



L' IMO vuole modificare la normativa sulla stabilità danneggiata delle navi da crociera

London, 11 July 2013 -

To: MARINE COMMITTEE MC(13)38

Copy: All Full and Associate Members (for information)

MSC 92 - ICS REPORT

Action required: Members are invited to note a report on the outcome of MSC 92.

The 92nd session of the Maritime Safety Committee was held in London from 12 to 21 June 2013 under the chairmanship of Mr. Christian Breinholt (Denmark). Mr Breinholt and Capt. Segar (Singapore) were also re-elected as Chairman and vice Chairman respectively for 2014. The meeting was very well attended by 116 Member States, 3 Associate Members, 8 UN Special Agencies and IGO's, and 48 NGO's, including ICS.

This circular provides a report on the main outcomes of the meeting.

PASSENGER SHIP SAFETY

Members will recall that MSC 90 established the agenda item Passenger Ship Safety in response to the Costa Concordia accident. MSC 90 and MSC 91 considered interim measures and best practice advised by the Cruise Industry Operational Safety Review. Italy submitted recommendations from the investigation report in MSC 92/6/3 and also advised the Committee that the Technical Safety Investigation of the Costa Concordia casualty was available for consideration on GISIS (MSC 92/6/INF.6).

A working group under the chairmanship of Mr Brad Groves (Australia) was established to further consider passenger ship safety and propose a way forward. The action plan agreed at MSC 90 and revised at MSC 91 was used as a basis for work together with the Costa Concordia Casualty Report and Recommendations from Italy.

The recommendations from Italy were considered to determine whether there existed a firm linkage between the Costa Concordia report and each proposal made; the considerations of the proposals were as follows:

- Proposal for consideration of a double-skin for protecting the WTCs containing

equipment vital for propulsion and electrical production – It was agreed there was a link to the Costa Concordia, however further information, particularly on penetration depth supporting the recommendation would be required. The WG agreed that any requirement would have to be for new ships only and there might be other solutions that would provide an equivalent level of safety.

- Proposal for the limiting of down flooding points on the bulkhead deck to be discussed – It was agreed that there was a link and that the matter should be considered for new ships, as part of the review of SOLAS Chapter II-1 subdivision and damage stability regulations by the SLF Sub-Committee.

- Proposal for provision of computerized stability support for the master in case of flooding and proposal for an interface between the flooding detection and monitoring system and the on board stability computer – It was agreed that there was a link, it was noted that SOLAS requires stability computers or shore based support for new passenger ships, however there might be a need to consider a requirement for existing ships. It was also agreed that dynamic modelling and interfacing between flooding detection systems and the stability computer was complex and many factors needed to be taken into account and that this shouldn't be considered further at this time.

- Proposed consideration of discontinuity between compartments containing ship's essential systems (such as propulsion sets or main generator sets) to preserve functional integrity – It was agreed that there was a link for the proposed recommendation and that consideration could be for new ships only and that the Safe Return to Port requirements should be taken into account during any discussions.

- Proposal for more detailed criteria for the distribution of bilge pumps and higher capacity pumps to drain 'huge' quantities of water – It was found that there was a link, although the report into the Costa Concordia accident indicates that there was no link. Notwithstanding this it was agreed that for new passenger ships a review of the criteria for the distribution and capacity of bilge pumps along the length of passenger ships could be considered.

- Proposal for relocation of main switchboard rooms to a location above the bulkhead deck – It was agreed that there was a link, however more information was required as the matter is more related to redundancy and there is a connection with discussions on double skins or compartment discontinuity.

- Proposal to increase emergency generator capacity – It was agreed that there was no link and that it was premature to discuss this matter until decisions on other issues.

- Proposal for the provision of a second emergency diesel generator located in another main vertical zone and above the most continuous deck – It was agreed that there was a link, noting that the emergency generator didn't operate. It was also agreed that for new passenger ships the issue could be considered to be redundancy of power in the context of safe return to port, however, for existing passenger ships the matter could be considered further.

- Provision of an emergency light (both by UPS and emergency generator) in all

cabins in order to directly highlight lifejacket location – It was agreed that there was a link, however SOLAS already requires lifejackets to be readily accessible with their position plainly indicated.

- Proposal for Bridge Management principles to be considered further – It was agreed that there was a link, however the issue was application and non-conformance with existing standards and that no further action was required.
- Proposal for the IMO Principles of Safe Manning Resolution (A.1047(27)) to be revised to suit large passenger ships and become mandatory – No link was identified with the Costa Concordia and it was agreed that no further action was required.
- Proposal for Bridge Team Management (BTM) Courses to become mandatory from January 2015 instead of January 2017 – A link was identified with the Costa Concordia as not all officers on the bridge had BTM training, however there was no agreement to expedite the mandatory application date.
- Proposal for the muster list to detail the certification or documentary evidence requirements necessary for crew members with designated safety duties – It was agreed that a link was identified as crew were assigned muster list positions without the required training and/or certification.
- Proposal for the UHF radio switchboard to be relocated above the bulkhead deck – It was agreed that the operational issue that needed considering was ensuring that there are effective radio communications in an emergency. It was further agreed that more information was required before future consideration.
- Proposal to reconsider the number of embarkation ladders on each side as their use was effective during the abandonment of the Costa Concordia – It was agreed that the embarkation ladders used in the Costa Concordia appeared effective, however guidance for administrations on the provision of SOLAS III/11.7 for alternative arrangements could be considered.
- Proposal for including inclinometer measurements in the VDR – It was agreed that the provision of inclinometer measurements in the VDR would have assisted the investigation.

and,

- Proposal for mandatory evacuation analysis to be carried out at the early stage of a project as required for ro-ro passenger ships – It was agreed that mandatory evacuation analysis for all passenger ships should be considered further.

Interim Circular MSC.1/Circ.1446/Rev.1

The MSC Circular Recommended Interim Measures for Passenger Ship Companies to Enhance the Safety of Passenger Ships was revised to include recommendations from CLIA (MSC 92/6/1), ICS (MSC 92/6/5) and from Italy (MSC 92/6/3). These included:

- Guidance in general terms on the securing of heavy objects;
- Guidance on the harmonisation of Bridge Navigational Procedures;

- The consideration of the provision of passenger lifejackets which are of a similar design;
- That companies consider extending the use of video for passenger emergency instruction notices and also the use of emergency information cards;
- The harmonisation of bridge access control and bridge organisation policies;
- Guidance on deviation from the voyage plan; and
- A recommendation that companies investigate providing rolling motion data into their VDR.

It was noted by the Committee that the circular was developed and intended as interim guidance until the Costa Concordia accident report was made available. Now that the Costa Concordia report is available, it is anticipated that there will be a decision at MSC 93 on the future status of the Circular. It cannot be discounted that some of the interim measures will be proposed for consideration as new regulations.

Survivability of Passenger Ships

The WG considered MSC 92/6/6 (Austria et al) and MSC 92/6/7 (United States) which sought to accelerate the work of the SLF Sub-Committee's revision of the SOLAS Chapter II-1, Subdivision and damage stability. It was agreed that the documents and the EMSA and GOALDS studies referenced in the submissions should be considered by SLF 56.

The currently in-force probabilistic framework for damage stability, known as SOLAS 2009, is a good example of such thinking. It is based on knowledge derived from the past, but by abandoning deterministic artifacts, it aims at allowing innovative designs. However, shortly after being introduced, the new regulations provoked serious concerns for passenger ships with respect to accuracy in predicting the probability of surviving damage. Specifically, it was postulated that the new SOLAS overestimated the probability of survival in the case of RoPax vessels, while survivability of large cruise vessels was said to be underestimated. In order to address these issues the European Commission founded in 2009 a research project entitled GOALDS (GOAL-Based Design for Damage Stability).

In addition the Committee requested that the FSA Expert Group conduct a limited evaluation of the reliance used in the reports, taking into account the risk models used, calculated risks and the validity of the data and assumptions used.

Long term Action Plan – Update to Timetable

The Action Plan for Long-Term Work on Passenger Ship Safety developed at MSC 90 was revised to include items that Member States have put forward for consideration. It was emphasised that IMO new work programme procedures must be followed for these to be further considered:

- Revision of SOLAS Chapter II-1 subdivision and damage stability regulations (consider limiting the number of downflooding points on the bulkhead deck);
- On board stability computer or shore based support for existing passenger ships;
- Review and update arrangements for the discontinuity between compartments containing ship's essential systems in order to preserve their functional integrity (new ships);

- Review of the criteria for the distribution and capacity of bilge pumps, along the length of passenger ships (new ships);
- Review of emergency power redundancy for existing ships;
- Evacuation analysis for all passenger ships;
- Mandatory principles on evacuation routes to the embarkation deck; and
- Guidance for flag administrations in considering alternative arrangements under regulation III/11.7 (provision of embarkation ladders);

The previously agreed action plan proposed reviews of IMO Resolution A.857(20) Guidelines for vessel traffic services to include monitoring of adherence to voyage plans and A.893(21) Guidelines for voyage planning. These were removed as no link could be found with the Costa Concordia accident.

Future Implications

There are many proposals for areas to be looked at in response to the Costa Concordia accident on the long term action plan. It should however, be noted that the Costa Concordia accident is now being used by some governments to, inter alia, resurrect previously unsuccessful regulatory proposals for all passenger ships.

MARITIME SECURITY AND PIRACY

Consideration was given to submissions by Greece and the Secretariat on piracy and armed robbery against ships in the Gulf of Guinea. The Committee welcomed the increased commitment and efforts of a number of coastal States in the region to address the issue through increased focus on enforcing the law at sea, and the regional initiative by ECCAS, ECOWAS and the gulf of Guinea Commission to develop a Code of Conduct on the repression of piracy, armed robbery against ships and other illicit activities at sea was likewise welcomed.

The need for proper and comprehensive reporting of incidents by ships operating in the area was reinforced, as was the need for the implementation of relevant IMO guidance. Furthermore, it was agreed that industry best practice guidance specifically addressing piracy in the region would be circulated by the Secretariat. The Secretary General advised the Committee that he would write to the Secretary General of the United Nations, keeping him informed of developments with respect to the situation in the region including the development of industry guidance and the establishment of a multi-donor trust fund for the implementation of IMO projects for maritime security for west and central Africa, and the need for close cooperation between members of the UN system.

Recalling its decision at MSC 90 that ISO would be best placed to develop standards on Private Maritime Security Companies (PMSC), the Committee noted that Rules for the Use of Force, forwarded to the Committee by the Marshall Islands in MSC 92/INF.14, had been accepted as a work item to be incorporated into the resulting standard 28007. Concerns expressed by a number of industry associations, calling for governments to implement ISO PAS 28007 as the sole standard for PMSCs were noted, as was the strong recommendation that States should not seek to establish new and different standards through the International Code of Conduct for Private Security Service Providers.

ADOPTION OF AMENDMENTS TO MANDATORY INSTRUMENTS

The Committee adopted the following amendments to mandatory instruments; these will enter into force on the 1 January 2015:

SOLAS III/19 - 'Emergency Training and Drills'

- Additional requirements for mustering and safety briefings for passengers on passenger ships prior to or shortly after departure from the port where passengers are embarked.
- Training drills required for crew with enclosed space entry and rescue responsibilities now required on all ships on a monthly basis. This new regulation effectively mandates the carriage of oxygen meters as there is a requirement to check and use instruments for measuring the atmosphere in enclosed spaces stipulated within the regulation.

SOLAS V/19 - 'Carriage requirements for shipborne navigation systems and equipment'. - Requirement for the bridge navigational watch alarm system to be in operation whenever the ship is underway at sea on effectively all ships. There is the possibility of an exemption for ship's to be withdrawn from service within two years.

HSC and MODU Codes - Amendments to introduce the requirement for enclosed space entry and rescue drills

ISM Code - Amendments to the Code to require Companies to ensure appropriate manning to maintain safe operations, and; to periodically verify that those undertaking delegated ISM-related tasks are acting in accordance with the Companies responsibilities.

IMSBC Code - Amendments to both the general and specific provisions and the introduction of a number of schedules for additional cargoes. Of particular note are amendments to enhance the safe carriage of cargoes that may liquefy. (See also 'Circulars Approved')

RO Code - Following a 'final' adjustment the newly developed RO Code was adopted.

APPROVAL OF MANDATORY INSTRUMENTS

The following instruments were approved and will be considered for adoption at MSC 93, to be held in May 2014, and therefore to enter into force on 1 January 2016:

SOLAS II-2 - The Committee approved amendments to SOLAS II-2 regarding the application of inert gas systems (IGS) on tankers of above 20,000 dwt and for chemical tankers of above 8,000 dwt and to chapter 15 of the FSS Code. It is anticipated that the amendments will enter into force on 1 January 2015, after their adoption by MSC 93 in May 2014.

An Argentinian submission raising concern regarding the scope of application of draft inert gas amendments to existing ships was considered at length. It was agreed that for tankers built on or after 1 July 2012 but before the date of application that the FSS Code as adopted by resolution MSC.98(73) would apply as opposed to the current FSS Code which remains applicable for new ships. For chemical tankers the application of

inert gas may take place after the cargo has been loaded but before commencing discharge and shall continue to be applied until that cargo tank has been purged of all flammable vapours before gas-freeing.

SOLAS II-2/13 - Amendment to require two means of escape from machinery control rooms and main workshops with one of the escape routes to provide a protected escape to a location outside the engine room.

SOLAS II-2/10 - Amendments to require ships carrying containers on deck to be provided with a water-mist lance and for those ships carrying five or more tiers of containers on deck, mobile water monitors.

SOLAS II-2/1 and II-2/20-1 - Amendment providing additional requirements for new ships carrying hydrogen and compressed natural gas vehicles.

SOLAS III - Amendments making the guidelines on periodical maintenance and inspections of launching appliances and on-load release arrangements of lifeboats mandatory.

International Convention for Safe Carriage of Containers - Amendments to the regulations for the testing, inspection and approval of containers.

IBC and IGC Codes - Amendments requiring the carriage requirement for stability instruments on board all chemical carriers and gas tankers.

IMPLEMENTATION OF INSTRUMENTS

The Committee approved an interpretation on the use of fall preventer devices (FPD) and agreed to a new circular relating to the drilling for and testing of locking pins, strops or slings where these are used as FPD, with reference to the requirements of the 'Guidelines for the fitting and use of fall preventer devices (FPDs) (MSC.1/Circ.1327)'. Also approved were interpretations regarding the testing for rot proof materials together with their general resistance to environmental degradation together with allowances for SWL.

Reporting Requirements for Marine Casualties and Accidents - An ICS led submission regarding the failure of some States to meet their SOLAS obligations to investigate marine accidents in a timely manner was considered. The suggestion that ICAO should be consulted to determine whether the experience of the aviation industry could be of benefit was agreed. The ICS document (MSC 92/12/4) together with other related submissions was referred to the renamed, Sub Committee on Implementation of IMO Instruments (III).

WORK PROGRAMME

It is worthy of note that the Committee spent the first two days expanding upon the high workload of the Sub-Committees and the need to prioritise work, then immediately adopted four 'unplanned outputs' with scant consideration of the merits of the proposed work. These newly approved work programme items are;

- Revision of SOLAS II-1/22.3 and MSC.1/Circ.1380 on 'Conditions under which water tight doors on passenger ships may remain open during navigation'. It is to be noted that there were no problems identified associated with WT Doors in the Costa Concordia incident.

- ‘Development of guidelines for shipowners and seafarers for proper implementation of relevant IMO instruments in relation to the carriage of dangerous goods in packaged form by sea’;
- ‘Development of a globally consistent format for the certificate of training and education issued under the STCW Convention’;
- ‘The Interconnection of NAVTEX and Inmarsat SafetyNET receivers and their display on Integrated Navigation Display Systems’.

One additional unplanned output was agreed as requested by the DE Sub-Committee on ‘Guidelines addressing the carriage of more than 12 industrial personnel on board vessels engaged on international voyages’. The Committee agreed to instruct the existing DE 47 correspondence group formed to consider guidelines on offshore wind-farm vessels to further consider this matter.

GOAL BASED STANDARDS

General

The Committee finalised its work on the development of “Guidelines for the approval of alternatives and equivalents as provided for in various IMO Instruments”. Key outcomes from this work included:

- Vague references within the guidelines to “approval authorities” have been replaced with direct reference to “Administrations”;
- The Guidelines will be non-mandatory and application of the guidelines has been left to the discretion of the Administration;
- It was agreed that although the original intent had been to develop a single set of guidelines for all alternative and equivalent provisions in the IMO conventions, it would be premature to remove existing dedicated guidance for alternative and equivalent provisions for fire safety (MSC/Circ.1002); SOLAS chapters II-1 and III (MSC/Circ.1212) and the design and construction of oil tankers (MEPC.110(49)).

Future Work

The Committee agreed that further work was required on a number of areas including:

- Development of guidelines on the development of specific evaluation criteria for approval of alternatives and equivalents;
- Consolidation of the various existing guidelines;

Safety Level Approach

The Committee instructed a working group to consider the development of Interim Guidelines for the Safety Level Approach. However, due to time constraints and a lack of substantive submissions, the Committee was unable to make any significant progress on this matter.

Generic information considered at earlier sessions was carried forward into the report of this session so that it would not be lost. However, the only substantive decision was to change the title of the guidelines proposed to be developed to clarify that any future use of the safety level approach was intended to be within the context of the IMO rule-making process.

OUTCOME OF THE SYMPOSIUM ON THE FUTURE OF SHIP SAFETY

A paper detailing the outcome of the 'Symposium on the Future of Ship Safety' that was held in the two days preceding the MSC meeting was presented to the Committee. The most significant outcome is a proposal for consideration to undertake a long-term comprehensive review of the existing safety regulatory framework; in essence a complete review of SOLAS. This paper was not considered by the Committee at this session; it is the intention to discuss the paper at the Committees next session.

REVIEW AND REFORM OF THE ORGANIZATION

Following the endorsement of Council 109 for the Secretary General's proposals for review and reform of the Organization, together with the revised text prepared by FAL 38 and the MEPC 65 comments, the Committee further considered this matter. Following an extensive discussion where many Member States expressed varying concerns the Committee continued by forming a working group, as agreed at the last session, under the chairmanship of Ms. S. Garduno-Arana (Mexico) to further discuss the proposals. The working group essentially agreed the names for the new amended Sub-Committee structure together with associated agenda responsibilities in accordance with the IMO strategic plan. It was agreed to continue restructuring in accordance with the proposals originally put forward to rearrange the existing nine Sub-Committees as seven, as shown in the following table:

Existing Sub-Committee Replacement/New Sub-Committee

- Ship Design and Equipment (DE)
- Fire Protection (FP)
- Stability, Load Lines and Fishing Vessel Safety (SLF) • Ship Design and Construction (SDC)
- Ship System and Equipment (SSE)
- Bulk Liquids and Gases (BLG)
- Dangerous Goods, Solid Cargoes and Containers (DSC) • Carriage of Cargoes and Containers (CCC)
- Pollution Protection and Response (PPR)
- Flag State Implementation (FSI) • Implementation of IMO Instruments (III)
- Safety of Navigation (NAV)
- Radiocommunications and Search and Rescue (COMSAR) • Navigation, Communications and Search and Rescue (NCSR)
- Standards of Training and Watchkeeping (STW) • Human Element, Training and Watchkeeping (HTW)

CIRCULARS APPROVED by MSC 92

MSC.1/Circ.1452 - Early implementation of amendments (02-13) to the International Maritime Solid Bulk Cargoes (IMSBC) Code

MSC.1/Circ.1453 - Guidelines for the submission of information and completion of the format for the properties of cargoes not listed in the IMSBC Code and their conditions of carriage

MSC.1/Circ.1454 - Guidelines for developing and approving procedures for sampling, testing and controlling the moisture content for solid

bulk cargoes that may liquefy

MSC.1/Circ.1395/Rev.1 - 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.1455 - Guidelines for the approval of alternatives and equivalents as provided for in various IMO instruments

MSC.1/Circ.1446/Rev.2 - Recommended interim measures for passenger ship companies to enhance the safety of passenger ships

MSC.1/Circ.1456 - Unified interpretations of SOLAS chapter II-2 and the FSS and FTP Codes

MSC.1/Circ.1457 - Unified interpretation of the 2000 HSC Code, as amended by resolutions MSC.175(79) and MSC.222(82)

MSC.1/Circ.1458 - Interpretation of the revised guidelines for the approval of equivalent water-based fire-extinguishing systems for machinery spaces and cargo pump-rooms (MSC/Circ.1165)

MSC.1/Circ.1459 - Unified interpretations of the SOLAS Convention and the IBC and IGC Codes

MSC.1/Circ.1382/Rev.2 - Questionnaire on shore-based facilities for the Global Maritime

Distress and Safety System (GMDSS)

MSC.1/Circ.1287/Rev.1 - Amendments to resolution A.705(17), as amended, on Promulgation of Maritime Safety Information

MSC.1/Circ.1288/Rev.1 - Amendments to resolution A.706(17), as amended, on World-Wide Navigational Warning Service

MSC.1/Circ.1460 - Guidance on the validity of radiocommunications equipment installed and used on ships

MSC.1/Circ.1461 - Guidelines for verification of damage stability requirements for tankers

MSC.1/Circ.1462 - List of certificates and documents required to be carried on board ships, 2013

MSC.1/Circ.1463 - Application of SOLAS regulations XII/3, XII/7 and XII/11

MSC.1/Circ.1464 - Unified interpretations of the provisions of SOLAS chapters II-1 and XII, the technical provisions for means of access for inspections (resolution MSC.158(78)) and of the performance standards for water level detectors on bulk carriers (resolution MSC.145(77))

MSC.1/Circ.1465 - Unified interpretation of 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))

MSC.1/Circ.1466 - Unified interpretations on fall preventer devices (MSC.1/Circ.1392 and MSC.1/Circ.1327)

MSC.1/Circ.1467 - Unified interpretation of SOLAS regulation II-1/26.3

MSC.1/Circ.1468 - Unified interpretation of paragraph 1.1.4 of the LSA Code

MSC.1/Circ.1164/Rev.12 - Promulgation of information related to reports of independent

evaluation submitted by Parties to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW), 1978, as amended, confirmed by the Maritime Safety Committee to have communicated information which demonstrates that Parties are giving full and complete effect to the relevant

provisions of the Convention

MSC.1/Circ.797/Rev.24 - List of competent persons maintained by the Secretary-General pursuant to section A-I/7 of the STCW Code

OTHER CIRCULARS ENDORSED

MSC-MEPC.5/Circ.7 - Guidance on the timing of replacement of existing certificates by revised certificates as a consequence of the entry into force of amendments to chapters 17 and 18 of the IBC Code

MSC-MEPC.5/Circ.8 - Unified interpretation of the application of regulations governed

by the building contract date, the keel laying date and the delivery date for the requirements of the SOLAS and MARPOL Conventions

MSC-MEPC.3/Circ.4 - Revised harmonized reporting procedures - Reports required under SOLAS regulations I/21 and XI-1/6, and MARPOL, articles 8 and 12

DSC.1/Circ.71 - Guidelines for development of an approved continuous examination programme (ACEP)

CSC.1/Circ.138/Rev.1 - Revised recommendations on harmonized interpretation and implementation of the International Convention for Safe Containers, 1972, as amended

COMSAR.1/Circ.57 - Guidance on the use of the graph at figure N.14, appendix N of IAMSAR Manual, Volume II

COMSAR.1/Circ.54/Rev.1 - Audits of LRIT Data Centres and of the International LRIT Data Exchange Conducted by the LRIT Coordinator

SN.1/Circ.322 - Information on the display of AIS-SART, AIS Man Overboard and EPIRB-AIS devices

STCW.7/Circ.20 - Interim guidance on colour vision testing

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