

COUNCIL
110th session
Agenda item 14

C 110/14/1
13 May 2013
Original: ENGLISH

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

Report of the Ad Hoc Steering Group for Reducing Administrative Requirements

Note by the Secretariat

SUMMARY

Executive summary: The annex to this document contains the second report of the Ad Hoc Steering Group for Reducing Administrative Requirements (SG-RAR), including a revised work plan

Strategic direction: 8

High-level action: 8.0.4

Planned output: 8.0.4.1, 8.0.4.2, 8.0.4.3

Action to be taken: Paragraph 3

Related documents: Resolutions A.1037(27), A.1038(27) and A.1043(27); C 110/14; C 109/11, C 109/11/1, C 109/D and C 108/D

Introduction

1 According to the terms of reference of the Ad Hoc Steering Group for Reducing Administrative Requirements (SG-RAR), approved by Council at its 108th session, the SG-RAR is to inter alia report progress on its activities to each session of the Council.

2 In accordance with its terms of reference the annex to this document presents the second report of the Steering Group for Reducing Administrative Requirements. The report includes a revised work plan, for endorsement by the Council.

Action requested of the Council

3 The Council is invited to:

- .1 note the report of the SG-RAR in the annex to this document;
- .2 note the adjustments to the Inventory of administrative requirements (annex, paragraphs 4 to 5 and appendix 1);

- .3 note the group's agreement on the availability of personal information in responses to the consultation (annex, paragraph 8);
- .4 note the group's decision to conduct the consultation in one batch (annex, paragraph 17);
- .5 note the group's decision on the development of a database for the analysis of the responses to the consultation (annex, paragraph 19);
- .6 endorse the revised work plan for the SG-RAR (annex, paragraphs 26 to 28 and appendix 2);
- .7 endorse the group's view that the final report of the SG-RAR should be made publicly available, in order to ensure transparency for respondents to the consultation (annex, paragraph 29.5); and
- .8 invite Member States, intergovernmental organizations and non-governmental organizations in consultative status to disseminate information on the public consultation (Circular letter No.3349).

ANNEX

SECOND REPORT OF THE AD HOC STEERING GROUP FOR REDUCING ADMINISTRATIVE REQUIREMENTS

General

1 After the submission of its first report (annex to document C 109/11/1) the Ad Hoc Steering Group for Reducing Administrative Requirements (SG-RAR) held three meetings (on 8 November 2012, 14 to 15 January and 7 March 2013) at IMO Headquarters. In between meetings, the group worked by correspondence.

2 In January 2013, the SG-RAR welcomed one new member: Captain Ike Enriquez, who succeeded Mr. Francisco Noel R. Fernandez III.

3 At its meeting on 7 March 2013, the SG-RAR expressed its appreciation for the United Kingdom's generous donation of £25,000, earmarked for the process of reducing administrative requirements.

Expansion of the Inventory of administrative requirements

4 At its first meeting, the SG-RAR decided that the Inventory of administrative requirements in mandatory IMO instruments (C 108/INF.2, annex) should be considered as accurate and complete, and should therefore be the basis for further work of the SG-RAR. Members were nevertheless encouraged to identify any mandatory requirements that had not been included in the Inventory. This resulted in the identification of 28 pertinent administrative requirements that had not been included in the Inventory, and the consequential decision to add those requirements to the Inventory. A list of the 28 additional administrative requirements is included in appendix 1 to this report.

5 In the course of the preparation of the consultation process, the SG-RAR concluded that three instruments that were included in the Inventory should not be included in the consultation process as these instruments were not yet in force, and decided to delete them from the list of mandatory instruments. The list of deleted instruments is also included in appendix 1 to this report.

Preparation of a consultation document

6 The SG-RAR developed a concise consultation document ("questionnaire") for use in the consultation process. The consultation document is available through the following link: <http://www.imo.org/OurWork/rab>. It contains two sections:

- .1 a section aiming at the identification of respondents (questions 1 and 2); and
- .2 a section aiming at pertinent answers to questions regarding individual administrative requirements (questions 3, 4, 5 and 6).

7 The SG-RAR further developed a second consultation document for respondents only wishing to make general comments. This consultation document only includes questions 1 and 2, followed by a box for general comments on the reduction of administrative burdens.

8 The SG-RAR agreed that personal information (in particular answers to question 2) would not be available for review by anyone (including the Council and committees) other than the SG-RAR to ensure that a wide range of stakeholders (especially individuals) would be comfortable with submitting information.

9 When preparing the consultation document, the SG-RAR considered the linkage between the actual consultation phase and the consequential phase of processing, collating and analysing the responses, in order to ensure that the nature and structure of the responses would provide workable and relevant input for the analysis and consequential preparation of recommendations to the Council. Consideration of the linkage between the two phases also provided additional understanding for the development of a database for the analysis of responses (see paragraphs 18 to 19).

10 The consultation documents are available on the consultation website, both in PDF and web formats.

Development of a consultation website

11 The SG-RAR specified the functional requirements for the dedicated consultation website, putting emphasis on its appeal and user-friendliness. The group agreed on a list of mandatory instruments and a list of pertinent stakeholders to be used in the consultation, and decided on the use of a so-called consultation matrix, offering a "navigational tool" for the quick identification of relevant administrative requirements by respondents. The consultation matrix is a key element in the *tailored* approach to the consultation.

12 The group further developed explanatory and other text for the content of the consultation website, and agreed on its structure and general layout.

13 In March and April 2013, the group performed various tests on both the functionality and the usability of the consultation website. The functionality of the website was tested on different platforms and under different browsers and operating systems. The usability of the website was tested by some 15 individuals randomly chosen by the members of the group. The results of the tests were very satisfactory and underpinned the group's decision to launch the consultation process (see paragraph 24).

14 The SG-RAR is greatly indebted to Mr. Jeppe Skovbakke Juhl for his extensive work in the development of the consultation website, and expresses its appreciation to Mr. Juhl's organization for making available the resources necessary for the development and hosting of the consultation website.

Structure of the consultation process

15 In its first report to the Council, the SG-RAR reported on its considerations regarding the structure of the consultation process (C 109/11/1, annex, paragraphs 7 to 10), recognizing that a *tailored* approach would be essential to ensure that commenting on the many administrative requirements would not become a cumbersome process for the stakeholders in itself. The work plan in annex 3 to its first report was provisionally based on a segmentation of the consultation process in four "batches", pending further decisions on various modalities of the consultation process.

16 The SG-RAR considered this matter further in connection with the development of both the consultation document and the consultation website. The group agreed that the consultation matrix (paragraph 11) together with the concise consultation document

(paragraph 6) would not only offer a proper basis for a tailored and user-friendly consultation, but would also offer the possibility to conduct the consultation in only one "batch".

17 The SG-RAR therefore decided to conduct the consultation in one batch, with a duration of six months, followed by processing, collating and analysing of the responses. The group further agreed to carry out an interim review two months into the consultation process, in order to decide if further actions would be needed to ensure broad participation in the consultation process. The group decided to revise its work plan accordingly (see paragraphs 26 to 28).

Development of a database

18 In its first report, the SG-RAR informed the Council of its intention to develop a database, to support and facilitate the whole process (C 108/11/1, annex, paragraph 5 and annex 1). Considering the matter further in connection with the development of the consultation website, the group concluded that it would not be necessary to develop a database to support and facilitate the consultation process, but that such a database should still be developed for the analysis phase of the process, including the processing and collation of responses.

19 The SG-RAR therefore decided to develop the database in parallel to the consultation process, after ensuring that the specifications for the database match the output of the consultation (i.e. the answers to the questions in the consultation document) and that the database will provide workable and relevant input for the analysis and consequential preparation of recommendations to the Council.

20 The SG-RAR is greatly indebted to Mr. E.J. Terminella for his extensive work in the development of the database, and expresses its appreciation to Mr. Terminella's organization for making available the resources necessary for the development and hosting of the database.

Raising awareness

21 With the aim of (a) raising awareness regarding IMO's initiative, (b) promoting stakeholder consultation and response, and (c) demonstrating that the stakeholders are part of the solution to reduce administrative burdens, the SG-RAR developed a Communications programme with an associated action plan. The Communications programme establishes four key messages to be conveyed, founded on the Organization's Strategic Plan:

- .1 *Safety, Security and Environment*: the industry is subject to strict international standards. The various maritime industry stakeholders dedicate significant resources and costs (e.g. financial, personnel, time) to achieve and maintain these standards;
- .2 *Regulatory requirements*: regulations are essential in order for the shipping industry to service international maritime transportation and world trade, but regulations must constantly evolve to keep pace with technological developments;
- .3 *Efficiency of Shipping*: the industry is constantly striving to improve procedures; and
- .4 *Economic impact*: the maritime industry is a major contributor to the world and national economies, including the economy of local ports of call.

22 The SG-RAR decided on a number of different outreach activities, including the development of a flyer to promote the consultation process.

23 The SG-RAR would encourage all Member States, intergovernmental organizations and non-governmental organizations to promote the consultation process in order to ensure that all different stakeholders are aware of and participate in the consultation.

24 The SG-RAR wishes to express its appreciation to the Secretariat's Public Information Services for its useful advice and contributions to the promotion of the consultation process.

Launch of the consultation

25 After the successful completion of the functionality and usability tests (paragraph 13), the SG-RAR concluded that the consultation website was ready to go live. Consequentially, the consultation process was successfully launched on 7 May 2013.

Revised work plan

26 Following its decisions reported above, the SG-RAR revised its work plan accordingly, in particular taking account of its decision to conduct the consultation in one batch (paragraph 16). In reviewing its work plan the group also considered the Council's request to review its timelines with a view to completing the work as soon as possible (C 109/D, paragraph 11.3(iii)).

27 The SG-RAR concluded that its decision to conduct the consultation in one batch would result in a more convenient and more manageable process than foreseen in its initial work plan. However, the group also concluded that it would not be feasible to shorten the overall timeline for the process, in particular due to (a) the strong dependency of the (uncertain) number of responses to the consultation, and (b) the limited availability of a majority of the group's members during the final months of 2013. The revised work plan therefore still foresees the delivery of the group's final report to Council 113 in the final quarter of 2014.

28 The revised work plan 2012-2015 for the SG-RAR is included in appendix 2 to this report. The Council is invited to endorse the revised work plan.

Other matters

29 In the course of its preparatory work on the consultation process the SG-RAR further agreed as follows:

- .1 that the qualitative analysis of responses would start only when the consultation had come to an end on 31 October 2013;
- .2 that the consultation website should be closed at the end of the consultation, but that the structure should be preserved in case IMO would do similar exercises in the future;
- .3 that statistical data on the number of respondents broken down by stakeholder group and instrument should be developed during the process, to be presented on the consultation website;

- .4 that the analysis phase should be further considered during an interim review meeting half-way through the consultation process; and
- .5 that the final report of the SG-RAR should be made available publicly, in order to ensure transparency for respondents in the consultation phase, and that it would request the Council to endorse this view.

* * *

APPENDIX 1

ADJUSTMENTS TO THE INVENTORY OF ADMINISTRATIVE REQUIREMENTS (C 108/INF.2)

Additions

The SG-RAR added 28 administrative requirements to the Inventory of Administrative Requirements (document C 108/INF.2), as follows:

- .1 SOLAS 74, chapter II: 7 administrative requirements;
- .2 SOLAS 74, chapter III: 5 administrative requirements;
- .3 SOLAS 74, chapter V: 5 administrative requirements;
- .4 SOLAS 74, chapter VII: 3 administrative requirements;
- .5 SOLAS 74, chapter IX: 1 administrative requirement;
- .6 SOLAS 74, chapter XI: 1 administrative requirement;
- .7 MARPOL Protocol 97, Articles: 1 administrative requirement;
- .8 MARPOL Protocol 97, Annex 1: 2 administrative requirements;
- .9 STCW (Manila Amendments): 3 administrative requirements.

Deletions

The SG-RAR deleted the following instruments from the Inventory of Administrative Requirements:

- .1 Protocol of 2002 to the Athens Convention relating to the carriage of passengers and their luggage by sea, 1974 (PAL Protocol 2002): the instrument is not yet in force;
- .2 *Guidelines for the authorization of organizations acting on behalf of the Administration* (resolution A.739(18)): the instrument contains no mandatory administrative requirements; and
- .3 *Specifications on the survey and certification functions of recognized organizations acting on behalf of the Administration* (resolution A 789(19)): the instrument contains no mandatory administrative requirements.

APPENDIX 2

REVISED WORK PLAN 2012-2015 FOR THE AD HOC STEERING GROUP FOR REDUCING ADMINISTRATIVE REQUIREMENTS (SG-RAR)

SG-RAR – REVISED WORK PLAN 2012-2015														
YEAR/QUARTER	2012/3	2012/4	2013/1	2013/2	2013/3	2013/4	2014/1	2014/2	2014/3	2014/4	2015/1	2015/2	2015/3	2015/4
PREPARATORY WORK														
Development of a work plan		C 109												
Organization and method of work/RoP														
Principles of information management														
Development/expansion of the Inventory														
Decisions on structure of consultation														
Identification of stakeholders														
Preparation of consultation document														
Development of dedicated website														
Advertising of the process														
Information of stakeholders (SG-IMO)				MAY										
Development of analysis database														
CONSULTATION														
Launch				MAY										
Response period					MAY-OCT									
Intermediate process review					JULY									
Collate/structure responses (tbd)														
Analysis of responses														
Identification of AB														
Recommendations on AB														
Final report to Council												C 113		
REPORTING														
Progress report to Assembly							A 28							A 29
Progress reports to Council		C 109		C 110			ES 27		C 112		C 113		(C 114)	ES 28