



INTERNATIONAL ASSOCIATION OF DRILLING CONTRACTORS

MEMORANDUM

TO: Distribution

FROM: Alan Spackman, Vice President, Offshore Technical and Regulatory Affairs

SUBJECT: Report on the 19th session of the IMO Sub-Committee on Flag State Implementation

DATE: 24 March 2011

The 19th session of the IMO's Sub-Committee on Flag State Implementation (FSI 19) was held from 21 to 25 February 2011, under the Chairmanship of Mr. Captain D. Hutchinson (Bahamas). The session was attended by delegations from: 80 Member States, one Associate Member, one United Nations specialized agency, 13 intergovernmental organizations, and 12 non-governmental organizations. IADC was not represented at this session.

The following is a summary of issues discussed during the meeting that may be of interest to members of the offshore industries:

Mandatory reports under MARPOL

The Sub-Committee considered the Secretariat's report containing a summary of mandatory reports under MARPOL for 2009. Only 39 Parties to MARPOL and one Associate Member submitted reports. (There are 150 States Party to MARPOL.) Notable from the report:

- Eight incidents of spillages of 50 tonnes or more were reported. The types of substance spilled were heavy fuel oil, synthetic fluids, and bilges;
- 338 incidental spillages of less than 50 tonnes were reported. The type of substance spilled in almost all cases was oil;
- 320 cases of alleged discharge violations were reported. The types of substance allegedly discharged were oil and sewage, except of one case involving garbage;
- The total number of ships boarded in 2009 for port State control was 40,265, while the total number of ships detained in port or denied entry was 392, or 1.0% of those boarded; and
- 833 ships were reported as having IOPP Certification discrepancies, 1,788 ships were reported as having Oil Record Book discrepancies; and 1,540 ships were reported as having MARPOL equipment discrepancies.

The Sub-Committee urged all Parties to MARPOL to submit mandatory reports, as required.

Review of casualty reports

Aware that a document for requirements for construction and installation of onboard lifting appliances has been submitted to the Maritime Safety Committee for consideration at its 89th session MSC 89), and in view of two incidents reports which were analyzed (Blest Marine, and Creciente), the Sub-Committee agreed to recommend to the MSC to include winches in the scope of its consideration of the new work proposal.

Procedures for port State control, 2011

The Sub-Committee, noting that the draft PSC Procedures was not particularly clear with regard to the difference in dealing with vessels of non-parties and vessels below convention size, made an amendment as reflected in an updated section 1.5 and new section 1.6 of the draft revised Procedures.

The Sub-Committee agreed to submit the draft Assembly resolution on Procedures for port State control, 2011, to MSC 89 and the 62nd session of the Marine Environment Protection Committee (MEPC 62) for approval, prior to submission to the Assembly's 27th session (A 27) for adoption.

Safety of pilot transfer arrangement

The Sub-Committee agreed to expand the guidance on initial inspection and include pilot transfer arrangements in items for an initial inspection and agreed to the draft MSC-MEPC.4 circular to encourage early implementation of the finalized amendments SOLAS regulation V/23 for submission for approval by the MSC 89 and MEPC 62.

Guidelines for port State control officers

It was agreed that the following areas of guidance for port State control officers should be developed or revised:

- 2004 BWM Convention (new)(excluding those parts related to ballast water sampling and analysis where further advice from Bulk Liquids and Gases Sub-Committee is needed); and
- The ISM Code (revision).

The Sub-Committee approved a draft MEPC resolution on 2011 Guidelines for inspection of anti-fouling systems on ships, for adoption by MEPC 62.

Updating circular regarding revised form of supplement to IAPP Certificate

In consideration of difficulties associated with providing evidence of bunker delivery notes at the time of issuance of the first IAPP Certificate, the Sub-Committee agreed to the text of a draft MEPC circular to amend MEPC.1/Circ.718 on the revised form of supplement to international air pollution prevention certificate, for consideration by MEPC 62.

Amendments to the Guidelines under the Harmonized System of Survey and Certification

The Sub-Committee agreed to a draft Assembly resolution on the Survey Guidelines under the Harmonized System of Survey and Certification, 2011, which would revoke resolutions A.997(25) and A.1020(26), along with draft amendments to the Survey Guidelines under the HSSC, 2007 (resolution A.997(25), as amended by resolution A.1020(26)) for consideration and approval by MSC 89 and MEPC 62, prior to submission to A 27 for adoption.

Review of the Code for the implementation of mandatory IMO instruments

The Sub-Committee agreed to the draft revised Code for the implementation of mandatory IMO instruments (Code for Implementation) as set out in annex 1 to document FSI 19/WP.4.

Development of a Code for Recognized Organizations

It was agreed to request the MSC to extend the target completion date of the output on Development of a Code for Recognized Organizations to the year 2012 in order to finalize the RO Code.

The Sub-Committee requested the Secretariat to prepare the draft text of a relevant instrument to adopt the RO Code, as appropriate, and draft amendments to existing instruments to make the RO Code mandatory on the basis of the following proposed sequence:

- .1 the RO Code should be made mandatory under the 1974 SOLAS and MARPOL Conventions and the 1988 Load Lines Protocol, by amending mandatory provisions referring to resolutions A.739(18) and A.789(19), under the tacit acceptance procedure;
- .2 references to resolutions A.739(18) and A.789(19) in all relevant instruments and footnotes should also be amended;
- .3 the RO Code could be adopted by means of an MSC-MEPC resolution, as appropriate;
- .4 resolutions A.739(18) and A.789(19) should be revoked after the RO Code enters into force and appropriate adjustment made to the various mandatory instruments.

The Sub-Committee agreed to give consideration to the time period between the adoption of the RO Code and the entry into force of the regulations mandating the RO Code to allow for Administrations to complete the assessments of their ROs.

The Sub-Committee requested the Secretariat to verify with ISO the use of texts derived from various ISO standards to develop the draft RO Code, on the issue of copyrights.

Arrangements for the next session

The 20th session is tentatively scheduled from 21 to 25 February 2011. The Sub-Committee expects establish working/drafting groups on:

- Casualty analysis and investigations;
- Development of a Code for Recognized Organizations and making the Code for implementation of IMO mandatory instruments and the auditing mandatory;
- Harmonization of port State control activities or port Stat control under the 2004 BWM Convention;
- Review of the Survey Guidelines under the HSSC and the annexes to the Code for the implementation of mandatory IMO instruments.

Elections

The Sub-Committee unanimously re-elected Captain Dwain Hutchinson (Bahamas) as Chairman and Ms Julie Gascon (Canada) as Vice-Chairman for 2012.

The IMO's report of this session is posted on the IADC website at:

<http://iadc.org/committees/offshore/IMO.html>.

Please feel free to contact me by phone (+1 713 292 1964) or e-mail (alan.spackman@iadc.org) with any questions you may have regarding this report.