



INTERNATIONAL ASSOCIATION OF DRILLING CONTRACTORS

MEMORANDUM

TO: Distribution

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

SUBJECT: Report on 89th Session of the IMO's Maritime Safety Committee

DATE: 6 July 2011

The 89th session of the Maritime Safety Committee (MSC 89) was held from 11 to 20 May 2011 under the chairmanship of Mr. N. Ferrer (Philippines). The session was attended by representatives of: 110 Member States; two Associate Members; four United Nations Agencies; 6 Intergovernmental Organizations; and 39 Non-Governmental Organizations. IADC was not represented at this session.

The following is a summary of matters considered by the Committee with the potential to impact offshore industry operations:

Adoption of amendments to mandatory instruments

The following new mandatory instruments or amendments to mandatory instruments were adopted:

- Amendments to International Maritime Solid Bulk Cargoes (IMSBC) Code (resolution MSC.268(85));
- Part B of the International Code on Intact Stability, 2008 (2008 IS Code);
- Amendments to regulation III/1 of the International Convention for the Safety of Life at Sea, 1974, as amended, relating to evaluation and replacement of lifeboat release hooks; and
- Amendments to the International Life-Saving Appliance (LSA) Code, relating to evaluation and replacement of lifeboat release hooks.

Circulars

The Committee adopted the Circulars listed below. Circulars are normally made available on the IMO website (www.imo.org) by following the link in the column on the left side of the page:

Circular number	Title
MSC.1/Circ.1392	Guidelines for evaluation and replacement of lifeboat release and retrieval systems
MSC.1/Circ.1393	Early application of new SOLAS regulation III/1.5
MSC.1/Circ.1394	Generic guidelines for developing goal-based standards
MSC.1/Circ.1395	Lists of solid bulk cargoes for which a fixed gas fire-extinguishing system may be exempted or for which a fixed gas fire-extinguishing system is ineffective
MSC.1/Circ.1396	Recommendations on the safe use of pesticides in ships applicable to the fumigation of cargo holds
MSC.1/Circ.1397	Unified interpretation of SOLAS regulation III/15.1 (concerning the stowage of marine evacuation systems)

Circular number	Title
MSC.1/Circ.1398	Unified interpretation of SOLAS regulation II-1/29 (concerning mechanical, hydraulic and electrical independency and failure detection and response of steering control systems)
MSC.1/Circ.1399	Guidelines on procedures for in-service maintenance and repair of coating systems for cargo oil tanks of crude oil tankers
MSC.1/Circ.1400	Guidelines on operational information for masters of passenger ships for safe return to port by own power or under tow
MSC.1/Circ.1401	Guidelines on tank entry for tankers using nitrogen as an inerting medium
MSC.1/Circ.1402	Safety of pilot transfer arrangements
MSC.1/Circ.1403	Revised NAVTEX Manual
MSC.1/Circ.1404	Guidelines to assist in the investigation of crimes of piracy and armed robbery against ships
MSC.1/Circ.1405	Interim Guidance to shipowners, ship operators and shipmasters on the use of privately contracted armed security personnel on board ships in the High Risk Area
MSC.1/Circ.1406	Interim Recommendations for flag States regarding the use of privately contracted armed security personnel (PCASP) on board ships in the High Risk Area
MSC.1/Circ.1407	Guidance for application of SOLAS regulation II-2/19.3 (on carriage of packaged dangerous goods)
STCW.7/Circ.16	Clarification of transitional provisions relating to the 2010 Manila Amendments to the STCW Convention and Code
STCW.7/Circ.17	Advice to port State control authorities on transitional arrangements leading up to the full implementation of the requirements of the 2010 Manila Amendments to the STCW Convention and Code

MSC Resolutions

The Committee adopted the additional MSC Resolutions listed below. These are annexed to the IMO report.

Resolution number	Title
MSC.317(89)	Adoption of amendment to the Protocol of 1988 relating to the International Convention for the Safety of Life at Sea, 1974, as amended (relating to evaluation and replacement of lifeboat release and retrieval systems)(entry into force on 1 January 2013)
MSC.318(89)	Adoption of amendments to the International Maritime Solid Bulk Cargoes (IMSBC) Code (entry into force on 1 January 2013, with voluntary application on 1 January 2012)
MSC.319(89)	Adoption of amendments to Part B of the International Code on Intact Stability, 2008 (2008 IS Code)(effective on 19 May 2011)
MSC.320(89)	Adoption of amendments to the International Life-Saving Appliance (LSA) Code (entry into force on 1 January 2013)

Resolution number	Title
MSC.321(89)	Adoption of amendments to the Revised recommendation on testing of life-saving appliances (resolution MSC.81(70))
MSC.322(89)	Operation of the International LRIT Data Exchange
MSC.323(89)	Adoption of amendments to the revised Recommendation on testing of life-saving appliances (resolution MSC.81(70))
MSC.324(89)	Implementation of best management practice guidance

IMO User Guide to SOLAS chapter XI-2 and the ISPS Code (Maritime Security Manual)

The Committee approved the IMO User Guide to SOLAS chapter XI-2 and the ISPS Code; and instructed the Secretariat to undertake a final editorial review of the User Guide prior to its publication. It also directed the Secretariat to make consequential amendments to the User Guide when changes to the related IMO instruments occurred and to report such amendments to subsequent sessions of the Committee.

Consideration of periodical survey to Ship Security Alert System (SSAS)

The Committee agreed that, in spite of the general understanding of the reliability issues related to SSAS, there was no need to establish a new instrument requiring periodic surveys of the SSAS system and those annual testing procedures could be put in place by the Administration.

Implementation of the GBS verification scheme

It was noted that the number of GBS auditors nominated to date by Member Governments (13) was not sufficient to allow for the proper selection and establishment of GBS Audit Teams and that the lack of nominations may endanger the timely implementation of the GBS verification scheme.

Type approval of LRIT shipborne equipment

The Committee noted the information provided by the International Electrotechnical Commission (IEC), regarding the preparation of a third edition of IEC 61097-4 and other standards intended to assist the type approval of LRIT shipborne equipment.

Amendments to SOLAS regulation III/20.11.2 (testing of free-fall lifeboat release systems)

The Committee approved the draft amendments to SOLAS regulation III/20.11.2, and requested the Secretary-General to circulate the aforementioned draft amendments in accordance with SOLAS article VIII, with a view to adoption at the 90th session of the Maritime Safety Committee (MSC 90).

With regard to the early implementation, the Committee noted that the Ship Design and Equipment Sub-Committee (DE) had agreed on the need for their early implementation and requested the Secretariat to prepare a draft MSC circular on the early implementation of the amendments to SOLAS regulation III/20.11.2, for consideration with the amendments.

Amendments to resolution A.744(18) and SOLAS regulation XI-1/2 (ESP Guidelines)

The Committee approved a draft Assembly resolution on Adoption of the International Code on the Enhanced Programme of Inspections during Surveys of Bulk Carriers and Oil Tankers, 2011 (2011 ESP Code), with a view to submission to the 26th session of the Assembly (A 26) for adoption.

The Committee also approved the draft amendments to SOLAS regulation XI-1/2 and asked the Secretary-General to circulate them with a view to adoption at MSC 90.

Draft amendments to SOLAS regulation II-1/8-1

In considering the draft amendments to SOLAS regulation II-1/8-1 (for passenger ships), which introduces a mandatory requirement for either onboard stability computers or shore-based support, the Committee noted the comments from some delegations that the draft amendments needed further consideration and editorial corrections, specifically with regard to the words "in accordance with guidelines developed by the Organization", which may imply a mandatory nature to the guidelines, and decided to place the words "in accordance with" in square brackets, for further consideration prior to adoption.

The Committee approved draft amendments to SOLAS regulation II-1/8-1 and asked they be circulated for consideration with a view to adoption at MSC 90.

Draft amendments to the 1966 LL Convention and the 1988 LL Protocol

The Committee approved a draft Assembly resolution on Adoption of amendments to the 1966 LL Convention shifting the Winter Seasonal Zone off the southern tip of Africa further southward by 50 miles, and ask they be circulated with a view to adoption at MSC 90 and A 28.

The Committee also approved corresponding draft amendments to the 1988 LL Protocol with a view to adoption at MSC 90.

Development of model procedures for executing shipboard emergency measures

The Committee endorsed the Sub-Committee on Standards of Training and Watchkeeping's (STW's) decision that there was no need to establish procedures to respond to emergency situations, as it was the responsibility of the shipping company to do so under the provisions of section 8 of the ISM Code.

Development of unified interpretations for the term "approved seagoing service"

The Committee endorsed STW's decision that there was no need for a unified interpretation (UI) for the term "approved seagoing service".

Guidelines for medical examination of seafarers and contents of ships' medicine chests

The Committee agreed that:

- The next and final meeting of the Ad Hoc Working Group should be held from 26 to 30 September 2011 to finalize the revision of the existing Guidelines for Conducting Pre-sea and Periodic Medical Fitness Examinations of Seafarers.
- Due to the complexity of the ships' medicine chests, a separate tripartite meeting might be convened by the ILO, in co-operation with IMO and the World Health Organization (WHO), at a later date to consider the revision of the Addendum to the International Medical Guide for Ships, 3rd edition, after the financial resources had been identified by WHO.

Prohibition of the blending of bulk liquid cargoes during the sea voyage

The Committee approved the draft amendments to SOLAS chapter VI, and asked that they be circulated with a view to adoption at MSC 90.

The draft regulation contains the following explicit exclusion: "The above prohibition does not apply to the blending of products for use in the search and exploitation of sea-bed mineral resources on board ships used to facilitate such operations."

Guidelines on tank entry for tankers using nitrogen as an inerting medium

The Committee undertook an extensive discussion on the pros and cons of having two sets of guidelines dealing with the dangers associated with entering enclosed spaces. The sponsors of draft guideline, supported by the delegations of United States, United Kingdom and others, reaffirmed their appreciation of the stated that the purpose of their document was to ensure the widest possible application of this guidance on Nitrogen, particularly as Nitrogen is used on many

types of ships other than just tankers, pointing out that Nitrogen is also used as an inerting medium on bulk carriers and gas carriers as well as on offshore supply vessels.

The Committee approved the draft Assembly resolution on Adoption of the Revised Recommendations for entering enclosed spaces aboard ships, for submission to the 27th session of the Assembly (A 27) for adoption and approved MSC.1/Circ.1401 on Guidelines on tank entry for tankers using nitrogen as an inerting medium.

Revised Port State control procedures

The Committee:

- Agreed to the inclusion of the draft Guidelines for PSCOs related to LRIT as Appendix 9 of the draft revised PSC procedures and agreed to keep the above Guidelines under review for future amendments.
- Approved the expansion of the draft Revised PSC procedures to include pilot transfer arrangements in the context of the initial and more detailed inspections and approved MSC.1/Circ.1402 on Safety of pilot transfer arrangements.

The Committee approved, subject to concurrent decision by the Marine Environment Protection Committee's 62nd session (MEPC 62), the draft Procedures for Port State Control, 2011, and an associated draft Assembly resolution, for submission to A 27 for adoption.

Survey Guidelines under the Harmonized System of Survey and Certification

The Committee approved, subject to MEPC 62's concurrent decision, the draft Survey Guidelines under the Harmonized System of Survey and Certification (HSSC), 2011, and an associated draft Assembly resolution, for submission to A 27 for adoption.

IMO Instruments Implementation Code

The Committee agreed, subject to MEPC 62's concurrent decision, that the name of the new Code for implementation should be "IMO Instruments Implementation Code (III Code)" in its mandatory form.

The Committee approved, subject to MEPC 62's concurrent decision, the draft IMO Instruments Implementation Code (III Code), for submission to the Assembly (after A 27) for adoption. The Committee noted several reservations which were entered by some Member States with regard provisions relating to the delegation of authority to Recognized Organizations.

The Committee requested the Secretariat to provide the Flag State Implementation (FSI) Sub-Committee with a comprehensive review of the options available for the process of making the III Code and auditing mandatory. The Committee agreed to consider, at MSC 90, the draft amendments to mandatory IMO instruments, together with the course of action for adoption of, and future amendments to, the III Code in its mandatory form.

Draft non-mandatory Code for implementation

The Committee approved, subject to MEPC 62's concurrent decision, the non-mandatory draft Code for the implementation of mandatory IMO instruments, 2011, and an associated draft Assembly resolution for submission, through the Council's 26th extraordinary session, to A 27 for adoption.

Draft Code for Recognized Organizations

The Committee agreed, subject to MEPC 62's concurrent decision, to extend the target completion date of the output on the development of a Code for Recognized Organizations (RO Code) to the year 2012.

LSA Code amendment concerning lifeboat exterior colour

The Committee noted that the Sub-Committee on Radiocommunications and Search and Rescue (COMSAR) had considered a document providing information on a "Field Study of Detectability of Colored Targets at Sea" conducted by the United States Naval Medical Research Laboratory in 1955, and that, the majority of the delegations who spoke on this issue were of the view that the study presented by the United States was outdated and that a new study was needed, taking into account present circumstances.

Views were also expressed that there was no evidence that life-saving equipment had not been located for lack of visible colour; no compelling need was demonstrated for such a change of the LSA Code; and it would not be advisable to make any hasty decisions on an issue of such severity and financial impact for the shipping industry.

The Committee decided to:

- Not approve the proposed amendment to paragraph 1.2.2.6 of the LSA Code; and
- Instruct the Ship Design and Equipment Sub-Committee (DE) to reconsider the IACS unified interpretation, and develop an MSC circular, as appropriate, under its existing agenda item "Development of a new framework of requirements for life-saving appliances".

Formal Safety Assessment

The Committee agreed to re-establish the Correspondence Group on Formal Safety Assessment, under the coordination of Japan¹, and instructed it to:

- Prepare draft amendments to the FSA Guidelines (MSC/Circ.1023 – MEPC/Circ.392, as amended); and
- Prepare draft amendments to the Guidance on the use of HEAP and FSA relating to the review of FSA studies (MSC/Circ.1022 – MEPC/Circ.391, as amended by MSC-MEPC.2/Circ.6).

Recommendations to progress matters relating to the use of PCASP on board ships

Having approved MSC.1/Circ.1406 on Interim recommendations for flag States regarding the use of privately contracted armed security personnel (PCASP) on board ships in the High Risk Area, the Committee agreed that there was an urgent need to develop further guidance to Governments and, in particular, for coastal and port States on the customs-related aspects of the carriage, embarkation and disembarkation of firearms and security equipment in areas under the jurisdiction of such States; and that there was also an urgent need to develop further guidance to Governments reflecting the concerns of port and coastal States with respect to the presence of teams of armed personnel entering their territorial waters. The Committee also agreed to take note of work being done in other bodies, including the Facilitation (FAL) Committee and Contact Group on Piracy off the coast of Somalia (CGPCS) and its working groups.

The Committee invited FAL to advise MSC 90 on the following issues:

- .1 embarkation and disembarkation of privately contracted armed security personnel;
- .2 embarkation and disembarkation of firearms (including the associated ammunitions, consumables, spare parts and maintenance equipment and materials) for use by the privately contracted armed security personnel;
- .3 embarkation and disembarkation of security-related equipment (including protective and communication ones) for use by the privately contracted armed security personnel; and
- .4 recommend to the Committee the provisions which should be included in the aforesaid interim recommendations and guidelines in connection with the matters, which need to be taken into account as a result of the activities taking place in areas either within the territory or under the jurisdiction of a State as a port or a coastal State.

¹ Mr. Koichi Yoshida (koichiy@nmri.go.jp)

Given the need to finalize and promulgate detailed guidance as soon as possible, the Committee agreed to ask Council to authorize the convening of the Maritime Security and Piracy Working Group (MSPWG) intersessionally in the week commencing 12 September 2011. The Committee agreed to the following terms of reference for the Intersessional meeting of MSPWG:

- Develop interim recommendations to Governments on the use of PCASP for adoption taking into account relevant guidelines developed by the Organization;
- Review the interim guidance to shipowners, ship operators and shipmasters on the use of PCASP on board ships in the High Risk Area for any consequential amendments in relation to the interim recommendations to Governments on the use of PCASP;
- Prepare an MSC circular for the promulgation of the recommendations to Governments on the use of PCASP;
- If necessary, adopt a revised MSC circular on Guidance to shipowners, ship operators and shipmasters on the use of PCASP on board ships in the High Risk Area; and
- Identify any needed consequential amendments to MSC.1/Circ.1333 and MSC.1/Circ.1334.

Control of safety when transferring persons at sea

The Committee considered a document submitted by Denmark, stating it had recognized a need within the industry for a set of uniform guidelines that might help to prevent unsafe situations and mitigate unplanned consequences associated with the transfer of persons at sea. Denmark provided a set of recommendations that might be introduced to Administrations and the industry during the transfer of personnel at sea.

A number of delegations, including an industry observer, welcomed and supported the proposal by Denmark to develop guidance on the transfer of personnel at sea and were of the view that the text provided in the Danish proposal was a good basis for further development.

The Committee agreed, as a first step, to refer the matter to the STW Sub-Committee for consideration under the agenda item on the "Role of the human element" and instructed STW 43 to advise MSC 90 on the way forward.

Approval of new work items

The Committee agreed to the new work items listed below.

Subject	Sessions to complete or target date	Assigned to
Revision of the Recommendation for the protection of the AIS VHF Data Link (resolution MSC.140(76))	2013	COMSAR
Guidance on Continuous Examination Programmes	2013	DSC
Amendments to the General Provisions on Ships' Routing (resolution A.572(14), as amended)	2013	NAV
Development of amendments to the requirements for foam-type fire-extinguishers in SOLAS regulation II-2/10.5	4 sessions	FP
Amendment to the MODU Code concerning lifeboat drills	2 sessions	DE
Development of amendments to the criterion for maximum angle of heel in turns of the 2008 IS Code	2013	SLF
Development of amendments to SOLAS regulation II-1/4 concerning subdivision standards for cargo ships	2013	SLF

Subject	Sessions to complete or target date	Assigned to
Enhancing the efficiency and user-friendliness of the International Safety Management (ISM) Code	2013	STW
Review of the 2009 Code on Alerts and Indicators	2 sessions	DE(lead), NAV
Measures to prevent loss of containers	2013	DSC(lead), DE, SLF, STW
Requirements for construction and installation of onboard lifting appliances and winches	2 sessions	DE, with ILO consultation
Development of guidance for the implementation of the 2010 Manila Amendments	2014	STW
Development of provisions to ensure the integrity and uniform implementation of the 1969 TM Convention	2014	SLF(lead), DE, STW
Expanding the scope of the planned output on "Review of damage stability regulations for ro-ro passenger ships"	2013	SLF

Arrangements for future sessions

The 90th session is tentatively scheduled to take place from 16 to 25 May 2012, and the 91st session has been tentatively scheduled for November 2012.

Committee agreed that working or drafting groups should be established on the following items at its 90th session:

- Marine security and piracy; and
- Goal based standards and Formal Safety Assessment.

A Capacity-Building Needs Analysis Group may also need to be established.

Election of officers

The Committee unanimously elected Mr. Christian Breinholt (Denmark) as Chairman for 2012, and unanimously elected Capt. M. Segar (Singapore) as Vice-Chairman for 2012.

For those wishing further detail, the Committee's report, and its annexes, will be made available (as released by IMO) on the IADC website at: <http://www.iadc.org/committees/offshore/IMO.html>.

Some of the Circulars are not included in the Committee's report. These are generally made available on the public portion of the IMO's website. If they cannot be located, they can be provided by IADC to IADC members upon request.

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