

COUNCIL
110th session
Agenda item 8

C 110/8
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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-first session of the Maritime Safety Committee
<i>Strategic directions:</i>	1.1, 1.3, 2, 3.5, 4, 5.1 to 5.4, 6.1, 6.2, 10, and 12.1 to 12.3
<i>High-level actions:</i>	1.1.2, 1.3.5, 2.0.1, 2.0.3, 3.5.1, 4.0.2, 4.0.5, 5.1.1 to 5.4.1, 6.1.1, 6.2.1, 10.0.1, and 12.1.1 to 12.3.1
<i>Planned outputs:</i>	1.1.2.1, 1.1.2.5, 1.1.2.7 to 1.2.2.27, 1.3.5.1, 1.3.5.2, 2.0.1.2 to 2.0.1.6, 2.0.1.13, 2.0.1.19, 2.0.1.22 to 2.0.1.24, 2.0.3.1 to 2.0.3.5, 3.5.1.2, 4.0.2.1 to 4.0.2.3, 4.0.5.1, 5.1.1.1 to 5.4.1.1, 6.1.1.1, 6.1.1.2, 6.2.1.1, 6.2.1.2, 10.0.1.1, 10.0.1.2, and 12.1.1.1 to 12.3.1.3
<i>Action to be taken:</i>	Paragraph 28
<i>Related documents:</i>	MSC 91/22 and addenda

INTRODUCTION

1 The report of the ninety-first session of the Maritime Safety Committee (MSC 91/22 and addenda) is submitted to the 110th session of the Council in accordance with the provisions of Article 29 of the IMO Convention.

2 The ninety-first session of the Maritime Safety Committee was held from 26 to 30 November 2012 under the chairmanship of Mr. Christian Breinholt (Denmark), and the Vice-Chairman, Capt. M. Segar (Singapore), was also present. It was attended by 116 Member States; two Associate Members; one United Nations system organization; eight intergovernmental and 43 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 91/22, section 3)¹:
- .1 by resolution MSC.337(91), adoption of the Code on noise levels on board ships;
 - .2 by resolution MSC.338(91), amendments to chapters II-1, II-2 and III of, and the appendix to the annex to, the International Convention for the Safety of Life at Sea, 1974, as amended (1974 SOLAS Convention);
 - .3 by resolution MSC.339(91), amendments to the International Code for Fire Safety Systems (FSS Code);
 - .4 by resolution MSC.340(91), amendments to the International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk (IBC Code);
 - .5 by resolution MSC.341(91), amendments to the Performance standard for protective coatings for dedicated seawater ballast tanks in all types of ships and double-side skin spaces of bulk carriers (resolution MSC.215(82));
 - .6 by resolution MSC.342(91), amendments to the Performance standard for protective coatings for cargo oil tanks of crude oil tankers (resolution MSC.288(87));
 - .7 by resolution MSC.343(91), amendments to the Protocol of 1978 relating to the International Convention for the Safety of Life at Sea, 1974 (1978 SOLAS Protocol);
 - .8 by resolution MSC.344(91), amendments to the Protocol of 1988 relating to the International Convention for the Safety of Life at Sea, 1974 (1988 SOLAS Protocol); and
 - .9 by resolution MSC.345(91), amendments to the Protocol of 1988 relating to the International Convention on Load Lines, 1966 (1988 LL Protocol), as amended.

5 The above amendments (subparagraphs .2 and .3 and .5 to .9) are expected to enter into force on 1 July 2014 upon their deemed acceptance on 1 January 2014. The adoption of the Code on noise levels on board ships (subparagraph .1) is expected to be effective on 1 July 2014 upon the entry into force of the associated amendments to the 1974 SOLAS Convention. The amendments to the IBC Code (subparagraph .4) are expected to enter into force on 1 June 2014 upon their deemed acceptance on 1 December 2013. In this connection, the Committee also established an Ad Hoc working group under the FSI Sub-Committee to consider issues regarding the scope of application of amendments to SOLAS and related codes and instructed it to report to MSC 92 (MSC 91/22, paragraphs 3.19 to 3.34).

¹ References hereunder are to sections and paragraphs of, and annexes to, the report of MSC 91 (document MSC 91/22).

6 The Committee also adopted amendments to annex I and a new proposed annex IV to the International Convention on Load Lines, 1966 (1966 LL Convention) and the associated draft Assembly resolution (MSC 91/22, annex 10); new Part F to the Convention on the International Regulations for Preventing Collisions at Sea, 1972 (1972 COLREG), and the associated draft Assembly resolution (MSC 91/22, annex 11); and amendments to annex I and the new annex III to the International Convention on Tonnage Measurement of Ships, 1969 (1969 TM Convention), and the associated draft Assembly resolution, for submission to the twenty-eighth session of the Assembly for adoption (MSC 91/22, annex 12).

7 The Committee further adopted resolution MSC.346(91) on Application of SOLAS regulation III/17-1 to ships to which SOLAS chapter III does not apply.

PASSENGER SHIP SAFETY

8 The Committee made progress on passenger ship safety issues emanating from the **Costa Concordia** accident, taking into account urgent actions requested by the Secretary-General, and, in particular, approved (MSC 91/22, section 7):

- .1 draft amendments to SOLAS regulation III/19 on Emergency training and drills (MSC 91/22, annex 14), and requested the Secretary-General to circulate them in accordance with SOLAS article VIII, with a view to adoption at MSC 92;
- .2 MSC.1/Circ.1446/Rev.1 on Recommended interim measures for passenger ship companies to enhance the safety of passenger ships, which supersedes MSC.1/Circ.1446, and instructed the Secretariat to issue a corresponding corrigendum to resolution MSC.336(90), where MSC.1/Circ.1446 is referenced; and
- .3 the revised long-term action plan on passenger ship safety (MSC 91/WP.8, annex 3).

REPORTS OF THE SUB-COMMITTEES

9 The Committee approved, in general, the reports of COMSAR 16, FSI 20, STW 43 and NAV 58 and also dealt with urgent matters emanating from DSC 17 (MSC 91/22, sections 9 to 13). Decisions on important issues emanating from these reports are provided in paragraphs 10 to 16.

Draft IMO Instruments Implementation Code (III Code)

10 MSC 91 approved the draft Assembly resolution on Adoption of the IMO Instruments Implementation Code (III Code) (MSC 91/22, annex 16), for submission to the Assembly, at its twenty-eighth session for adoption. The Committee also approved the associated draft SOLAS new chapter XIII (MSC 91/22, annex 17) and the draft amendments to the 1988 LL Protocol (MSC 91/22, annex 18) to make the III Code mandatory, and requested the Secretary-General to circulate them in accordance with SOLAS article VIII and article VI of the 1988 LL Protocol, respectively, with a view to adoption at MSC 93.

Draft Code for recognized organizations (RO Code)

11 MSC 91 approved the draft MSC resolution on Adoption of the Code for Recognized Organizations (RO Code) (MSC 91/22, annex 19), with a view to adoption at MSC 92. The Committee also approved the associated draft amendments to SOLAS regulation XI-1/1 (MSC 91/22, annex 20) and LL Protocol regulation I/2-1 (MSC 91/22, annex 21) to make the RO Code mandatory, and requested the Secretary-General to circulate them in accordance with SOLAS article VIII and article VI of the 1988 LL Protocol, respectively, with a view to adoption at MSC 92.

Amendments to the ISM Code

12 MSC 91 approved the draft amendments to the International Safety Management (ISM) Code (MSC 91/22, annex 22) and requested the Secretary-General to circulate them in accordance with SOLAS article VIII with a view to adoption by MSC 92. The Committee also approved the draft Assembly resolution on Revised Guidelines on implementation of the ISM Code by Administrations (MSC 91/22, annex 23), for submission to the Assembly, at its twenty-eighth session, for adoption.

Contingency planning for shipboard emergencies

13 MSC 91 approved the draft Assembly resolution on Revised Guidelines for the structure of an integrated system of contingency planning for shipboard emergencies (MSC 91/22, annex 24), for submission to the Assembly, at its twenty-eighth session, for adoption.

Other draft amendments to mandatory instruments

14 In considering the draft amendments to mandatory instruments prepared by the sub-committees, the Committee approved:

- .1 draft amendments to SOLAS regulation III/19 on Emergency training and drills (MSC 91/22, annex 29);
- .2 draft amendments to the 1994 HSC Code (MSC 91/22, annex 30); and
- .3 draft amendments to the 2000 HSC Code (MSC 91/22, annex 31),

and requested the Secretary-General to circulate them in accordance with SOLAS article VIII, with a view to adoption at MSC 92. The Committee noted that DSC 17 had authorized E&T 18 to prepare the final text of draft amendments (02-13) to the IMSBC Code and associated guidelines and requested the Secretary-General to circulate them in accordance with SOLAS article VIII, for consideration and subsequent adoption by MSC 92, together with the approval of the associated guidelines.

15 The Committee also approved the draft amendments to the International Convention for Safe Containers, 1972 (1972 CSC) (MSC 91/22, annex 32) and requested the Secretary-General to circulate them in accordance with article X of the 1972 CSC, with a view to adoption at MSC 92.

16 In addition, the Committee adopted:

- .1 by resolution MSC.347(91), Recommendation for the protection of the AIS VHF data link; and

- .2 by resolution MSC.348(91), New mandatory ship reporting system "In the Barents Area (Barents SRS)".

THEMATIC PRIORITIES FOR THE ITCP 2014-2015

17 The Committee approved the thematic priorities for the ITCP covering the 2014-2015 biennium (MSC 91/22, annex 33) and agreed to the following four priority themes for 2014:

- .1 Maritime security and anti-piracy measures (priority 2);
- .2 Voluntary IMO Member State Audit Scheme (priority 5);
- .3 Safety of navigation (priority 4); and
- .4 Safety of non-convention ships and fishing vessels (priorities 7 and 8).

FORMAL SAFETY ASSESSMENT (FSA)

18 The Committee approved, subject to the concurrent approval of MEPC 65, the draft MSC-MEPC circular on the Revised Guidelines for Formal Safety Assessment (FSA) for use in the IMO rule-making process (MSC 91/22, annex 34) and the draft MSC-MEPC circular on Guidelines for the application of Human Element Analysing Process (HEAP) to the IMO rule-making process (MSC 91/22, annex 35). The Committee also considered the report of the FSA Experts Group on matters related to safe sea transport of dangerous goods and crude oil tankers and forwarded the group's recommendations to the relevant sub-committees for consideration and action, as appropriate (MSC 91/22, paragraphs 16.10 and 16.15).

WORK PROGRAMME

Unplanned outputs

19 In accordance with the *Guidelines on the application of the strategic plan and the high-level action plan of the Organization* (resolution A.1013(26)), the Committee, having agreed to the Sub-Committees' 2012-2013 biennial agendas and the provisional agendas for their forthcoming sessions (MSC 91/22, section 19 and annexes 36 and 37), invited the Council to endorse the unplanned outputs agreed at the session for inclusion in the current High-level Action Plan and priorities for the 2012-2013 biennium (MSC 91/22, paragraph 19.33).

Post-biennial agenda of the Committee

20 The Committee invited the Council to note the updated post-biennial agenda of the Maritime Safety Committee (paragraph 19.34 and annex 38).

Status of planned outputs for the 2012-2013 biennium

21 The Committee invited the Council to note the report on the status of planned outputs for the 2012-2013 biennium (paragraph 19.35 and annex 39).

Proposals for the high-level action plan and priorities for the 2014-2015 biennium

22 The Committee instructed the sub-committees to prepare their respective biennial agendas for the 2014-2015 biennium at their forthcoming sessions, for consideration at MSC 92, and requested the Secretariat, in consultation with the Chairman, to prepare the Committee's proposals for the high-level action plan for the coming biennium, for consideration by MSC 92 and subsequent submission to C 110, for inclusion in the Organization's High-level Action Plan and priorities for the 2014-2015 biennium, taking into account that NAV 59 and DSC 18 will, as usual, report their proposed biennial agendas for the coming biennium directly to CWGSP 13 and/or C/ES.27, as appropriate (MSC 91/22, paragraphs 19.36 and 19.37).

Review and reform initiative

23 The Committee, having noted that C 109 had invited the MSC and MEPC to give early consideration to the implications and practicability of the relevant proposals regarding the review and reform initiative under their purview and to report to C 110 accordingly, had preliminary discussions on matters related to the review and reform initiative and requested the Secretariat to prepare a detailed proposal containing proposed names, terms of reference, provisional agendas and biennial agendas, cost-benefit analysis and meeting dates for each body, for consideration at MEPC 65 and MSC 92 (MSC 91/22, paragraphs 19.38 to 19.48).

Activities, priorities and plan of meeting weeks of the committees and their subsidiary bodies for the 2014-2015 biennium

24 The Committee agreed that, for budgetary planning purposes, the proposed number of meeting weeks for the coming biennium will be reduced from 25 to 21 planned meeting weeks, for inclusion in the Secretary-General's relevant budget proposals for the biennium 2014-2015 (MSC 91/22, paragraph 19.50).

25 Regarding the number of meeting days of the MSC, the Committee approved eight days for MSC 93 (May 2014), five days for MSC 94 (December 2014) and eight days for MSC 95 (May 2015), for inclusion in the Secretary-General's relevant budget proposals for the biennium 2014-2015 (MSC 91/22, paragraph 19.51).

Intersessional meetings

26 The Committee approved the following intersessional meetings for the Council's endorsement (MSC 91/22, paragraph 19.52):

- .1 the first meeting of the E&T Group (E&T 19) to take place from 22 to 26 April 2013;
- .2 the second meeting of the E&T Group (E&T 20) to take place directly after DSC 18, from 16 to 20 September 2013; and
- .3 a meeting of the ESPH Working Group to be held in 2013, as approved by MEPC 64.

OTHER ITEMS

27 The Committee also made progress on other items, including measures to enhance maritime security; goal-based new ship construction standards; LRIT-related matters; making the Polar Code mandatory; technical co-operation activities relating to maritime safety and security; capacity-building for the implementation of new measures; piracy and armed robbery against ships; implementation of instruments and related matters; and any other business. The list of circulars approved by MSC 91 is attached to document MSC 91/WP.1/Add.2.

ACTION REQUESTED OF THE COUNCIL

28 The Council is invited to:

- .1 consider the report of the ninety-first 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 twenty-eighth session of the Assembly (paragraph 1);
- .2 note the adoption, by the Committee, of amendments to the 1974 SOLAS Convention and mandatory codes and resolutions related thereto; amendments to the 1978 SOLAS Protocol; amendments to the 1988 SOLAS Protocol; and the 1988 LL Protocol (paragraphs 4 and 5);
- .3 note the adoption, by the Committee, of amendments to the 1966 LL Convention, the 1972 COLREG and the 1969 TM Convention, together with the associated draft Assembly resolutions, for submission to the twenty-eighth session of the Assembly for adoption (paragraph 6);
- .4 note the action taken by the Committee on issues related to passenger ship safety (paragraph 8);
- .5 note the action taken by the Committee on the report of relevant sub-committees, in particular that MSC 91 approved draft Assembly resolutions on Adoption of the IMO Instruments Implementation Code (III Code); Revised Guidelines on implementation of the ISM Code by Administrations; and Revised Guidelines for the structure of an integrated system of contingency planning for shipboard emergencies, for submission to the Assembly, at its twenty-eighth session for adoption (paragraphs 9 to 16);
- .6 note that the Committee approved the thematic priorities for the ITCP covering the 2014-2015 biennium and agreed to the four priority themes for 2014 (paragraph 17);
- .7 note the action taken by the Committee on issues related to formal safety assessment (paragraph 18);
- .8 endorse the unplanned outputs agreed at the session for inclusion in the current High-level Action Plan and priorities for the 2012-2013 biennium (paragraph 19);
- .9 note the updated post-biennial agenda of the Maritime Safety Committee (paragraph 20);

- .10 note the report on the status of planned outputs for the 2012-2013 biennium (paragraph 21);
- .11 note that the Committee requested the Secretariat, in consultation with the Chairman, to prepare the Committee's proposals for the high-level action plan for the coming biennium, for consideration by MSC 92 and subsequent submission to C 110, for inclusion in the Organization's High-level Action Plan and priorities for the 2014-2015 biennium (paragraph 22);
- .12 note the outcome of the preliminary discussions on matters related to the review and reform initiative and that detailed consideration of the matter will be undertaken at MSC 92 (paragraph 23);
- .13 note that, for budgetary planning purposes, the proposed number of meeting weeks for the coming biennium will be reduced from 25 to 21 planned meetings weeks, for inclusion in the Secretary-General's relevant budget proposals for the biennium 2014-2015 (paragraph 24);
- .14 note that, regarding the number of meeting days of the MSC, the Committee approved eight days for MSC 93 (May 2014), five days for MSC 94 (December 2014) and eight days for MSC 95 (May 2015), for inclusion in the Secretary-General's relevant budget proposals for the biennium 2014-2015 (paragraph 25);
- .15 endorse the intersessional meetings approved for 2013 (paragraph 26);
and
- .16 note the action taken by the Committee on other items, in particular the various circulars approved by MSC 91 (paragraph 27).
