council is invited to consider the outcome of the Working Group and, in particular, to:

- .1 express appreciation to the Government of Denmark for the work carried out to develop the base document for developing the inventory;
- .2 approve the terms of reference for the SG-RAR as set out in the annex (paragraph 12);
- .3 note the Working Group's considerations regarding the SG-RAR's work plan;
- .4 instruct the SG-RAR to present its work plan to the Council at its 109th session (paragraph 13);
- .5 agree to include a limited number of additional members in the SG-RAR to take into account the two further interests identified, and request the Secretary-General to take action, as appropriate (paragraphs 14 and 15);
- .6 establish the SG-RAR at its current session so that the SG-RAR could commence its work as soon as possible (paragraph 16);
- .7 request the Secretary-General to disseminate information to Member States and observer organizations when the consultative process is established (paragraph 17);
- .8 keep under consideration the possible gap in the periodic review process and address it, as appropriate, at a later stage (paragraph 18); and
- .9 approve the report in general.

ANNEX

TERMS OF REFERENCE FOR THE AD HOC STEERING GROUP FOR REDUCING ADMINISTRATIVE REQUIREMENTS (SG-RAR)

Introduction

1 In accordance with operative paragraph 1 of resolution A.1043(27) on *Periodic review of administrative requirements in mandatory IMO instruments*, the Council, at its 108th session, established the Ad Hoc Steering Group For Reducing Administrative Requirements (SG-RAR).

Purpose

2 The purpose of the SG-RAR is to assist the Organization in its efforts to identify and reduce administrative burdens for all stakeholders in the maritime sector.

Tasks

3 The tasks of the SG-RAR are to:

- (a) develop a work plan;
- (b) further develop an inventory of administrative requirements;
- (c) conduct consultations with stakeholders;
- (d) analyse the responses from the consultations;
- (e) identify administrative burdens;
- (f) develop recommendations to address administrative burdens; and
- (g) report accordingly to the Council.

Relevant documents

4 In conducting its work, the SG-RAR should take into account the following documents:

- (a) resolution A.1043(27) on *Periodic review of administrative requirements in mandatory IMO instruments*, in particular the understanding of administrative requirement and administrative burden therein;
- (b) resolution A.1037(27) on the *Strategic Plan for the Organization (for the six-year period 2012 to 2017)*, in particular Strategic Direction 8; and
- (c) resolution A.1038(27) on the *High-level Action Plan of the Organization and priorities for the 2012-2013 biennium*, in particular, planned outputs 8.0.4.1-8.0.4.4.

Principles and considerations

5 The SG-RAR must conduct its work with utmost transparency.

6 The SG-RAR must ensure proper information management, including documentation and record-keeping.

7 In further developing an inventory of administrative requirements (paragraph 3.b), the SG-RAR should use C 108/INF.2 as a base document and taking into account FSI 20/INF.14. The SG-RAR should further ensure that the inventory is accurate and complete. The inventory should also be presented in a manner so as to facilitate consultations, without pre-empting responses from stakeholders.

8 In conducting the consultations (paragraph 3(c)), the SG-RAR must ensure that consultations are open and inclusive in terms of gathering views from all stakeholders. For the purposes of receiving views from the stakeholders, the SG-RAR should utilize efficient means for receiving information, such as a dedicated website.

9 When analysing the responses (paragraph 3(d)), the SG-RAR should clearly identify those administrative requirements that are perceived as a burden and make recommendations to address these burdens, including the rationale for any changes. Furthermore, the SG-RAR should highlight those administrative requirements that were not identified as a burden by stakeholders.

Deliverables to the Council

10 The SG-RAR must submit a work plan to the 109th session of the Council, and report progress on its activities to each session of the Council.

11 In accordance to the above work plan, the SG-RAR will report the following to the Council:

- (a) an updated inventory of administrative requirements that includes the results of the consultation and analysis of the requirements;
- (b) recommendations on changes to administrative requirements that are perceived as administrative burdens, and, as appropriate, their prioritization; and
- (c) any other relevant findings and recommendations, as appropriate.