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Agenda item 7

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CONSIDERATION OF THE REPORT OF THE MARITIME SAFETY COMMITTEE

Note by the Secretary-General

SUMMARY

<i>Executive summary:</i>	This document reports on the outcome of the ninety-sixth session of the Maritime Safety Committee
<i>Strategic directions:</i>	1.1, 1.3, 2, 3.4, 3.5, 4, 5.1 to 5.4, 6.1, 6.2, 7.1, 8, 10 and 12.1 to 12.3
<i>High-level actions:</i>	1.1.1, 1.1.2, 1.3.4, 2.0.1 to 2.0.3, 3.4.1, 3.5.1, 4.0.1, 4.0.2, 4.0.3, 4.0.5, 5.1.1 to 5.4.1, 6.1.1, 6.2.1, 7.1.2, 8.0.2, 8.0.3, 10.0.1 and 12.1.1 to 12.3.1
<i>Outputs:</i>	1.1.1.1, 1.1.2.1 to 1.1.2.3, 1.3.4.1, 2.0.1.1, 2.0.2.1, 2.0.3.1 to 2.0.3.4, 4.0.1.3, 4.0.2.1, 4.0.3.1, 4.0.5.1, 5.1.1.1 to 6.1.1.1, 6.2.1.1, 6.2.1.2, 7.1.2.3, 8.0.2.1, 8.0.3.1, 10.0.1.1, 10.0.1.2 and 12.1.1.1 to 12.3.1.1
<i>Action to be taken:</i>	Paragraph 27
<i>Related documents:</i>	MSC 96/25 and addenda

Introduction

1 The report of the ninety-sixth session of the Maritime Safety Committee (MSC 96/25 and addenda) is submitted to the 116th session of the Council in accordance with the provisions of Article 29 of the IMO Convention.

2 The ninety-sixth session of the Maritime Safety Committee was held from 11 to 20 May 2016 under the chairmanship of Mr. Brad Groves (Australia), and the Vice-Chairman, Mr. Juan Carlos Cubisino (Argentina), was also present. It was attended by 105 Member States; two Associate Members; one United Nations system organization; six intergovernmental and 42 non-governmental organizations.

3 Decisions of the Committee of interest to the Council are summarized in the ensuing paragraphs.

Adoption of amendments to mandatory instruments

- 4 The Committee considered and adopted (MSC 96/25, paragraphs 3.81 to 3.92)*:
- .1 by resolution MSC.402(96), *Requirements for maintenance, thorough examination, operational testing, overhaul and repair of lifeboats and rescue boats, launching appliances and release gear*;
 - .2 by resolution MSC.403(96), *Amendments to the International Code for Fire Safety Systems (FSS Code)*;
 - .3 by resolution MSC.404(96), *Amendments to the International Convention for the Safety of Life at Sea, 1974, as amended (chapters II-2 and III)*;
 - .4 by resolution MSC.405(96), *Amendments to the International Code on the Enhanced Programme of Inspections during Surveys of Bulk Carriers and Oil Tankers, 2011 (2011 ESP Code)*; and
 - .5 by resolution MSC.406(96), *Amendments to the International Maritime Dangerous Goods (IMDG) Code*.

5 The above amendments to the 1974 SOLAS and the FSS Code are expected to enter into force on 1 January 2020 upon their deemed acceptance on 1 July 2019. The amendments to the 2011 ESP Code and the IMDG Code are expected to enter into force on 1 January 2018 upon their deemed acceptance on 1 July 2017. The adoption of the aforementioned Requirements (resolution MSC.402(96)) is expected to be effective on 1 January 2020 upon the entry into force of the associated amendments to the 1974 SOLAS Convention.

Measures to enhance maritime security

6 The Committee considered measures to enhance maritime security (section 4) and, in particular, approved the *Guidance for the development of national maritime security legislation* and the *Interim guidelines on maritime cyber risk management*.

Goal-based new ship construction standards

7 The Committee considered matters related to goal-based standards (section 5) and confirmed that the information provided by the Submitters (12 IACS member ROs) demonstrated that their rules conform to the *GBS Standards for Bulk Carriers and Oil Tankers*. The Committee also approved the Revised timetable and schedule of activities for the implementation of the GBS verification scheme; and progressed on the draft *Interim guidelines for development and application of IMO goal-based standards safety-level approach (GBS-SLA)*.

Passenger ship safety

8 With respect to passenger ship safety (section 6), the Committee agreed to keep the final version of the long-term action plan on passenger ship safety (MSC 96/6); and also agreed to delete this output from the High-level Action Plan, with the understanding that new outputs could be proposed by Member States in the future, in accordance with the Committees' Guidelines.

* References hereunder refer to sections and paragraphs of, and annexes to, the report of MSC 96 (document MSC 96/25 and addenda).

Safety standards for the carriage of more than 12 industrial personnel on board vessels engaged on international voyages

9 The Committee progressed on the safety standards for the carriage of more than 12 industrial personnel on board vessels engaged on international voyages (section 7) and, in particular, agreed to the outline of the draft new chapter [XV] of SOLAS and the outline of the draft new code addressing the carriage of more than 12 industrial personnel on board vessels engaged on international voyages, to use those outlines as the basis for the further development.

Reports of the sub-committees

10 The Committee approved, in general, the reports of SSE 2 (remaining issues) and 3 (urgent matters), III 2, CCC 2, SDC 3, HTW 3, PPR 3 and NCSR 3 (sections 8 to 14). Decisions on important issues emanating from these reports and related matters are provided in paragraphs 11 to 13 below.

Draft amendments to mandatory instruments

11 The Committee approved the draft amendments to SOLAS regulations II-2/1 and II-2/10, SOLAS new regulation XI-1/2-1, SOLAS chapter II-1, including regulation II-1/3-12 related to application of the Code on noise levels on board ships, and SOLAS chapter III (annexes 13, 14, 16 and 19, respectively). The Committee also approved the draft amendments to the IGC Code, the FSS Code and the 2011 ESP Code and (annexes 15, 18 and 20, respectively) and requested the Secretary-General to circulate them in accordance with SOLAS article VIII, with a view to adoption at MSC 97.

12 The Committee approved the draft amendments to the STCW Convention, part A and part B of the STCW Code, relating to passenger ship-specific training, together with the draft amendments related to the Polar Code, which was previously approved by MSC 95; and instructed the Secretary-General to circulate them in accordance with article XII of the STCW Convention with a view to adoption at MSC 97 (annexes 8 to 10).

13 The Committee approved the draft amendments to the introduction of the 2008 IS Code regarding vessels engaged in lifting and towing operations including escort towing, together with the draft amendments related to vessels engaged in anchor handling operations, which was previously approved by MSC 95; and requested the Secretary-General to circulate them in accordance with SOLAS article VIII and article VI of the 1988 Load Lines Protocol (annex 6 and 7, respectively), with a view to adoption at MSC 97. In this context, MSC 96 approved, in principle, the proposed amendments to part B of the 2008 IS Code regarding vessels engaged in lifting and towing operations including escort towing and ships engaged in anchor handling operations, with a view to adoption at MSC 97, in conjunction with the adoption of the proposed amendments to the introduction of the Code.

Revised guidelines on the implementation of the ISM Code by Administrations

14 The Committee, noting that MEPC 69 had already approved, approved the draft Assembly resolution on *Revised guidelines on the implementation of the ISM Code by Administrations* (annex 22), with the view to adoption by the Assembly.

Adoption of non-mandatory instruments

15 The Committee adopted the amendments to:

- .1 the Code for the Construction and Equipment of Mobile Offshore Drilling Units, 2009 (2009 MODU Code) (resolution A.1023(26)), by resolution MSC.407(96); and
- .2 chapter 2 of the Code of Safety for Special Purpose Ships, 2008 (2008 SPS Code), by resolution MSC.408(96).

Piracy and armed robbery against ships

16 The Committee considered matters related to piracy and armed robbery against ships (section 17) and, in particular, authorized expanding the use of the LRIT Distribution Facility to the Gulf of Guinea and requested the Secretariat to prepare a draft MSC resolution in this respect for consideration and adoption by MSC 97 (Related issues are considered under agenda item 12 on Protection of vital shipping lanes).

Unsafe mixed migration by sea

17 The Committee considered the matter related to unsafe mixed migration by sea (section 18) and, in particular, approved the revision of the *Interim measures for combating unsafe practices associated with the trafficking, smuggling or transport of migrants by sea*.

Analysis and consideration of recommendations to reduce administrative burdens in IMO instruments as identified by the SG-RAR

18 With regard to the Council's request to review administrative requirements and to consider how to proceed with the outcome of the Ad Hoc Steering Group on Reducing Administrative Requirements (SG-RAR)'s work (section 19), the Committee, having considered the Secretariat's analysis (MSC 96/19 and Corr.1), took action as follows (paragraph 19.4):

- .1 encouraged Member States to use GISIS modules to fulfil relevant reporting requirements, taking into account resolution A.1074(28);
- .2 urged Administrations to expedite the implementation of electronic certificates, taking into account the guidance provided in FAL.5/Circ.39/Rev.2;
- .3 encouraged interested Member States and international organizations to review the recommendations of the Secretariat, on the feasibility of using electronic documentation other than electronic certificates, in conjunction with the relevant outcome of the FAL Committee (FAL 40/19, section 6 and paragraphs 17.1 to 17.8) and MEPC (MEPC 69/21, sections 9 and 17), with a view to submitting proposals to MSC 97, under the agenda item "Implementation of instruments and related matters", on whether the use of electronic documentation other than electronic certificates is feasible and how such use could be addressed (e.g. amendments to mandatory IMO instruments or development of guidance);

- .4 agreed that no action is necessary with regard to reporting requirements that had been identified by the SG-RAR as being similar to other requirements, having noted the conclusion of the Secretariat, that each such requirement addresses distinct safety aspects;
- .5 instructed the HTW Sub-Committee to continue its work on the development of a framework for a GISIS module relating to the STCW Convention and Code;
- .6 agreed that no further action is necessary with regard to the reporting requirements in the ISPS Code and SOLAS chapter XI-2, having taken into account the instruction of MSC 95 to the Secretariat, to prepare information for seafarers and interested stakeholders on the key aims of the ISPS Code;
- .7 agreed that no action is necessary with regard to requirements relating to the work of the IMO depositary;
- .8 agreed that no further action is required for the perceived administrative burdens contained in rows 4, 22, 27, 81, 121, 145, 151, 152, 158, 162 and 163 of the annex to document MSC 96/19;
- .9 instructed NCSR 4 to further consider the perceived administrative burdens and the Secretariat's recommendations contained in rows 123 and 128 of the annex to document MSC 96/19 under the existing output on "Revised Guidelines and criteria for ship reporting systems (resolution MSC.43(64))", with a view to advising the Committee on how best to proceed; and
- .10 instructed NCSR 4 to further consider the perceived administrative burdens and the Secretariat's recommendations contained in rows 126, 127, 129 and 130 of the annex to document MSC 96/19, under the agenda item "Any other business", with a view to advising the Committee on how best to proceed.

Application of the Committee's Guidelines

19 The Committee, noting that A 29 adopted resolution A.1099(29) on *Application of the Strategic Plan and the High-level Action Plan of the Organization* which requested the Council and the committees to review and revise, during the 2016-2017 biennium, their guidelines on the organization and method of work (section 22), approved the draft MSC-MEPC circular on *Organization and method of work of the Maritime Safety Committee and the Marine Environment Protection Committee and their subsidiary bodies*, subject to concurrent approval by MEPC 70.

20 In considering document MSC 96/22/1 (Russian Federation) proposing further clarification of the Committees' Guidelines regarding the deadlines for posting the documents submitted for consideration by the Committees or their subsidiary bodies onto the IMO document website (IMODOCS), the Committee agreed to take no specific action relating to the deadlines for posting the documents onto IMODOCS at this session and requested the Secretariat to analyse the current practice, with a view to proposing a possible solution(s) for consideration at the next session; and also agreed to report the repeated problem with accessing documents uploaded onto IMODOCS, which occurs during the meetings, to the Council for action as appropriate.

Work programme

Endorsement of new outputs

21 In accordance with the relevant provisions of the *Guidelines on the application of the Strategic Plan and the High-level Action Plan of the Organization* (resolution A.1099(29)), the Committee invited the Council to endorse, for inclusion in the current High-level Action Plan, the following new outputs agreed by the Committee:

- .1 suitability of high manganese austenitic steel for cryogenic service and development of any necessary amendments to the IGC Code and IGF Code (paragraph 23.4);
- .2 amendments to SOLAS regulations II-2/20.2 and II-2/20-1 to clarify the fire safety requirements for cargo spaces containing vehicles with fuel in their tanks for their own propulsion (paragraph 23.6);
- .3 review SOLAS chapters IV and appendix (Certificates: Forms P, R and C) to accommodate additional mobile satellite systems (paragraph 23.18);
- .4 amendments to the FSS Code for CO₂ pipelines in under deck passageways (paragraph 23.26); and
- .5 uniform implementation of paragraph 6.1.1.3 of the LSA Code (paragraph 23.29).

Report on the status of outputs for the 2016-2017 biennium related to the Maritime Safety Committee

22 The Committee invited the Council to note the Report on the status of outputs for the 2016-2017 biennium related to the Maritime Safety Committee (paragraph 23.36 and annex 27).

Post-biennial agenda of the Committee

23 The Committee invited the Council to note the updated Post-biennial agenda of the Maritime Safety Committee (paragraph 23.37 and annex 28).

Follow up to the twenty-ninth session of the Assembly

24 The Committee considered the outcome of the twenty-ninth session of the Assembly (MSC 96/23/1), noted the action it had been requested to take in the context of resolutions adopted by the Assembly and took various actions (paragraphs 23.38 and 23.39).

Intersessional meetings

25 The Committee approved or confirmed, as appropriate, the following intersessional meetings and invited the Council to endorse these decisions (paragraph 23.41):

- .1 the twelfth meeting of the Joint IMO/ITU Experts Group on Maritime Radiocommunication Matters, to take place from 11 to 15 July 2016;
- .2 the twenty-sixth meeting of the E&T Group on the IMSBC Code, to take place from 12 to 16 September 2016, directly after CCC 3;

- .3 the twenty-third session of the ICAO/IMO Joint Working Group on Search and Rescue, to take place in Berlin, from 12 to 16 September 2016;
- .4 the twenty-second meeting of the PPR Working Group on the Evaluation of Safety and Pollution (ESPH), to take place from 10 to 14 October 2016;
- .5 the thirteenth meeting of the Joint IMO/ITU Experts Group on Maritime Radiocommunication Matters, to take place in 2017;
- .6 the twenty-fourth session of the ICAO/IMO Joint Working Group on Search and Rescue, to take place in 2017; and
- .7 a meeting of PPR Working Group on the Evaluation of Safety and Pollution (ESPH), to take place in 2017, as approved by MEPC 69.

Verification of the gross mass of packed containers

26 Concerning the implementation of the verification of the gross mass (VGM) of packed containers, the Committee urged Administrations and industry stakeholders to communicate frequently and fully with regard to implementation of the SOLAS VGM requirements and to share best practices; agreed that an appropriate way forward would be to urge Administrations and port State control authorities to adopt a practical and pragmatic approach when transitioning to the new requirements of SOLAS regulation VI/2 and exercising control procedures, for a period of three months after 1 July 2016, in order to permit containers that will have been loaded before 1 July 2016 but trans-shipped on or after 1 July 2016 to reach their final port of discharge without a verified gross mass; and approved MSC.1/Circ.1548 on *Advice to Administrations and port State control Authorities regarding the SOLAS requirements for verified gross mass of packed containers* (paragraphs 24.8 to 24.10).

Action requested of the Council

- 27 The Council is invited to:
- .1 consider the report of the ninety-sixth session of the Maritime Safety Committee and, in accordance with Article 21(b) of the IMO Convention, transmit it, with its comments and recommendations, to the thirtieth session of the Assembly (paragraphs 1.1 and 25.1)*;
 - .2 note the adoption by the Committee of amendments to the 1974 SOLAS Convention and related mandatory codes and the approval/adoption of non-mandatory instruments (paragraphs 3.80 to 3.102 and 11.8 and annexes 1 to 5, 11 and 17);
 - .3 note the actions taken by the Committee on issues related to maritime security and, in particular, the approval of guidance for the development of national maritime security legislation and the approval of interim guidelines on maritime cyber risk management (paragraphs 4.1 to 4.22);

* References refer to the paragraphs of, and annexes to, the report of MSC 96 (MSC 96/25 and addenda).

- .4 note the actions taken on issues related to goal-based new ship construction standards and the initial GBS verification audits, in particular, that the Committee overwhelmingly confirmed that the information provided by the Submitters (12 IACS member ROs) demonstrated that their rules conform to the GBS Standards (paragraphs 5.1 to 5.33 and annex 12);
- .5 note the actions taken by the Committee on issues related to passenger ship safety (paragraphs 6.1 to 6.6);
- .6 note the actions taken by the Committee on issues related to the carriage of more than 12 industrial personnel on board vessels engaged on international voyages (paragraphs 7.1 to 7.15);
- .7 note the approval of the draft Assembly resolution on Revised guidelines on the implementation of the ISM Code by Administrations (paragraph 12.4 and annex 22);
- .8 note the decisions taken in regard to piracy and armed robbery against ships (paragraphs 17.1 to 17.6);
- .9 note the decisions taken in regard to unsafe mixed migration at sea (paragraphs 18.1 to 18.16);
- .10 note the decisions taken in regard to the recommendations to reduce administrative requirements in IMO instruments (paragraphs 19.1 to 19.4);
- .11 note the actions taken by the Committee on issues related to the application of the Committees' Guidelines and, in particular, consider the problems with accessing documents uploaded onto IMODOCS and take action as appropriate (paragraphs 22.1 to 22.13 and annex 24);
- .12 endorse the new outputs agreed at the session for inclusion in the High-level Action Plan and priorities for the 2016-2017 biennium (paragraph 23.35 and annex 27);
- .13 note the biennial status report of the Maritime Safety Committee (paragraph 23.36 and annex 27);
- .14 note the post-biennial agenda of the Maritime Safety Committee (paragraph 23.37 and annex 28); and
- .15 endorse the intersessional meetings approved for 2016 and 2017 (paragraph 23.41).