



MARITIME SAFETY COMMITTEE
66th session
Agenda item 24

**REPORT OF THE MARITIME SAFETY COMMITTEE
ON ITS SIXTY-SIXTH SESSION**

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1 INTRODUCTION

1.1 The sixty-sixth session of the Maritime Safety Committee was held from 28 May to 6 June 1996 under the chairmanship of Dr. G. Pattofatto (Italy). The Vice-Chairman, Mr. Teh Kong Leong (Singapore), was also present.

1.2 The session was attended by delegations from the following Member Governments:

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| ANTIGUA AND BARBUDA | JAMAICA |
| ARGENTINA | JAPAN |
| AUSTRALIA | |
| BAHAMAS | LATVIA |
| BAHRAIN | LEBANON |
| BANGLADESH | LIBERIA |
| BELGIUM | LITHUANIA |
| BRAZIL | MALAWI |
| BULGARIA | MALAYSIA |
| CANADA | MALTA |
| CHILE | MEXICO |
| CHINA | NETHERLANDS |
| COLOMBIA | NEW ZEALAND |
| CONGO | NIGERIA |
| CROATIA | NORWAY |
| CUBA | PANAMA |
| CYPRUS | PERU |
| CZECH REPUBLIC | PHILIPPINES |
| DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA | POLAND |
| DENMARK | PORTUGAL |
| ECUADOR | REPUBLIC OF KOREA |
| EGYPT | ROMANIA |
| ESTONIA | RUSSIAN FEDERATION |
| ETHIOPIA | SAINT VINCENT AND THE GRENADINES |
| FINLAND | SAUDI ARABIA |
| FRANCE | SINGAPORE |
| GABON | SLOVAKIA |
| GERMANY | SOUTH AFRICA |
| GHANA | SPAIN |
| GREECE | SWEDEN |
| HUNGARY | SWITZERLAND |
| ICELAND | SYRIAN ARAB REPUBLIC |
| INDIA | THAILAND |
| INDONESIA | TRINIDAD AND TOBAGO |
| IRAN, ISLAMIC REPUBLIC OF | TUNISIA |
| IRELAND | TURKEY |
| ISRAEL | UKRAINE |
| ITALY | UNITED ARAB EMIRATES |

UNITED KINGDOM
UNITED STATES
URUGUAY

VANUATU
VENEZUELA

and the following Associate Members of IMO:

HONG KONG

MACAU

1.3 The session was also attended by representatives from the following United Nations specialized agencies:

ECONOMIC COMMISSION FOR EUROPE (ECE)
INTERNATIONAL LABOUR ORGANIZATION (ILO)
INTERNATIONAL TELECOMMUNICATION UNION (ITU)

by observers from the following intergovernmental organizations:

INTERNATIONAL HYDROGRAPHIC ORGANIZATION (IHO)
ORGANISATION FOR ECONOMIC CO-OPERATION AND DEVELOPMENT (OECD)
COMMISSION OF THE EUROPEAN COMMUNITIES (EEC)
LEAGUE OF ARAB STATES
INTERNATIONAL MOBILE SATELLITE ORGANIZATION (INMARSAT)
COSPAS-SARSAT

and by observers from the following non-governmental organizations in consultative status:

INTERNATIONAL CHAMBER OF SHIPPING (ICS)
INTERNATIONAL ORGANIZATION FOR STANDARDIZATION (ISO)
INTERNATIONAL SHIPPING FEDERATION (ISF)
INTERNATIONAL ELECTROTECHNICAL COMMISSION (IEC)
INTERNATIONAL CHAMBER OF COMMERCE (ICC)
INTERNATIONAL CONFEDERATION OF FREE TRADE UNIONS (ICFTU)
INTERNATIONAL ASSOCIATION OF LIGHTHOUSE AUTHORITIES (IALA)
INTERNATIONAL RADIO-MARITIME COMMITTEE (CIRM)
INTERNATIONAL ASSOCIATION OF PORTS AND HARBORS (IAPH)
THE BALTIC AND INTERNATIONAL MARITIME COUNCIL (BIMCO)
INTERNATIONAL ASSOCIATION OF CLASSIFICATION SOCIETIES (IACS)
INTERNATIONAL CARGO HANDLING CO-ORDINATION ASSOCIATION (ICHCA)
EUROPEAN COUNCIL OF CHEMICAL MANUFACTURERS' FEDERATIONS (CEFIC)
OIL COMPANIES INTERNATIONAL MARINE FORUM (OCIMF)
INTERNATIONAL MARITIME PILOTS' ASSOCIATION (IMPA)
ENGINEERING COMMITTEE ON OCEANIC RESOURCES (ECOR)
FRIENDS OF THE EARTH INTERNATIONAL (FOEI)
INTERNATIONAL FEDERATION OF SHIPMASTERS' ASSOCIATIONS (IFSMA)
OIL INDUSTRY INTERNATIONAL EXPLORATION AND PRODUCTION FORUM
(E & P FORUM)
THE ASSOCIATION OF WEST EUROPEAN SHIPBUILDERS (AWES)
INTERNATIONAL ASSOCIATION OF INDEPENDENT TANKER OWNERS
(INTERTANKO)
SOCIETY OF INTERNATIONAL GAS TANKERS AND TERMINAL OPERATORS
(SIGTTO)

INTERNATIONAL LIFEBOAT FEDERATION (ILF)
INTERNATIONAL ROAD TRANSPORT UNION (IRU)
INTERNATIONAL COUNCIL OF CRUISE LINES (ICCL)
INTERNATIONAL ASSOCIATION OF DRY CARGO SHIPOWNERS (INTERCARGO)
THE INSTITUTE OF MARINE ENGINEERS (IME)
INTERNATIONAL SHIP MANAGERS' ASSOCIATION (ISMA)
INTERNATIONAL MARINE TRANSIT ASSOCIATION (IMTA)

1.4 The session was also attended by Mr. P. Bergmeijer (Netherlands), Chairman of the Marine Environment Protection Committee (MEPC) and Mr. L.D. Barchue Sr. (Liberia), Chairman of the Facilitation Committee (FAL). The Chairmen of all sub-committees and the Chairman of the SPI Working Group were also present.

1.5 The Secretary-General welcomed participants and, first of all, referred to last year's major meetings, namely the STCW and SOLAS Conferences and the nineteenth session of the Assembly and suggested that they should be seen and judged not only from the point of view of their success in setting appropriate safety standards, but also by the message they conveyed that IMO has the willingness, means and efficiency to respond speedily to needs emerging from everyday shipping practices and to those which may be driven by serious casualties.

He considered the amendments to the 1978 STCW Convention adopted last year to be a major step towards the further enhancement of maritime safety and marine pollution prevention and added that the revised STCW Convention was unique among all the IMO conventions because, for the first time, the Organization had been assigned a positive role in ensuring that the provisions of the Convention were effectively implemented.

He informed the Committee that to give effect to the decisions of last year's STCW and STCW-F Conferences, which have imposed numerous new obligations on Governments, the shipping industry and the Secretariat, and in order to assist those concerned to understand the implications of the new requirements and implement them as effectively as possible, the Secretariat had designed a programme which called for work at three levels: the intergovernmental level, the regional level and the secretariat level.

After explaining what work at the three levels consisted of, he referred to nine regional seminars and workshops that have been planned to be held in different parts of the world prior to the entry into force of the 1995 STCW amendments to increase awareness and explain the implications of these amendments. Of these seminars and workshops, which have been structured around a pilot seminar which was successfully concluded for WMU students in Malmö last November, two have already been held in Manila (Philippines) and Dalian (China). They will be followed by others in Bombay (India), Gdynia (Poland), Tampico (Mexico), Rio de Janeiro (Brazil) and for countries in the Mediterranean Sea area and the African region.

He informed the Committee that the execution of phase 1 of the above follow-up work required funds of about US\$1.2 million and, since there had been no appropriation in IMO's regular budget to cover this, he approached a number of potential donors for assistance. He then expressed gratitude to the Governments of Canada, the Netherlands, Norway and the United Kingdom, the Commission of the European Communities and ICFTU/ITF for their positive response to his request, as well as to ISF which was providing an indirect contribution to the budget of the project.

Turning to the 1995 SOLAS Conference convened to enhance the safety of ro-ro ferries in the aftermath of the **Estonia** accident, the Secretary-General paid tribute to the Committee, to the Panel of

Experts and to all those individuals involved for their hard work, which enabled the preparation, in record time, of important changes to international regulations governing the safety of ro-ro passenger ships. Of these changes, he mentioned, in particular, as highlights of the achievements of the Conference:

- the upgrading of the stability standards for existing ro-ro passenger ships to that for new ships; and
- the phasing-out, within a certain period of time, of one-compartment-standard ro-ro passenger ferries.

He considered that, in the circumstances, the SOLAS Conference could not have been more successful and its outcome should be judged by what it was able to achieve.

The Secretary-General applauded the Committee's decision, after many years of excellent work to improve ships' safety on the "hardware" side, to further shift emphasis to the "software" by focusing on the human element. He strongly believed that the effective implementation of the revised STCW Convention would have a most favourable impact on safety at sea and marine environment protection.

He went on by suggesting that IMO should not only expect to see the beneficial results from its efforts to improve the standards of training and certification but should equally have expectations for a smooth, timely and effective implementation of the ISM Code with its contingent improvements to safety. It was for this reason that he was concerned that so far only a small percentage of shipping companies and ships had either applied for or obtained the certification required by the ISM Code although the need for their doing so had been emphasized by the 1994 SOLAS Conference and the Assembly and its implementation date was now not too far away. Against this background, he had submitted document MSC 66/19/3 inviting the Committee to address the issue and take appropriate action.

Turning to what he considered as one of the most important items on the Committee's agenda, i.e. the thorough review of the safety of bulk carriers, the Secretary-General referred to the Committee's decision to consider adopting, at this session, amendments to the SOLAS Convention aimed at enhancing the safety of this type of vessel. 1996 would, therefore, be a crucial year in IMO's efforts to improve the safety of bulk carriers and he expressed the hope that the end result would be commensurate with the efforts made and that 1996 would be remembered as the year that the safety of bulk carriers was vastly improved.

The Secretary-General then referred to the Special Consultative Meeting of entities involved in the maritime transport of material covered by the INF Code, which had stemmed from a proposal he put to MEPC 37 last September which was unanimously endorsed by that Committee and subsequently by NAV 41 and the Assembly.

In opening that Meeting he had expressed the hope that, at the end of its proceedings, all with an interest in its subject would have benefitted from sharing information, concerns and ideas and would have gained a better understanding of the safety and environmental factors involved. He believed the Meeting was very successful and trusted that the Committee would give due consideration to its outcome.

Referring to Amendment 28 to the IMDG Code the Committee was expected to adopt at this session, he stressed that frequent amendments to the Code, especially those which required a complete, and costly, reprint resulting from extensive changes should be avoided, as they would undermine its credibility among users and its usefulness to the maritime community would be diminished as a result.

The Secretary-General then turned to the implementation as from this year of the Committee's decision to restructure the sub-committees, which had resulted in the creation of the new COMSAR, DSC and BLG Sub-Committees and subsequently the abolition of the former LSR, CDG, BC and BCH Sub-Committees. He considered that this transformation had taken place smoothly and the results of the new scheme had been generally considered successful. He credited this success to the Committee and the MEPC for their wisdom in endorsing the proposals of their respective Chairmen and to the foresight of all those involved in rightly perceiving the need for change in the rapidly evolving environment that IMO serves. While welcoming the new arrangements, he wished to pay tribute to the sub-committees which had ceased to exist for their valuable contribution to the cause of improved maritime safety and environmental protection over many years.

While appreciating the considerable progress which had been achieved intersessionally by correspondence groups established by the Committee and sub-committees, he recommended that the establishment of any further correspondence groups should be carefully examined as their proliferation had met with some criticism in various parts of the Organization.

The Secretary-General then referred to the need that priorities should be assigned to all the items in the sub-committees' work programmes and that these should be streamlined as much as possible, particularly in the light of the Assembly's decisions on the budget of the Organization.

He expressed satisfaction with all the sub-committees' positive response to the Committee's and the Assembly's instructions and his advice on this issue, which had resulted in a significant reduction of the number of items on the work programmes of the sub-committees, as well as of the number of correspondence groups that had previously been established.

He added that this, however, should not allow room for any complacency and considered it extremely important that, at each session, the Committee should be very careful to ensure that its efforts are focused on those items which deserved its undivided attention and that it should act on them with all possible speed. This would not only enable the Committee to respond to the real and urgent needs of maritime safety; it would also ensure that the limited resources of the Organization were not diverted and that a clear distinction was made between cost-effective activities and those which, because of their nature and objective, could safely be given a lower priority.

He was fully aware that last year's STCW and SOLAS Conferences as well as the Assembly had all placed a considerable number of new items in the Committee's work programme. However, he believed that, through a diligent approach and careful scrutiny, the Committee would be able to devise work programmes for the sub-committees which would incorporate all necessary elements of sound management and a visionary approach to the various problems on its agenda. Establishing priorities would be an important aspect of successfully carrying out this task.

The Secretary-General then referred to the concern he had expressed earlier in the year about the unacceptably high number of shipping casualties since the beginning of 1996, which, at that time, had resulted in the loss of 33 ships and 316 lives. He had then noted that that statistic was a grim reminder of the perils of the sea; at the same time, it highlighted the significance and importance of IMO's task as regulators and guardians of maritime safety and protectors of the marine environment on a worldwide basis.

Referring to the recent tragic loss of so many precious lives in the Lake Victoria accident, he informed the Committee that he had immediately communicated with the High Commissioners of Kenya, Tanzania and Uganda offering his condolences and pledging IMO's support and co-operation in enhancing the safety standards of ships flying their flags.

Judging from the significance and importance of many of the items on the Committee's agenda, the Secretary-General concluded by suggesting that, once again, the eyes of the world maritime community would be focused upon it and on its decisions at the end of the day. IMO's determination to succeed should match the challenges the Organization was facing. This would benefit those who go down to sea in ships, those who invest heavily in to-day's expensive shipping operations and those whose businesses depend on a clean marine environment. It would also demonstrate the efficiency and effectiveness of IMO as the only forum in the world where international standards regulating maritime safety and pollution prevention and control are set and decisions on how to best implement them are made.

1.6 In responding to the Secretary-General's remarks, the Chairman expressed sympathy for the Lake Victoria tragedy and recalled the decision of MSC 65 that this session should mainly focus on three issues:

- .1 the safety of bulk carriers;
- .2 the human element; and
- .3 the Formal Safety Assessment (FSA).

He stressed the importance of the human element issue, in particular the expected benefits to safety and pollution prevention through the effective implementation of the revised STCW Convention and the ISM Code.

The Chairman expressed the hope that the Committee would give clearance to the FSA as "a comparative tool to evaluate new proposed regulations and amendments to existing ones by a global and integrated approach and assess the effective safety and environmental advantages of their adoption with respect to current requirements" and stressed the need for a clear and simple methodology to implement the FSA.

He finally expressed the hope that 1996 would be the year which achieved the required breakthrough to improved bulk carrier safety.

1.7 The Committee adopted the agenda (MSC 66/1) and a provisional timetable for guidance during the session (MSC 66/1/1, annex, as amended). The agenda for the sixty-sixth session, with a list of documents considered under each agenda item, is set out in annex 1.

1.8 The Committee was informed that the credentials of the delegations attending the session were in due and proper form.

2 DECISIONS OF OTHER IMO BODIES, INCLUDING THE 1995 STCW CONFERENCE, 1995 STCW-F CONFERENCE AND 1995 SOLAS CONFERENCE

Outcome of the 1995 Conference of Parties to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW), 1978

2.1 The Committee noted information on the outcome of the 1995 STCW Conference (MSC 66/2), which was convened pursuant to the decision of Parties to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 at IMO Headquarters from 26 June to 7 July 1995 to consider and adopt amendments to the 1978 STCW Convention and expressed

appreciation to the President and other officers of the Conference for their contribution to its success. The Committee dealt with the issues referred to it by the Conference under items 15 and 21, and noted Conference resolutions 4, 8 and 14.

Outcome of the International Conference on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel (STCW-F), 1995

2.2 The Committee noted information on the outcome of the 1995 STCW-F Conference (MSC 66/2/1), which was convened pursuant to relevant decisions of the Committee, the Council and the Assembly at IMO Headquarters from 26 June to 7 July 1995 to consider and adopt the International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel, 1995 and expressed appreciation to the President and other officers of the Conference for their contribution to its success. The Committee dealt with the issues referred to it by the Conference under item 21.

2.3 The Committee noted information provided by the Secretariat on action taken to implement the decisions of the 1995 STCW and 1995 STCW-F Conferences, including the convening of two intersessional meetings of the *ad hoc* working group of the STW Sub-Committee in January and June 1996.

Outcome of the 1995 Conference of Contracting Governments to the International Convention for the Safety of Life at Sea (SOLAS), 1974

2.4 The Committee noted information on the outcome of the 1995 SOLAS Conference (MSC 66/2/2), convened at IMO Headquarters on 20, 27, 28 and 29 November 1995 to consider and adopt amendments to the 1974 SOLAS Convention as amended, aimed at enhancing the safety of ro-ro passenger ships, and decided to consider specific requests of the Conference concerning the development of standards to facilitate the implementation of the decisions of the Conference, as specified in paragraphs 5 and 6 of document MSC 66/2/2, under item 21.

2.5 The Committee expressed appreciation to the President and other officers of the Conference for their contribution to its success.

Final report of the Panel of Experts on Ro-Ro Ferry Safety

2.6 The Committee approved the report of the Panel of Experts on Ro-Ro Ferry Safety (MSC 66/2/2/Add.1) and, having noted that section 10 (Summary) of the report provides a list of actions proposed by the Panel for the Committee to take and that proposals indicated in paragraphs 10.1.1, 10.1.2, 10.1.5 to 10.1.10 and 10.2.2 thereof were dealt with by the 1995 SOLAS Conference and included in relevant documents adopted by the Conference, decided to deal with the remaining issues, which required the Committee's action, under items 5 and 21, as appropriate.

2.7 The Committee resolved that the Panel of Experts had successfully accomplished its work in accordance with the terms of reference determined by the *ad hoc* Steering Committee and endorsed by the Committee, dissolved the Panel and expressed appreciation to the Chairman and Members of the Panel for their excellent work.

2.8 The delegation of Mexico referred to section 9 of the report of the Panel of Experts (MSC 66/2/2/Add.1) and, although recognizing the importance of setting adequate safety standards for ro-ro passenger ships, reiterated the statement they made at the 1995 SOLAS Conference that the

procedure followed in respect of the preparatory work which led to the Conference should not create a precedent and should be avoided in the future.

Outcome of the intersessional meeting of the Working Group on Ro-Ro Ferry Safety

2.9 The Committee noted information on the outcome of the intersessional meeting of the Working Group on Ro-Ro Ferry Safety (MSC 66/2/2/Add.2), established at MSC 65 to consider draft texts of amendments to the 1974 SOLAS Convention with a view to resolving any technical issues before the 1995 SOLAS Conference, which was held from 9 to 13 October 1995 and that, as authorized by MSC 65, reported the outcome of its work directly to the said Conference.

2.10 The Committee noted (MSC 66/2/2/Add.2, paragraph 3) that the working group had invited the Committee's attention to issues some of which had already been dealt with by the 1995 SOLAS Conference and, having noted the group's recommendations and the outcome of the Conference on these issues, agreed that:

- .1 no further action was required in respect of issues specified in paragraphs 3.1 and 3.2 of the group's report; and
- .2 issues specified in paragraphs 3.3, 3.4 and 3.6 of the group's report should be dealt with under agenda item 21.

2.11 The Committee further agreed that the possible legal problems in respect of amendments to SOLAS chapter III, outlined in paragraph 3.5 of the group's report, should be dealt with under item 3 in the context of document MSC 66/3/2.

Regional agreements concerning specific stability requirements for ro-ro passenger ships

2.12 The Committee considered document MSC 66/2/2/Add.3 submitted by Sweden providing information on the outcome of two meetings held in Stockholm in January and February 1996, in pursuance of resolution 14 of the 1995 SOLAS Conference, in the course of which interested countries concluded an Agreement concerning specific stability requirements for ro-ro passenger ships undertaking regular scheduled international voyages between or to or from designated ports in North West Europe and the Baltic Sea. The Committee noted that the Agreement had, in accordance with operative paragraph 3 of resolution 14 of the 1995 SOLAS Conference, been notified to the Secretary-General of the Organization on 1 April 1996 and disseminated by circular letter No.1891 to all IMO Members and Contracting Governments to the 1974 SOLAS Convention.

2.13 The Committee, having noted the information provided and that the Stockholm Agreement had requested the Secretary-General to perform, subject to the decision of the Council, depositary functions as specified in articles 7, 8, 9 and 10 thereof, agreed to recommend to the Council to authorize the Secretary-General to perform the functions assigned to him by the Agreement.

Outcome of the nineteenth session of the Assembly

2.14 The Committee noted information on the outcome of the nineteenth session of the Assembly (MSC 66/2/3) and expressed appreciation to the Chairman of the Assembly's Technical Committee for his contribution to the success of that Committee and dealt with the Assembly's specific requests for action (MSC 66/2/3, paragraphs 19 and 20) under agenda items 4, 17, 19, 21 and 23.

Outcome of the Special Consultative Meeting (SCM) of entities involved in the maritime transport of materials covered by the INF Code

2.15 The Committee noted information on the outcome of the SCM (MSC 66/2/3/Add.1) and dealt with the specific issues referred thereto under item 21.

Outcome of the seventy-fourth and eighteenth extraordinary sessions of the Council

2.16 The Committee noted the information provided in document MSC 66/2/4.

Outcome of the seventy-third session of the Legal Committee

2.17 The Committee noted the information provided in document MSC 66/2/5.

Outcome of the thirty-seventh session of the Marine Environment Protection Committee

2.18 The Committee noted the information provided in document MSC 66/2/6 and dealt with the issues referred to in paragraphs 9 and 11 thereof under items 13 and 21 respectively.

Outcome of the forty-first session of the Technical Co-operation Committee

2.19 The Committee noted the information provided in document MSC 66/2/7.

Outcome of the twenty-fourth session of the Facilitation Committee and the fourth session of the Working Group on Ship/Port Interface

2.20 The Committee noted information on the outcome of the twenty-fourth session of the Facilitation Committee and the fourth session of the Working Group on Ship/Port Interface (MSC 66/2/8 and Add.1) and dealt with most issues referred thereto under item 9.

2.21 With respect to the issue of the availability of adequate tug assistance (MSC 66/2/8/Add.1, paragraphs 10 to 14), the Committee, recalling the decision at its sixty-fifth session that safety-related SPI matters should be referred to it for consideration, instructed SPI 5, when it meets during the twenty-fifth session of the Facilitation Committee, to develop, on its behalf, a methodology for the assessment of the adequacy and availability of tug assistance in port waters, on the understanding that it will be restricted to non-seagoing tugs used solely in assisting during mooring and unmooring in ports or in port emergency situations, and report on the methodology developed to the Committee.

3 CONSIDERATION AND ADOPTION OF AMENDMENTS TO MANDATORY INSTRUMENTS

General

3.1 Contracting Governments to the 1974 SOLAS Convention were invited to participate in the consideration and adoption of proposed amendments to the 1974 SOLAS Convention, the International Bulk Chemical (IBC) Code and the Guidelines on the enhanced programme of inspections during surveys of bulk carriers and oil tankers (resolution A.744(18)) as well as the proposed International Life-Saving Appliance (LSA) Code, as specified in paragraphs 3.3 and 3.4 below.

3.2 Contracting Governments constituting more than one third of the total of Contracting Governments to the SOLAS Convention were present during the consideration and adoption by the expanded Maritime Safety Committee (hereinafter referred to as "the Committee"), of the said amendments and draft code, in accordance with article VIII(b)(iii) and (iv) of the Convention.

3.3 The Committee recalled that the proposed amendments to:

- .1 chapter II-1 were developed by DE 37, DE 38 and SLF 38 and were approved by MSC 63, MSC 64 and MSC 65;
- .2 chapter III (including the proposed draft LSA Code) were developed by LSR 26 and approved by MSC 65;
- .3 chapter VI were developed by BC 34 and approved by MSC 65;
- .4 chapter XI were agreed by MSC 65;
- .5 the Enhanced Survey Guidelines (resolution A.744(18)) were approved by MSC 65; and
- .6 the IBC Code were approved by MSC 63 and MSC 65 and revised by MEPC 37.

3.4 In accordance with article VIII(b)(i) of the 1974 SOLAS Convention, the aforementioned draft amendments and the draft LSA Code were circulated by the Secretary-General to all IMO Member Governments and all Contracting Governments to the 1974 SOLAS Convention by circular letters No.1821 of 2 June 1995, No.1826 of 15 June 1995, No.1838 of 29 August 1995, No.1840 of 1 September 1995, No.1846 of 30 August 1995 and No.1856 of 27 October 1995 (revising the text circulated by circular letter No.1846 of 30 August 1995).

3.5 In considering the aforementioned draft amendments and draft Code contained in documents MSC 66/3 and MSC 66/3/1, the Committee also considered proposals submitted by Italy and the European Commission (MSC 66/3/3), Japan (MSC 66/3/4 and MSC 66/3/7), Finland and Germany (MSC 66/3/5), the United Kingdom (MSC 66/3/6), Greece (MSC 66/9/7) and IACS (MSC 66/INF.6).

Consideration of the proposals

3.6 The Committee considered the proposed amendments to the SOLAS Convention and the other instruments referred to in paragraph 3.1 on the basis of a document prepared by the Secretariat to facilitate the Committee's task (MSC 66/WP.1 and Corr.1), which contained the text of the proposed amendments with all relevant proposals submitted by Contracting Governments and other interested parties in an amalgamated format as well as associated draft MSC resolutions. Decisions made by the Committee when considering the above proposed texts are reflected in the ensuing paragraphs.

Proposed amendments to SOLAS

Structural, mechanical and electrical requirements for ships

3.7 The Committee, agreeing to a proposal by Japan (MSC 66/3/7), decided to instruct the drafting group (see paragraph 3.28) to formulate a new part on Structure of ships, and include therein the proposed regulation.

Stability requirements

3.8 The Committee reviewed the proposed amendments to SOLAS regulations II-1/8, 25-1, 25-3 and 25-4 and confirmed the substance of the proposals subject to further editorial improvements, if necessary.

Corrosion prevention of seawater ballast tanks

3.9 The Committee reviewed the proposed SOLAS regulation II-1/14-1 on Corrosion prevention of seawater ballast tanks, and confirmed the substance of the proposed regulations. The Committee considered the point raised by DE 39 on the need for a uniform wording to reference IMO resolutions in IMO instruments, with a view to clarifying the intent of the reference, i.e. whether mandatory or recommendatory (paragraph 2.3 of document MSC 66/8), in connection with the aforementioned SOLAS regulation II-1/14-1, and instructed the drafting group to deal with this issue taking into account the list of expressions used in the SOLAS and MARPOL Conventions for referencing IMO resolutions as set out in document MSC 66/WP.2 (see paragraph 3.36 below).

New chapter III

3.10 The Committee, taking into account amendments to SOLAS chapter III adopted by the 1995 SOLAS Conference (MSC 66/3/2) and 1995 SOLAS Conference resolution 5 aiming at incorporating these amendments in the revised new SOLAS chapter III, agreed that new SOLAS regulations III/24-1 to 24-4 adopted by the 1995 SOLAS Conference should be incorporated as SOLAS regulations III/26 to 29, as suggested by the Secretariat in document MSC 66/3/2.

3.11 The Committee, having considered a proposal by the United Kingdom (MSC 66/3/6), agreed that an additional paragraph to deal with a proposed 5-year period of grace for existing lifejackets fitted with lifejacket lights, which do not comply with the requirements of the LSA Code, should be included in new chapter III.

3.12 The Committee agreed that the application provisions of new chapter III should be reviewed by the drafting group.

3.13 With regard to a proposal by Italy and the European Commission (MSC 66/3/3), the Committee agreed that, while amendments adopted by the 1995 SOLAS Conference (regulation III/24-2) could not be modified at this stage, the requirements of new chapter III relating to information on passengers (regulation III/27 of new chapter III) should be applied to all passenger ships regardless of the date of their construction, and agreed:

- .1 to include the word "all" in draft regulation III/27, as proposed by Italy and the European Commission, so that the requirements would be applied to all passenger ships when new chapter III comes into force; and
- .2 to urge Member Governments to apply the requirements of regulation III/24-2 to all ships on and after 1 July 1997 but before 1 July 1998 under the amendments adopted by the 1995 SOLAS Conference, even though the requirement of the Convention would, during that period, be restricted only to ships constructed on or after 1 July 1986.

Cargo information and acceptability for shipment

3.14 The Committee reviewed the draft text of amendments to SOLAS regulation VI/2 and confirmed the substance of the proposal for further editorial improvements, if necessary.

3.15 In view of the concern expressed by IACS (MSC 66/INF.6), the Committee agreed to further consider the proposed amendments to SOLAS regulation VI/6 at MSC 67 and invited Member Governments to comment on their experience with the approval of specially constructed or fitted ships for the carriage of solid bulk cargoes with moisture content above their transportable moisture limits.

Loading, unloading and stowage of bulk cargoes - Responsibilities of bulk cargo terminals

3.16 The Committee noted the modifications proposed by Greece (MSC 66/9/7) to draft SOLAS regulation VI/7 and Greece's proposal for a new SOLAS regulation VI/7*bis* to be incorporated as a new SOLAS regulation VI/7-1. Since the Greek proposals were related to bulk carrier safety, the Committee referred them to the Working Group on Bulk Carrier Safety, and instructed it to convey the outcome of its consideration of the matter directly to the drafting group (see paragraphs 4.28 to 4.31 below).

Specifications on survey and certification functions of recognized organizations

3.17 The Committee recalled that MSC 65 agreed to make the Specifications mandatory by adopting an amendment to SOLAS regulation XI/1 and making a reference to Assembly resolution A.789(19) in a footnote to SOLAS regulation XI/1, so amended.

3.18 The Committee further recalled that MSC 65, having discussed the content of resolution 5 of the 1994 SOLAS Conference *vis-à-vis* the proposed course of action, agreed to request the Secretary-General to circulate the draft amendments to SOLAS regulation XI/1 for adoption by MSC 66 in accordance with SOLAS article VIII, rather than holding a SOLAS Conference for the purpose of adoption of the proposed amendments under that resolution because of the urgency and editorial nature of the matter.

3.19 The Committee agreed to the modifications proposed by Japan (MSC 66/3/4) and instructed the drafting group to improve the text accordingly.

3.20 In connection with the adoption of amendments to regulation XI/1, the delegation of the United Kingdom drew the attention of the Committee to the confusion that could arise in referring to "recognized organizations" in the context of SOLAS Conventions (e.g. chapter I, part B, regulation 6) and in EU Directives. To differentiate between the terms used, the United Kingdom uses the term "authorized organization" which has the same meaning as in the SOLAS Convention, i.e.:

"an organization which has a formal written agreement by which delegated powers in respect of statutory function may be carried out",

whereas a recognized organization is:

"an organization recognized as conforming with the requirements of Council Directive 94/57/EC, and that an organization recognized by one Member State of the EU is implicitly recognized by all other Member States".

Proposed LSA Code

3.21 The Committee noted the proposed editorial corrections contained in document MSC 66/3/5 (Finland and Germany) and referred them to the drafting group for appropriate action.

3.22 With regard to the requirements of section 4.4.7.5 of the Code relating to means for collecting rain water, the Committee agreed that lifeboats should be equipped with such means as a mandatory requirement and, in addition, a desalinator, on a voluntary basis, can be installed, and instructed the drafting group to reflect this decision in the final text prepared.

Proposed amendments to the Enhanced Survey Guidelines (resolution A.744(18))

3.23 The Committee confirmed the substance of the proposed amendments to the Enhanced Survey Guidelines (resolution A.744(18)) and instructed the drafting group to editorially improve them as necessary.

Proposed amendments to the IBC and BCH Codes

3.24 The Committee, recalling that the original texts of amendments to the IBC Code were approved by MSC 63 and MSC 65, noted that MEPC 37 had revised them and had also agreed to corresponding amendments to the BCH Code .

3.25 The Committee confirmed the substance of the proposed amendments and instructed the drafting group to editorially improve them as necessary.

Date of entry into force of the amendments

3.26 The Committee, recalling its decision, at its fifty-ninth session (MSC 59/33, paragraph 26.2), on planning of amendments to maritime safety instruments, namely that there should normally be a four-year interval between entry into force of successive sets of amendments to safety-related conventions and codes, as well as its decision at its sixty-fifth session (MSC 65/25, paragraph 22.47), decided that all proposed amendments should, under the provisions of SOLAS article VIII, enter into force on 1 July 1998.

3.27 The Committee instructed the Secretariat to inform MEPC 38 of the expected date of entry into force of the amendments to the Enhanced Survey Guidelines (resolution A.744(18)) and the IBC Code.

Establishment of a drafting group

3.28 After a general discussion in plenary, the Committee established an *ad hoc* drafting group and instructed it to prepare draft MSC resolutions and texts of amendments to SOLAS 74, the Enhanced Survey Guidelines (resolution A.744(18)) and the IBC and BCH Codes as well as the draft text of the LSA Code, for consideration and adoption by the Committee.

Report of the drafting group

3.29 Having received the report of the drafting group (MSC 66/WP.10 and Corr.1 (French only) and Add.1 to 4), the Committee took action as indicated hereunder.

Amendments to SOLAS chapter VI

3.30 The Committee agreed, since the format of the plan to be agreed by the master and the terminal needed further consideration, to delete the proposed phrase "based on the format developed by the Organization" from the text of draft regulation VI/7.3.

3.31 The Committee considered whether paragraphs 3 and 7 of draft regulation VI/7 should be modified in accordance with the proposal by Greece (MSC 66/9/7), as reproduced in the footnote to the above paragraphs given in document MSC 66/WP.10.

3.32 The delegation of Greece stressed the need for an appropriate authority of the port State concerned to be involved in the process, as necessary and the plan should, therefore, be lodged with such an authority, and that it should not be for the master alone to ensure that any corrective action required is taken during loading or unloading operations. In this context, the delegation of Greece

agreed that in regulation VI/7 the words "the port State control authority" be replaced by the words "the appropriate authority of the port State". The Greek proposals were supported by a considerable number of other delegations.

3.33 However, several other delegations expressed the view that the port State control authority should not be required to take action under the provisions of regulation VI/7, indicating serious practical, administrative and possible legal and liability difficulties in implementing such requirements, and supported the draft text of amendments as prepared by the drafting group. Several of them suggested that the matter be referred to the DSC Sub-Committee for further consideration.

3.34 Having discussed this issue for a considerable length of time, the matter was put to the vote, as a result of which:

- .1 45 delegations voted in favour of the Greek proposal (as amended, as indicated in paragraph 3.31) to amend the text provided by the drafting group;
- .2 9 delegations voted against the Greek proposal, as amended; and
- .3 6 delegations abstained.

3.35 Following the vote, the Committee adopted the amended text, as contained in document MSC 66/WP.10/Corr.2. The delegation of Japan reserved its position with regard to paragraphs 3 and 7 of the adopted SOLAS regulation VI/7 and the delegations of Australia and Canada associated themselves with this reservation.

Uniform wording for referencing IMO instruments

3.36 The Committee noted that, as instructed (see paragraph 3.9 above), the drafting group had prepared preliminary draft guidelines on methods for making reference to mandatory and recommendatory IMO instruments (MSC 66/WP.10/Add.4) and agreed to further consider this issue at MSC 67 (see paragraph 21.100). To this effect, the Committee invited Member Governments to submit comments and proposals on the preliminary draft guidelines for consideration at its next session. Since the guidelines should also be considered in the context of amendments to the MARPOL Convention, the Committee instructed the Secretariat to inform the MEPC accordingly.

Adoption of amendments to the SOLAS Convention

3.37 The expanded Committee, including delegations of 79 SOLAS Contracting Governments, considered the final texts of the proposed amendments to chapters II-1, III, VI and XI of the 1974 SOLAS Convention, as prepared by the drafting group (MSC 66/WP.10) and as amended (see paragraphs 3.30 to 3.35 above) and adopted them by resolution MSC.47(66), as set out in annex 2.

3.38 In adopting resolution MSC.47(66), the expanded Committee determined, in accordance with article VIII(b)(vi)(2)(bb) of the SOLAS Convention, that the amendments should be deemed to have been accepted on 1 January 1998 (unless, prior to that date, objections are communicated to the Secretary-General, as provided for in article VIII(b)(vi)(2) of the Convention) and should enter into force on 1 July 1998, in accordance with the provisions of SOLAS article VIII.

Adoption of the LSA Code

3.39 In conjunction with the adoption of new SOLAS chapter III, the Committee considered the final

draft of the LSA Code, as prepared by the drafting group (MSC 66/WP.10/Add.1) and adopted it unanimously by resolution MSC.48(66), as set out in annex 3.

3.40 In adopting resolution MSC.48(66), the Committee agreed to include relevant operative paragraphs requesting the Secretary-General to transmit certified copies of resolution MSC.48(66), together with the text of the LSA Code, to all Members of the Organization and to all Contracting Governments to the 1974 SOLAS Convention which are not Members of the Organization.

Adoption of amendments to the Enhanced Survey Guidelines (resolution A.744(18))

3.41 The expanded Committee, including delegations of 79 SOLAS Contracting Governments, considered the final text of the proposed amendments to the Guidelines, as prepared by the drafting group (MSC 66/WP.10/Add.2) and adopted them unanimously by resolution MSC.49(66), as set out in annex 4.

3.42 In adopting resolution MSC.49(66), the expanded Committee determined, in accordance with article VIII(b)(vi)(2)(bb) of the SOLAS Convention, that the amendments should be deemed to have been accepted on 1 January 1998 (unless, prior to that date, objections are communicated to the Secretary-General, as provided for in article VIII(b)(vi)(2) of the Convention) and should enter into force on 1 July 1998, in accordance with the provisions of SOLAS article VIII.

Adoption of amendments to the IBC Code

3.43 The expanded Committee, including delegations of 79 SOLAS Contracting Governments, considered the final text of the proposed amendments to the IBC Code, as prepared by the drafting group (MSC 66/WP.10/Add.3, annex 1) and adopted them unanimously by resolution MSC.50(66), as set out in annex 5.

3.44 In adopting resolution MSC.50(66), the expanded Committee determined, in accordance with article VIII(b)(vi)(2)(bb) of the SOLAS Convention, that the amendments should be deemed to have been accepted on 1 January 1998 (unless, prior to that date, objections are communicated to the Secretary-General, as provided for in article VIII(b)(vi)(2) of the Convention) and should enter into force on 1 July 1998, in accordance with SOLAS article VIII.

Adoption of amendments to the BCH Code

3.45 Having considered the final text of the proposed amendments to the BCH Code, as prepared by the drafting group (MSC 66/WP.10/Add.3, annex 2), the Committee adopted them unanimously by resolution MSC.51(66), as set out in annex 6, and decided that the amendments to the BCH Code should become effective on the date of entry into force of the corresponding amendments adopted by the Committee for the IBC Code, i.e. 1 July 1998.

4 BULK CARRIER SAFETY

4.1 The Committee recalled that MSC 65, after discussing bulk carrier safety matters based on proposals submitted by a correspondence group established by MSC 64:

- .1 re-established the intersessional correspondence group under the co-ordination of Australia with specific terms of reference (MSC 65/25, paragraph 5.37);
- .2 approved a list of actions to be taken by its subsidiary bodies in the interim

(MSC 65/WP.8, annex 2);

- .3 instructed the Secretariat to request ISO to develop repair quality standards as well as international shipbuilding quality standards for bulk carriers; and
- .4 approved a draft Assembly resolution on Safety of ships carrying solid bulk cargoes (which was subsequently adopted by the Assembly, at its nineteenth session, as resolution A.797(19)).

4.2 The Committee considered the report of the correspondence group (MSC 66/4), which had, *inter alia*, submitted proposals on:

- .1 the carriage of high density cargo, a definition of "high density" cargo and related draft SOLAS amendments;
- .2 loading instruments and a related draft SOLAS regulation;
- .3 the booklet required under SOLAS regulation VI/7.1 and a related draft amendment thereto; and
- .4 other bulk carrier safety-related issues.

4.3 The Committee also considered relevant documents submitted by:

- Australia (MSC 66/INF.4), providing information on its integrated hull condition monitoring system project;
- IACS (MSC 66/4/1, MSC 66/4/2 and MSC 66/INF.26), providing IACS's Unified Requirement Z 13 (Rev.1 1995) "Voyage repairs and maintenance", IACS's structural survivability requirements UR S17, S18, S20, S21, S12 Rev. 1, S1 and S1A for bulk carrier safety (new and existing ships) and a progress report on the development of ship building and repair quality standards;
- Norway (MSC 66/4/3), providing justification for the correspondence group's proposals aiming at prohibiting bulk carriers to carry high density cargo unless fulfilling certain specific conditions;
- Japan (MSC 66/4/4 and MSC 66/INF.29), providing comments on the report of the correspondence group and comparative damage stability calculations; and
- INTERCARGO (MSC 66/INF.14), providing an analysis of total loss and fatality statistics (1990-95) of bulk carriers, ore carriers and OBOs.

4.4 In a general statement the observer of INTERCARGO stressed that, while INTERCARGO was supporting all the Committee's efforts to improve the safety of bulk carriers, it wished to point out the beneficial impact on safety of the Enhanced Survey Programme and that a major redesign of existing bulk carriers would be an excessive reaction in guarding against complacency and might well create new problems which would adversely affect safety. The delegation of Vanuatu stated that Vanuatu could not support the inclusion of self-unloading bulk carriers in the proposed regulation II-1/23-4 as these ships, by design, are not subject to unloading damage by heavy grabs.

4.5 While introducing document MSC 66/4/2, the IACS observer informed the Committee of the outcome of its Council meeting in May 1996, as follows:

- .1 with regard to the contemplated Unified Requirements for new ships, the IACS Council considered it necessary to make further refinements to the relevant technical criteria as well as testing and validation and decided to carry out this work with a target completion date of 1 July 1997, for application to ships to be constructed on or after 1 July 1998 (the anticipated date of entry into force of the 1998 amendments to SOLAS);
- .2 to develop structural measures which, if complied with, would enable existing bulk carriers to withstand single cargo hold flooding; and
- .3 with regard to existing ships, the IACS Council, recognizing the vital importance of preserving the watertight integrity in order to prevent cargo hold flooding, agreed further risk reduction steps, including additional measures for further enhancement of the Enhanced Survey Programme.

4.6 The ISO observer informed the Committee of the progress made by ISO/TC 8 in developing quality standards for shipbuilding and repair, as it had been requested by MSC 65. Two sets of draft standards prepared by a TC 8 working group, ensuring that there was no duplication of work with other competent organizations, have been circulated for comments.

4.7 In presenting document MSC 66/INF.26, the IACS observer stressed that IACS was preparing its own standards because of the essential relationship between such standards and the rules for ship structural design published by IACS Members. These standards are for all general ship types including bulk carriers. They will be published on completion and a copy will be forwarded to IMO for information purposes.

4.8 Action taken by the Committee on the various proposals submitted by the correspondence group is reflected in the ensuing paragraphs.

Proposals related to the carriage of high density cargoes and loading instruments

4.9 The Committee noted that the correspondence group had invited the Committee to:

- .1 consider the justification put forward in relation to the proposed SOLAS regulations (annex 3 to MSC 66/4);
- .2 decide whether the proposed SOLAS regulations could be approved or referred to the working group for further consideration;
- .3 decide on the value of cargo density; and
- .4 consider for approval a related new SOLAS regulation on loading instruments (annex 4 to MSC 66/4).

4.10 After a preliminary exchange of views on the correspondence group's proposals related to the carriage of high density cargoes and loading instruments, the Committee established, as agreed at MSC 65, a working group to consider the correspondence group's report and documents submitted under this item and, taking into account comments made in plenary on the justification of the proposed SOLAS regulations and those submitted by Japan in documents MSC 66/4/4 and MSC 66/INF.29, to:

- .1 review the text of amendments to SOLAS contained in MSC 66/4, annexes 3 and 4;
- .2 prepare a revised text of proposed amendments to SOLAS aiming at enhancing the safety of bulk carriers for the Committee's early consideration so that they can, after approval, be circulated in time for consideration by MSC 67 with a view to adoption.

Proposals related to SOLAS chapter VI

4.11 The Committee further noted that the correspondence group had invited the Committee to consider, for approval, an amendment to SOLAS regulation VI/7.2 (annex 5 to MSC 66/4). After a preliminary discussion of the matter, the Committee further instructed the working group to review the proposed amendment, taking into consideration the proposals contained in documents MSC 66/9/7 (Greece) and MSC 66/INF.6 (IACS), and submit its draft text, together with any other proposed amendments, to plenary for consideration with a view to approval at this session and adoption at MSC 67. The Committee also instructed the working group to deal with any other proposals submitted by the correspondence group on a secondary priority basis.

Other information provided

4.12 The Committee noted the information provided by Australia (MSC 66/INF.4), INTERCARGO (MSC 66/INF.14) and IACS (MSC 66/INF.26) and instructed the working group to take them into account in its deliberations.

Proposals related to manning

4.13 The Committee requested the STW Sub-Committee to consider the correspondence group's views relating to manning when reviewing resolution A.481(XII) - Principles of safe manning.

Voyage repairs and maintenance

4.14 The Committee referred document MSC 66/4/1(IACS) concerning voyage repairs and maintenance to the DE Sub-Committee for consideration in the context of its work programme subitem "Need for requirements and restriction on riding repairs" for bulk carriers.

Outcome of the working group

4.15 Having received the working group's report (MSC 66/WP.13), the Committee approved the report in general and took action as reflected in the ensuing paragraphs.

4.16 The Committee noted that the proposed new SOLAS regulations II-1/23-3, 23-4, 23-6, 23-7 and 23-8 specify requirements for existing bulk carriers, whereas regulation II-1/23-5 stipulates requirements for new bulk carriers constructed on or after the date of entry into force of the proposed amendments.

4.17 The Committee noted that the working group had requested it to approve the proposed new SOLAS regulations II-1/23-3 to 23-8 and VI/5-1 for circulation, so that the proposed amendments could be adopted at MSC 67 and enter into force on 1 July 1998.

4.18 However, the Committee also noted that:

- .1 regulation II-1/23-6 comprises a list of possible elements, adoption of any one or a

combination of which was dependent on the outcome of further investigation, and could not be finalized without further technical information which was expected to be provided by IACS; and

.2 therefore, the whole proposed regulation II-1/23-6 was surrounded by square brackets.

4.19 With reference to paragraphs 14 and 32.3 of document MSC 66/WP.13, the IACS observer informed the Committee that this work was very complex and, as previously indicated, IACS had targeted 1 July 1997 for completion of its unified requirements for application to bulk carriers contracted for construction from 1 July 1998. Further, IACS has also targeted 1 July 1997 for completion of bulkhead and double bottom standards for possible application to existing bulk carriers. Completion of these standards is necessary to enable the evaluation of scope of ramification. However, IACS will make every possible effort to provide significant information to MSC 67. IACS will make a submission to MSC 67 advising of work progress including their findings available at that time on the options listed in draft regulation II-1/23-6.

Convening of a SOLAS Conference in 1997

4.20 The delegation of Japan expressed serious concern as to whether the Committee should approve the draft new SOLAS regulations at this session since, in their view, most of the proposed measures for existing bulk carriers have not been sufficiently developed and no criteria or guidelines have been established on how these measures should be implemented.

4.21 The delegations of Greece, India and Mexico, supported by other delegations, also expressed concern as to whether the proposed new regulations could be finalized without further study.

4.22 After the Committee had agreed on relaxed guidelines for the submission of documents to MSC 67 (see paragraph 4.26 below), and following a French proposal that the Committee, instead of adopting the proposed amendments at MSC 67, should consider doing so at its sixty-eighth session in May-June 1997 and that the amendments enter into force twelve months later, the Chairman, in order to allow the Committee sufficient time to consider the proposed amendments and their implications taking into account the outcome of IACS's current work on the issue, suggested that, if the intention was to bring the amendments into force on 1 July 1998, this could still be achieved if the amendments were adopted by, instead of the Expanded Committee at its sixty-seventh session in December 1996, a Conference of Contracting Governments to SOLAS convened, concurrently with MSC 68, in accordance with the provisions of SOLAS article VIII(c) and the 1994 SOLAS Conference resolution 4 on Accelerated tacit acceptance procedure under the 1974 SOLAS Convention in exceptional circumstances.

4.23 The Committee endorsed the Chairman's proposal on the understanding that the conditions set in operative paragraph 1 of the aforementioned resolution would be met and the entry into force date of the amendments envisaged to be adopted by the 1997 SOLAS Conference would be a matter for the Conference to decide.

4.24 With the concurrence of SOLAS Contracting Governments present at the session representing more than one third of the Contracting Governments, the Committee requested the Secretary-General to convene, in accordance with article VIII(c)(i) of the Convention, a Conference of Contracting Governments to consider amendments to be prepared by MSC 67 based on the draft text contained in the annex to document MSC 66/WP.13.

4.25 The Committee requested the Council to endorse the holding, at no additional cost to IMO, of

a two-day Conference to amend the SOLAS Convention, as described above, in conjunction with MSC 68 scheduled to be held from 28 May to 6 June 1997.

Additional follow-up action

4.26 In order to further consider, at MSC 67, the proposed regulations in general, and regulation II-1/23-6 on measures for the existing bulk carriers, in particular, based on sufficient technical information, the Committee approved relaxation of the deadlines for the submission of documents on this issue as follows:

- .1 for IACS, on the progress of its relevant study, to 1 October 1996; and
- .2 for Member Governments and organizations concerned to comment on the IACS submission, to 1 November 1996.

4.27 The Committee recognized that the above relaxations would make it difficult for the Secretariat to comply with the five-week rule for the preparation of the relevant documents under 4.26.2 in all working languages and requested the Secretariat to do its best in the circumstances.

4.28 The Committee noted that the working group had, as instructed (paragraph 3.16 above), agreed some modifications to the new draft text of SOLAS regulation VI/7.2 and passed it to the SOLAS drafting group for consideration.

4.29 The Committee also noted that the working group had agreed to a proposal by Greece (MSC 66/9/7) referring to SOLAS regulation VI/7.6 and passed it to the SOLAS drafting group for further action, and that the working group was unable to agree to Greece's proposed amendments to draft SOLAS regulations VI/7.3 and 7.7.

4.30 The Committee referred, as suggested by the working group, the proposed new SOLAS regulation VI/7*bis* (MSC 66/9/7) to DSC 2 for consideration.

4.31 The Committee also referred document MSC 66/9/7 (Greece) to the DSC Sub-Committee to consider that part of the document which contained draft amendments to the Code of Practice for the Safe Loading and Unloading of Bulk Carriers (see paragraph 9.21 below).

4.32 The Committee instructed the STW Sub-Committee to take into account the views of the bulk carrier correspondence group contained in paragraphs 8.1 and 8.2 of document MSC 66/4.

4.33 The Committee endorsed the working group's view that structural strength aspects should not be considered in the review of the 1966 LL Convention at this time.

4.34 The Committee included in the work programmes of the relevant sub-committees the development of the following guidelines/recommendations, as referred to in the proposed SOLAS regulations:

- .1 guidelines on equivalence of subdivision and damage stability standards (SLF Sub-Committee); and
- .2 recommendations on loading instruments (DE Sub-Committee).

4.35 The Committee endorsed the suggestion by the delegation of Japan that the recommendations on

loading instruments should be finalized by the DE Sub-Committee before the scheduled 1997 SOLAS Conference.

4.36 Regarding the development, by the DE Sub-Committee, of standards for implementing the more stringent and more frequent surveys of the primary watertight barrier, as proposed by the working group, the Committee decided to await the outcome of MSC 67, which will consider the relevant IACS submission.

5 STABILITY, LOAD LINES AND FISHING VESSEL SAFETY

Report of the thirty-ninth session of the Sub-Committee

5.1 The Committee, recalling that, at its sixty-fifth session, it considered urgent matters emanating from the thirty-ninth session of the Sub-Committee on Stability and Load Lines and on Fishing Vessels Safety (SLF), approved, in general, the report of that session of the Sub-Committee (SLF 39/18 and MSC 66/5) and took action on all remaining matters as indicated hereunder.

Equivalency of the subdivision and damage stability requirements of resolution A.265(VIII) and the revised SOLAS regulation II-1/8

5.2 The Committee, in noting the question whether the subdivision and damage stability requirements of resolution A.265(VIII) should continue to be accepted as an equivalent to the revised SOLAS regulation II-1/8, recalled circular MSC/Circ.649 which provides that the subdivision and damage stability requirements of resolution A.265(VIII) should be regarded as a full equivalent to the subdivision and damage stability standards incorporated in the SOLAS 90 standard.

5.3 Having noted the further work of the Sub-Committee regarding the maximum number of persons permitted on one-compartment-standard passenger ships, resulting in the proposed amendments to SOLAS regulation II-1/8, and a new SOLAS regulation II-1/8-2 on Special requirements for ro-ro passenger ships carrying 400 persons or more, adopted by the 1995 SOLAS Conference, the Committee was of the view that it might be construed that the equivalency of damage stability requirements in SOLAS and those in resolution A.265(VIII) would not be maintained when these new requirements become effective and agreed to refer the matter of equivalency, for new and existing ships, to the Sub-Committee for consideration in the context of its work on harmonization of damage stability requirements in IMO instruments, having regard to the opinion of the Panel of Experts on Ro-Ro Ferry Safety outlined in paragraphs 5.7 to 5.13 of document MSC 66/2/2/Add.1, which, *inter alia*, addresses the specific problem of ships built after the entry into force of the present amendments but before the harmonization project is concluded.

Transfer of provisions of the 1966 LL Convention to the SOLAS Convention

5.4 The Committee noted that the Sub-Committee had considered a proposal by the United Kingdom (SLF 39/7/2) to transfer the modified provisions of the 1966 LL Convention to the SOLAS Convention and, while recognizing that there would be some benefits from doing so, also recognized that there would be some complex legal and technical problems associated with the amalgamation of the two instruments.

5.5 In this context, the Committee recalled that the Assembly, at its sixteenth session, deleted from the long-term work plan of the Organization an item which was calling for the consideration of a possible single international instrument which would include the SOLAS, Load Line and MARPOL Conventions, as well as the IBC and IGC Codes, as it considered that the preparation of such a single

instrument would be a difficult and lengthy process which should not be undertaken before 1996. However, the Assembly was of the opinion that the Committee should not be prevented from discussing the possibility or need to develop such a single unified instrument in the future.

5.6 After discussion, the Committee requested the Sub-Committee to prepare, after it has finalized its work on the revision of the technical requirements of the 1966 LL Convention, a paper on a possible incorporation of the modified provisions of the LL Convention into the SOLAS Convention, explaining the advantages and disadvantages of such amalgamation of the two IMO instruments and identifying legal implications expected to emerge from this exercise.

5.7 The Committee, being informed that the Secretary-General, concerned that the 1988 SOLAS and 1988 LL Protocols had not yet entered into force thus, in the case of the 1988 LL Protocol, delaying the application of important technical LL requirements, as well as provisions of the harmonized system of survey and certification and the introduction of the tacit acceptance amendment procedure in the LL Convention, had invited Governments with large tonnages under their flags to consider ratifying the Protocols as soon as possible, endorsed the Secretary-General's action and invited Member Governments to expedite their acceptance of the 1988 SOLAS and 1988 LL Protocols.

Status of implementation of IMO instruments

5.8 The Committee endorsed the Sub-Committee's recommendation regarding modifications to the list of IMO instruments (MSC 66/19/1) for which Administrations should provide information on their status of implementation, namely, inclusion of resolution A.749(18) concerning the Code on Intact Stability for All Types of Ships Covered by IMO Instruments in, and deletion of resolution A.48(III) concerning approval of the recommendations of the MSC on treatment of shelter-deck and other "open" spaces from, the aforementioned list.

Avoidance by submerged submarines of fishing vessels and their fishing gear

5.9 The Committee noted information by the United Kingdom (MSC 66/INF.16) that the Code of Practice for the conduct of submarines in waters frequented by fishing vessels, previously circulated under cover of MSC/Circ.639, had been revised to clarify certain aspects of its application and take account, in particular, of lessons learned from a close pass between a submarine and a fishing vessel and that, as revised, the Code had been attached to document MSC 66/INF.16. The Secretariat was instructed to disseminate the revised Code by MSC/Circ.726 to supersede MSC/Circ.639.

Guidance in respect of work to be carried out by the Sub-Committee on existing one-compartment-standard ships

5.10 The Committee recalled that, as requested by SLF 39, it had agreed, at its sixty-fifth session (MSC 65/25, paragraph 11.6), to provide guidance on further work to be undertaken by the Sub-Committee in respect of existing one-compartment-standard passenger ships in the light of the outcome of its work on existing ro-ro passenger ships and the work of the Working Group on Ro-Ro Ferry Safety. Having noted that the 1995 SOLAS Conference adopted a new SOLAS regulation II-1/8-2 on Special requirements for ro-ro passenger ships carrying 400 persons or more, which would apply to existing ships within the period specified in the regulation, the Committee agreed that the Sub-Committee, in its work on existing one-compartment-standard passenger ships, should consider using the approach adopted by the 1995 SOLAS Conference in respect of existing one-compartment-standard ro-ro passenger ships specified in SOLAS regulation II-1/8-2 for other such passenger ships as well.

Draft amendments to MARPOL 73/78 on new double hull tanker intact stability requirements

5.11 The Committee recalled that MSC 65, having considered the proposed new MARPOL regulation I/25A regarding intact stability of new double hull tankers, developed by SLF 39, endorsed the draft regulation and a relevant interpretation thereof, for consideration by MEPC 37 and action as appropriate.

5.12 In this regard, the Committee noted that MEPC 37, when considering the aforementioned draft regulation and relevant interpretation, had noted information provided by the United States (MEPC 37/INF.35) concerning a study on intact stability of double hull tankers and changes proposed by INTERTANKO (MEPC 37/9/6) and, noting further the concern expressed by the United States as to whether all aspects pertaining to safety had been thoroughly incorporated in the discussion at MSC 65 and the fact that the suggestion made by INTERTANKO had not been considered by the Committee, had decided not to approve the draft regulation and requested the MSC to reconsider the issue taking into account the information provided at its thirty-seventh session.

5.13 The Committee considered documents on the subject submitted by Japan (MSC 66/23/8), favouring the aforementioned draft regulation allowing the design of a tanker on which the intact stability may be ensured by appropriate operating restrictions; and by the United States (MSC 66/23/5 and MSC 66/INF.17) proposing a substantially revised draft MARPOL regulation I/25A, which requires that the adequacy of a tanker's intact stability at all stages of liquid transfer operations should be met through design only (and not by use of operational measures) and which, in the view of the United States, although requires more attention to stability during the design process of a ship, will remove potential human errors during liquid transfer operations.

5.14 After discussion on the above submissions, the Committee, being almost equally divided as to whether the intact stability of double hull tankers should be ensured by design only or by design in combination with operational restrictions where the intact stability criteria cannot be met by design alone, agreed that further consideration should be given to the matter before a final decision is made and instructed the Sub-Committee to develop, at its fortieth session (September 1996), a single proposal for a draft MARPOL regulation I/25A. In carrying out this task, the Sub-Committee should use the United States' proposal (MSC 66/23/5 and MSC 66/INF.17) and by Japan (MSC 66/23/8) and seek a compromise while maintaining the "design only" principle. It should also observe that, only in cases of objective necessity and after due consideration of all the aspects involved, the design measures may be complemented by simple operating restrictions to maintain adequate intact stability. The solution should also address the intact stability criteria to be applied in port and at sea.

5.15 The Committee invited Member Governments to submit comments and proposals on the above subject to SLF 40, having due regard to the guidance provided in paragraph 5.14 above. To this effect, the Committee agreed to relax the deadline for the submission of relevant documents to SLF 40 to 1 July 1996.

5.16 The delegation of Japan pointed out that, since the problem of intact stability of double hull tankers was caused by the introduction of the raking damage requirements in MARPOL regulation I/13F, it would be desirable to include in the Sub-Committee's relevant work the review of raking damage requirements.

IACS Unified Requirement on intact stability of existing and new double hull tankers during liquid transfer operations

5.17 The Committee noted (MSC 66/INF.27) information by IACS on Unified Requirement L3 Intact stability - Double hull tankers during liquid transfer operations, which has been developed on the basis of MSC/Circ.706 and the draft MARPOL regulation I/25A, and that IACS

members, with one exception, would apply the UR L3 as a condition of classification from 1 July 1997. The IACS observer informed the Committee that, since the submission of the aforementioned document, IACS had made some editorial improvements to the text of UR L3 which did not change its intent or scope. As indicated in the preamble, UR L3 is applicable to double hull tankers and other tankers having exceptionally wide cargo tanks. One of the editorial changes referred to amending the title of UR L3 to read "Intact stability of tankers during liquid transfer operations".

6 FIRE PROTECTION

Report of the fortieth session of the Sub-Committee

6.1 The Committee approved, in general, the report of the fortieth session of the Sub-Committee on Fire Protection (FP) (FP 40/25 and MSC 66/6) and took action as indicated hereunder.

Fire Test Procedure Code

6.2 The Committee agreed to relax to 15 October 1996 the deadline for the submission to MSC 67, through FP 41, of the draft Fire Test Procedure Code.

Thermal radiation test

6.3 The Committee approved MSC/Circ.727 on Recommendation on thermal radiation test supplement to fire resistance tests for "A", "B" and "F" class divisions .

Halon banking facilities

6.4 The Committee endorsed the Sub-Committee's action in issuing FP/Circ.1 on Halon banking facilities.

Revised test method for equivalent water-based fire-extinguishing systems

6.5 The Committee approved MSC/Circ.728 on a Revised test method for equivalent water-based fire-extinguishing systems for machinery spaces of category A and cargo pump-rooms, contained in MSC/Circ.668.

Amendments to SOLAS chapter II-2

6.6 The Committee approved proposed amendments to SOLAS chapter II-2, as set out in annex 7, with a view to adoption at MSC 67 so that they may enter into force in 1998 and requested the Secretary-General to circulate them.

6.7 The Committee, noting the intention of the delegations of Finland and Italy to submit comments on regulation II-2/38-1 to MSC 67, agreed to consider, after adoption of the aforementioned amendments at MSC 67, whether they should also be circulated as an MSC circular for the advance information of Administrations.

Ventilation systems in ro-ro cargo spaces

6.8 The Committee approved MSC/Circ.729 on Design guidelines and operational recommendations for ventilation systems in ro-ro cargo spaces.

Ventilation or inerting of double hull spaces

6.9 The Committee approved MSC/Circ.730 on Recommendations for ventilation or inerting of double hull spaces.

Cargo tank venting and gas-freeing arrangements

6.10 The Committee approved MSC/Circ.731 on Revised factors to be taken into consideration when designing cargo tank venting and gas-freeing arrangements.

Prevention of explosions in oil tanker pump-rooms

6.11 OCIMF (MSC 66/6/2) proposed:

- .1 that the FP Sub-Committee be instructed to prepare amendments to the SOLAS Convention for emergency lighting in pump-rooms; and
- .2 that paragraph 2 of the proposed Revised measures to prevent explosions in oil tanker pump-rooms, be deleted.

6.12 The Committee, endorsing the proposal outlined in paragraph 6.11.1, instructed FP 41 accordingly and, noting that the BLG Sub-Committee has also an item on tanker pump-room safety on its work programme, instructed BLG 2 to submit comments on the so prepared draft amendments directly to MSC 68 for consideration.

6.13 With regard to the information provided by Norway (MSC 66/INF.20), the Committee, recognizing that the matter of alarm level was fully discussed by FP 40 (paragraph 10.10 of FP 40/25), agreed that the proposed alarm level (10% of LFL) should be accepted.

6.14 In the light of the proposal by OCIMF (see paragraph 6.11.2 above), the Committee could not approve the draft MSC circular on Revised measures to prevent explosions in oil tanker pump-rooms, prepared by FP 40, and agreed to instruct the Sub-Committee to consider the matter further and prepare a revised draft MSC circular with a view to its approval at MSC 68, taking into account the aforementioned document by OCIMF.

Test procedure for composite materials

6.15 The Committee approved MSC/Circ.732 on Interim guidelines on the test procedure for demonstrating the equivalence of composite materials to steel under the provisions of the 1974 SOLAS Convention.

Proliferation of correspondence groups

6.16 The Committee noted the concern expressed during FP 40 on the proliferation of correspondence groups and considered the necessity of developing criteria, which should be taken into account when establishing new correspondence groups, under item 22.

Review of existing ships' safety standards - Fixed fire detection and fire alarm systems

6.17 The Committee considered a proposal by the United Kingdom (MSC 66/6/1) inviting it to instruct FP 41 to prepare the final text of a proposed new SOLAS regulation II-2/52-1, with a view to adoption by MSC 67; and noted opposing views expressed by several delegations on the requirements for fixed fire detection and fire alarm systems for ships built before 1 September 1984.

6.18 The Committee, having noted that FP 40 had agreed to deal with the United Kingdom proposal under its work programme item on the comprehensive review of SOLAS chapter II-2, agreed that it would be premature to consider the proposed amendments for adoption at its next session.

6.19 The Committee, recognizing, however, the importance of reducing the safety gap between new and existing ships, instructed FP 41 to consider the proposed amendments, taking into account the Interim Guidelines for the systematic application of the grandfather clauses (see section 18).

Outstanding matters from LSR 26

6.20 The Committee recalled that, as a result of the reorganization of the sub-committees' structure, the former LSR Sub-Committee work programme item on Shipboard safety emergency plan had been transferred to the FP Sub-Committee which will consider it, based on section 15 of document LSR 26/20, at its forty-first session. The Committee reconfirmed that decision.

7 SAFETY OF NAVIGATION

Report of the forty-first session of the Sub-Committee

7.1 The Committee approved, in general, the report of the forty-first session of the Sub-Committee on Safety of Navigation (NAV) (NAV 41/23 and MSC 66/7) and took action as indicated hereunder.

Routeing of ships and related matters

7.2 In accordance with the provisions of resolution A.826(19) - Procedure for adoption and amendment of traffic separation schemes, routeing measures other than traffic separation schemes and ship reporting systems, the Committee adopted new and amended traffic separation schemes, as set out in annex 8 and disseminated by circular COLREG/Circ.41, as follows:

- .1 "Off Tuskar Rock" (amended scheme);
- .2 "Off Fastnet Rock" (amended scheme); and
- .3 "In the Approaches to the Port of Veracruz" (new scheme).

7.3 With regard to the amended traffic separation scheme "In the Gulf of Suez", the delegation of Egypt informed the Committee that, due to an adverse environment, it had not been possible to complete the required hydrographic surveys. It was hoped that this task would be completed by September 1996, and Egypt would then submit a proposal of the amended traffic separation scheme, for adoption by MSC 67.

7.4 A number of delegations and organizations expressed concern at the consequences of paragraph 3 of the Rules for navigation of laden tankers off the South African coast (annex 3 to NAV 41/23), which states that "the above measures take vessels into the seasonal winter zone between 16th of April and 15th of October" and means that laden tankers rounding South Africa will be restricted to carrying less cargo than they could if they remained in the summer zone. For this reason, the Committee endorsed a proposal to return to the original wording proposed by South Africa (NAV 41/4/8), i.e.:

- "3 During the winter season tankers should maintain the recommended route until the

boundary line with the winter zone is reached and then stay as close to that line as possible (but staying well clear of Alphen Banks)."

7.5 In accordance with the provisions of resolution A.826(19), the Committee adopted the following routing measures other than traffic separation schemes, set out in annex 9 and disseminated by circular SN/Circ.180:

- .1 an area to be avoided and a precautionary area "In the Approaches to the Port of Veracruz";
- .2 a deep-water route "West of the Hebrides"; and
- .3 the "Rules for navigation of laden tankers off the South African coast".

7.6 The traffic separation schemes and other routing measures set out in annexes 8 and 9 will be implemented at 0000 hours UTC on 30 November 1996.

7.7 The Committee approved SN/Circ.181 on Compliance with ships' routing, for use when Governments are reporting incidents of non-compliance with routing measures as well as when they report problems experienced by ships under their flag when using existing routing measures, to Contracting Governments that have implemented the routing measures concerned.

Revision of resolution A.578(14)

7.8 With regard to the revised text of resolution A.578(14) on Guidelines for vessel traffic services, the delegation of the United States expressed concern about some significant differences between the draft revised Assembly resolution and draft regulation 12 on VTS of the draft revised SOLAS chapter V developed at NAV 41 (NAV 41/WP.5/Add.2). In particular, while the draft regulation 12 makes no mention of the maritime zones in which a VTS may be made mandatory, paragraph 2 of the draft Assembly resolution, and paragraph 2 of the draft Guidelines for vessel traffic services both suggest that a VTS may be made mandatory within, but not seaward of, territorial seas. Further, neither the draft Assembly resolution nor the draft regulation 12 address the question of whether a VTS could be made mandatory within archipelagic waters (which are enclosed by territorial seas), or within international straits, portions of some of which are wider than 24 nautical miles and thus also contain waters beyond the territorial sea of the States bordering the straits. In addition, legal issues related to this matter should also be clarified.

7.9 A number of delegations supported the United States' proposal and the Committee decided to refer the draft Assembly resolution on Guidelines for vessel traffic services (NAV 41/23, annex 5) to NAV 42 for harmonization with draft regulation 12 of the draft revised SOLAS chapter V and report on progress made to MSC 67.

Mandatory ship reporting systems

7.10 The Committee concurred with amendments proposed by Australia (MSC 66/7/13, as amended), to the draft mandatory ship reporting system "In the Torres Strait Region and the Inner Route of the Great Barrier Reef".

7.11 The Committee concurred in a suggestion by the ICS observer that the reference, in paragraph 5 of the draft mandatory ship reporting system "off Ushant", to "areas A1 and A2" should be replaced by "sea area A1".

7.12 In accordance with the provisions of resolution A.826(19), the Committee adopted resolution MSC.52(66) on Mandatory ship reporting systems:

- .1 "In the Torres Strait and the Inner Route of the Great Barrier Reef"; and
- .2 "Off Ushant",

as set out in annex 10.

7.13 The mandatory ship reporting system "In the Torres Strait and the Inner Route of the Great Barrier Reef" will enter into force at 0000 hours UTC on 1 January 1997 and that "Off Ushant" at 0000 hours UTC on 30 November 1996.

7.14 The Committee approved the format of resolution MSC.52(66) on Mandatory ship reporting systems (annex 10), as a standard format of an MSC resolution, for future use by the Sub-Committee when preparing mandatory ship reporting systems for submission to the Committee for adoption.

World-Wide Navigation System (WWNS)

7.15 The Committee approved the holding of the second session of the Intersessional Working Group (ISWG) to Study the Provision of a Future Civil and Internationally Controlled Global Navigation Satellite System (GNSS) in the week prior to NAV 42 (i.e. from 8 to 12 July 1996).

7.16 The Committee recognized the Global Positioning System - Standard Positioning Service (GPS-SPS) as a component of the World-Wide Radionavigation System, and approved SN/Circ.182 on this matter.

7.17 The Committee endorsed the Sub-Committee's action in submitting a liaison statement from IMO to ITU-R Task Group 8/2 on the future possible use of GPS and GLONASS applications in the L 2 frequency band for safety of life at sea (NAV 41/23, annex 10).

Performance standards

7.18 The Committee noted that, by means of resolution A.825(19), the Assembly had resolved that the function of adopting performance standards for radio and navigational equipment, as well as amendments thereto, be performed by the Committee on behalf of the Organization.

7.19 The Committee, noting that the dates of implementation of the draft Performance standards for radar equipment (NAV 41/23, annex 9) are based upon adoption of a resolution by the Assembly at its twentieth session in November 1997 and that the annex to the draft performance standards contains square brackets around the gross tonnage limits which should be aligned with the carriage requirements for radar of the revised SOLAS chapter V, which the Sub-Committee is expected to finalize at its forty-second session, deferred its consideration of the said performance standards and instructed NAV 42 to review the draft performance standards in the light of the above considerations and resubmit them for adoption by MSC 67 as an MSC resolution together with the draft revision of SOLAS chapter V.

7.20 Having decided as above, the Committee instructed NAV 42 to consider an amendment to the draft performance standards for radar equipment proposed by IEC (MSC 66/7/8).

7.21 The Committee adopted (MSC 66/WP.4), resolution MSC.53(66), on Recommendation on performance standards for shipborne GLONASS receiver equipment, set out in annex 11.

7.22 The Committee considered the draft Assembly resolution on Performance standards for a shipborne automatic identification system installation using VHF/DSC techniques and, noting that CIRM (MSC 66/7/6) had made relevant suggestions for amending the proposed text, deferred consideration of the proposed performance standards and instructed NAV 42 to review them in the light of the new information submitted and advise MSC 67 accordingly.

7.23 The Committee instructed NAV 42 to consider a proposal by Singapore (MSC 66/7/10) that an implementation timetable for the carriage of an automatic identification system using VHF/DSC on board ships should be developed, and to recommend as appropriate.

7.24 The Committee endorsed the action of the Sub-Committee in submitting a liaison statement to the ITU Radiocommunication Bureau (NAV 41/23, annex 13) on the need for two additional dedicated digital channels suitable for maritime transmission.

Manning of fast rescue boats

7.25 The Committee noted that the DE Sub-Committee (DE 39/31, paragraphs 4.20 and 4.21) had instructed the LSA working group to prepare a future action programme for development of various life-saving appliances for ro-ro passenger ships, for consideration at DE 40.

Special signal for use by ships under attack or threat of attack from pirates and armed robbers

7.26 The Committee noted that the COMSAR Sub-Committee (COMSAR 1/30, paragraphs 7.1 and 7.2) had not been completely satisfied with the measures to avoid inadvertent activations contained in paragraph 7 of NAV 41/23, annex 14, and had suggested replacing it by a new text as follows:

"to avoid false alarms, a positive activation of an access code known only to ships officers should be required to permit the Inmarsat-C ship-earth station (SES) to generate the alert message transmission. This could be activated by a programmed card or manually activated by pressing the code number on a numeric key pad".

7.27 The Committee agreed with the suggestion of COMSAR 1 that the draft MSC circular, as amended by COMSAR 1 should be further considered at COMSAR 2, and deferred its consideration until MSC 68.

Use of Not Under Command Signals

7.28 The Committee endorsed the action of the Sub-Committee in issuing SN/Circ.177 on the Use of Not Under Command signals.

Sea lanes in archipelagic waters

7.29 The delegation of Indonesia stated that their country had long supported and participated actively in the efforts to establish a new and internationally acceptable legal order for the seas and oceans. The adoption of the United Nations Convention on the Law of the Sea (UNCLOS), 1982 was an important achievement by the world community in this direction. Indonesia ratified UNCLOS in 1985 which eventually entered into force in November 1994. Indonesia now intended to accelerate the implementation of UNCLOS's provisions, particularly those regarding the designation of sea lanes through or over the archipelagic waters for the exercise of the right of archipelagic sea lane passage. Their Government was currently in the process of studying and preparing a proposal to designate such sea lanes for the use of passage of foreign ships and aircraft through or over its archipelagic waters and

the adjacent territorial sea between one part of the High Seas or an Exclusive Economic Zone and another part of the High Seas or an Exclusive Economic Zone. The purpose of designating such archipelagic sea lanes was to implement particularly the provisions of article 53 of the Law of the Sea Convention. In accordance with IMO practice, the Government of Indonesia would attempt to submit its proposal to IMO, after proper consultation, 3 months before MSC 67. For the above reason, Indonesia wished the Committee to put the matter they raised in the agenda of MSC 67, hoping that the Committee or IMO could adopt their proposal in 1997 so that it could enter into force as early as possible thereafter.

7.30 The Committee welcomed the Indonesian initiative and agreed to consider the matter at its next session on the basis of a formal submission by Indonesia.

Draft MSC circular on officer of the navigational watch acting as the sole look-out in periods of darkness

7.31 The Committee recalled that, at its sixty-fifth session, it considered (MSC 65/25, paragraphs 9.9 to 9.19) a draft MSC circular on Requirements for solo watchkeeping during periods of darkness, prepared by the NAV Sub-Committee at its fortieth session (NAV 40/25, annex 18) to replace MSC/Circ.566 and the amendments thereto proposed by the STW Sub-Committee (MSC 65/9/Add.1) as well as a proposal by Denmark, France, Germany, the Netherlands, Norway and the United Kingdom (MSC 65/9/2) to approve the draft MSC circular for dissemination to Member Governments.

7.32 The Committee also recalled that after considerable discussion, MSC 65 decided:

- .1 not to approve the aforementioned draft MSC circular; and
- .2 that trials with the officer of the navigational watch acting as the sole look-out in periods of darkness should be discontinued in the future.

7.33 The Committee further recalled that MSC 65 instructed the Secretariat to submit to MSC 66, a draft MSC circular generally stating:

- .1 the Committee's concern at the impact on safety of navigation if the officer of the navigational watch acted as the sole look-out in periods of darkness and this practice was allowed to continue and proliferate in the future;
- .2 that the Committee revokes MSC/Circ.566; and
- .3 that the Committee recommends that Administrations take measures to ensure that trials with the officer of the navigational watch acting as the sole look-out in periods of darkness should be discontinued in the future.

7.34 In response to the Committee's request the Secretariat submitted document MSC 66/7/1.

7.35 The Committee considered submissions by Denmark (MSC 66/7/12 and MSC 66/INF.19), Germany (MSC 66/7/4 and MSC 66/INF.15), Hong Kong (MSC 66/7/7), Sweden (MSC 66/7/3) and the United Kingdom (MSC 66/7/11) which highlighted the excellent safety record of the many ships which had participated in trials with the officer of the navigational watch acting as the sole look-out in periods of darkness and was supported by the comprehensive documentation on risk assessment for such activities. The aforementioned countries invited the Committee to reconsider its decision that trials should be discontinued.

7.36 The United States (MSC 66/7/9) proposed that the circular prepared by the Secretariat should be adopted and the trials in question should be discontinued after 31 December 1997.

7.37 During the extensive discussion which followed the introduction of the above documents, the majority of the Committee expressed concern at the impact on safety of navigation if the practice of the officer in charge of a navigational watch acting as the sole look-out in periods of darkness was allowed to continue and proliferate in the future. However, other delegations expressed the view that the documented results of the trials so far showed that there was an improvement of safety.

7.38 In view of the decision at MSC 65, the Committee recommended by a majority that Administrations should take measures to ensure that trials with the officer of the navigational watch acting as the sole look-out in periods of darkness are discontinued not later than 31 December 1997.

7.39 Taking into account statements by the Administrations of Denmark, Germany, the Netherlands, Norway, Sweden, the United Kingdom and Vanuatu, which have authorized such trials, that the trials will be concluded by the end of 1997, the Committee agreed to recommend that those Administrations submit the results of the trials and any recommendations and conclusions regarding these results to MSC 69 for its determination under regulation I/5 of STCW 1978, or regulation I/13 of STCW 1995, as appropriate. The Committee approved MSC/Circ.733 on Officer of the navigational watch acting as the sole look-out in periods of darkness, based on a joint submission by the delegations of Denmark and the United States (MSC 66/WP.16).

8 SHIP DESIGN AND EQUIPMENT

Report of the thirty-ninth session of the Sub-Committee

8.1 The Committee approved, in general, the report of the thirty-ninth session of the Sub-Committee on Ship Design and Equipment (DE) (DE 39/31 and Add.1 and MSC 66/8) and took action as indicated hereunder.

Amendments to SOLAS regulations V/15-1 and 15-2

8.2 The Committee approved the proposed amendments to SOLAS regulation V/15-1 (Emergency towing arrangements on tankers) and the proposed new SOLAS regulation V/15-2 (Safe access to tanker bows), as set out in annex 12, with a view to adoption by MSC 67.

8.3 The Committee, noting, however, the concern of the Russian Federation on the need for harmonization of the text of the amendments with the related Guidelines for safe access to tanker bows and of Japan with respect to the dates of compliance applicable to existing tankers, invited these and other delegations concerned to submit their comments directly to MSC 67.

Guidelines for safe access to tanker bows

8.4 The Committee approved a draft Assembly resolution on Guidelines for safe access to tanker bows, as set out in annex 13, for submission to the twentieth session of the Assembly for adoption.

Referencing IMO instruments in IMO conventions

8.5 The Committee noted the discussion at DE 39 on the need for a uniform wording to reference mandatory or recommendatory IMO instruments in IMO conventions for the purpose of clarifying the intent of such references, i.e. whether mandatory or recommendatory, and considered the issue under

agenda item 3 (see paragraphs 3.9 and 3.36).

Guidance to ship's crew and terminal personnel for bulk carrier inspections

8.6 The Committee approved a draft Assembly resolution on Guidance to ship's crew and terminal personnel for bulk carrier inspections, as set out in annex 14, for submission to the twentieth session of the Assembly for adoption.

8.7 The delegation of Greece, expressing concern on the liability, referred to in the draft resolution, of crew members which are not trained for the purpose, with respect to other parties involved in statutory or classification surveys, reserved its position on this issue.

Amendments to SOLAS regulations II-1/41, 42, 43 and V/19-1

8.8 In considering the proposed amendments, the Committee accepted the proposal by the delegation of Japan, supported by the delegations of Cyprus, Greece, Poland and the Russian Federation, that regulations II-1/41, 42 and 43 should not apply to existing ships as they deal with design aspects and so impose a high economic burden to the existing fleet. These delegations also proposed that SOLAS regulation V/19-1 should be referred to the NAV Sub-Committee for inclusion in the comprehensive review of SOLAS chapter V rather than be approved by the Committee at this session.

8.9 The Committee approved the proposed amendments, as modified for application to new ships only, to SOLAS regulations II-1/41, 42 and 43 relating to emergency source of electrical power, as set out in annex 12, with a view to adoption by MSC 67. With regard to the draft regulation V/19-1, the Committee agreed to refer it to NAV 42 for consideration with a view to approval by MSC 67 and subsequent adoption by MSC 68.

Amendments to SOLAS regulation II-1/26

8.10 The Committee approved the proposed amendments to SOLAS regulation II-1/26 concerning:

- .1 the language in which operating and maintenance instructions should be written; and
- .2 requirements for venting of fuel oil tanks,

as set out in annex 12, with a view to adoption by MSC 67.

Interpretations of phrases on human performance criteria

8.11 The Committee approved MSC/Circ.734 on Interpretations of phrases on human performance criteria contained in SOLAS chapter II-1.

Amendments to resolution A.689(17)

8.12 The Committee, by resolution MSC.54(66) (MSC 66/WP.8, annex 1), adopted the proposed amendments to resolution A.689(17) - Testing of life-saving appliances, as set out in annex 15.

Amendments to SOLAS regulations II-1/17, 26 and 31

8.13 The Committee approved proposed amendments to SOLAS regulations II-1/17, 26 and 31 concerning reduction of secondary sources of pollution, as set out in annex 12, with a view to adoption by MSC 67.

New SOLAS regulation II-1/31.2.10

8.14 The Committee approved that the proposed new SOLAS regulation II-1/31.2.10 on controllable pitch propellers be referred to the NAV Sub-Committee for further consideration.

Redundancy of machinery installations

8.15 The Committee noted the outcome of the technical evaluation of the proposals on redundancy of machinery installations including steering gear and, although some delegations and AWES proposed that the issue should be retained in the Sub-Committee's work programme, concurred with the Sub-Committee's recommendation and deleted it therefrom. The delegation of Germany informed the Committee of its intention to submit a relevant document to MSC 67.

Recommendation for the design and operation of passenger ships to respond to elderly and disabled persons' needs

8.16 The Committee, endorsing proposals by ICCL (MSC 66/8/1) and ICS (MSC 66/8/2), approved MSC/Circ.735 on Recommendation for the design and operation of passenger ships to respond to elderly and disabled persons' needs based on a text prepared by the Secretariat (MSC 66/WP.3), rather than approving a draft Assembly resolution as originally proposed by the Sub-Committee.

Interpretations of vague expressions in SOLAS chapter II-1

8.17 The Committee approved MSC/Circ.736 on Interpretations of vague expressions in SOLAS chapter II-1.

Interpretation of SOLAS regulation II-1/1.3

8.18 The Committee instructed the Sub-Committee that, in view of MSC/Circ.609, further interpretation of SOLAS regulation II-1/1.3 was not required.

Guidelines on anchoring systems for MODUs

8.19 The Committee approved MSC/Circ.737 on Guidelines on anchoring systems for MODUs, and the inclusion of a footnote to section 4.11 of the 1989 MODU Code for referencing that circular.

Guidelines for DP system operator training

8.20 The Committee approved MSC/Circ.738 on Guidelines for dynamic positioning system (DP) operator training, and the inclusion of a footnote to section 4.12 of the 1989 MODU Code for referencing that circular.

Guidelines for pusher tug-barge combinations

8.21 The Committee instructed the COMSAR, NAV, SLF and STW Sub-Committees to further consider the draft MSC circular on Guidelines for the application of safety standards to pusher tug-barge combinations (annex 17 to DE 39/31/Add.1), with a view to approval by the Committee at a

future session.

Revised chapter 13 of the 1989 MODU Code

8.22 The Committee endorsed the Sub-Committee's decision that the revised chapter 13 of the 1989 MODU Code need not be modified in accordance with ICAO's relevant standard for the construction of helidecks and instructed the Secretariat to advise ICAO accordingly.

Code of Safety for Special Purpose Ships

8.23 The Committee approved MSC/Circ.739 on Amendments to the Code of Safety for Special Purpose Ships (SPS Code).

Outstanding matters from LSR 26

Amendments to resolution A.761(18)

8.24 The Committee, by resolution MSC.55(66) (MSC 66/WP.8, annex 2), adopted proposed amendments to resolution A.761(18) - Recommendation on conditions for the approval of servicing stations for inflatable liferafts, in accordance with operative paragraph 3 thereof, as set out in annex 16.

Guidelines for emergency escape arrangements for passenger ships

8.25 The Committee dealt with this matter under item 6 (see paragraph 6.20).

9 DANGEROUS GOODS, SOLID CARGOES AND CONTAINERS

Report of the first session of the Sub-Committee

9.1 The Committee approved, in general, the report of the first session of the Sub-Committee on Dangerous Goods, Solid Cargoes and Containers (DSC) (DSC 1/27, Add.1 and Corr.1 and Add.2 and MSC 66/9) and took action as indicated hereunder.

CSS Code

9.2 The Committee, endorsing the action taken by the Sub-Committee on work undertaken by the SPI Working Group to analyse working safety matters relating to the stowage and securing of cargo, approved the proposed amendment to paragraph 2 of annex 12 to the CSS Code and instructed the Secretariat to circulate it by means of MSC/Circ.740.

9.3 In this context, the Committee endorsed the view expressed by BC 34 that, following the adoption of the 1994 amendments to SOLAS making parts of the CSS Code mandatory, there was no need to make any other part of that Code mandatory.

Port recommendations

9.4 The Committee approved the inclusion of the OECD/IMO Guiding principles on chemical accident prevention, preparedness and response in ports in the Recommendations on the safe transport of dangerous cargoes and related activities in port areas, as a supplement, subject to endorsement by MEPC 38.

9.5 In this context, the Committee did not endorse the development of a free standing IMO document on emergency plans in ports as proposed by the SPI Working Group (MSC 66/2/8/Add.1, paragraphs 8 and 9), considering this would go beyond the remit of the Organization.

Consideration and adoption of Amendment 28-96 to the IMDG Code, its Annexes and Supplements

9.6 The Committee recalled that, at its sixty-fifth session (MSC 65/25, paragraphs 22.21 and 22.22) it had reiterated the view that amendments to the IMDG Code should occur on a four-yearly cycle and instructed the Secretariat to raise its concerns with the appropriate UN body seeking expansion of their publication cycle from two to four years to enable the smooth and timely harmonization between the different transport modes. As a result, the Committee agreed to defer taking a decision on the implementation date of Amendment 28 to its present session.

9.7 The Committee noted that the final text of Amendment 28 was the result of a combination of decisions taken at CDG 45 and DSC 1 reflecting the outcome of Government proposals and work in connection with the harmonization of requirements of the IMDG Code with the ninth edition of the UN Recommendations on the Transport of Dangerous Goods.

9.8 The Committee further noted that the complete text of Amendment 28 was finalized by DSC's Editorial and Technical (E & T) Group at its meeting in February 1996 and has, since then, been consolidated by the Secretariat as follows:

- .1 amendments to class 1, explosives packagings (DSC 1/27/Add.1 and Corr.1, annex 3);
- .2 amendments to classes 2, 3, 4.1, 4.2, 4.3, 5.1, 5.2, 6.1, 6.2, 8 and 9, the General Introduction, Annex I and the Emergency Procedures (DSC 1/27/Add.2, annex 4); and
- .3 amendments to the list of marine pollutants (DSC 1/27/Add.2, annex 5).

9.9 The Committee adopted Amendment 28 to the IMDG Code consisting of the amendments specified in paragraph 9.8. The Committee instructed the Secretariat to issue MSC/Circ.741 to inform Member Governments and organizations concerned of the amendments adopted to the IMDG Code, its Annexes and Supplements.

Date of implementation of Amendment No.28-96

9.10 The Committee, recognizing that the issue of periodicity of amendments to the IMDG Code was a continuing problem which the Secretariat had taken steps to address, agreed to consider the date of implementation of Amendment 28 as a separate issue.

9.11 The Committee, noting the urgent need to harmonize the IMDG Code with other transport regulations and recognizing the fact that the European Framework Directive will make the ADR requirements mandatory for national road transport in European Member States as from 1 January 1997, agreed that Amendment 28 should also be implemented not later than 1 January 1997. However, the Committee noted the wish of some delegations that, for a number of legislative and practical reasons, the implementation date should be postponed by six months, i.e. to 1 July 1997.

9.12 The Committee noted the concerns expressed by several delegations that the publication of Amendment 28 should be available in all three working languages in sufficient time to enable its

smooth implementation by 1 January 1997. The Committee welcomed information by the Secretariat that it would explore the possibility of making alternative arrangements for the printing of the French and Spanish editions of the amendments to the Code to accelerate their availability. The Committee also noted that, as the consolidated text of Amendment 28 will be issued as an MSC circular in all three working languages immediately following the conclusion of its present session, this document can be used as the necessary reference for those Member Governments who translate the IMDG Code into their national languages as well as being used by maritime administrations to advise industry on the provisions contained in the Amendment, in advance of the final publication being available. The delegation of Japan stated that it was not possible to implement the amendments to the IMDG Code on the basis of the MSC circular and that it was essential for the publication of the amended Code to be made available at least three months before the implementation date of Amendment 28.

9.13 As on previous occasions, the Committee recognized the prerogative of Governments to implement amendments to the Code in whole or in part at any earlier date following circulation of such amendments as adopted by the Organization, on the understanding that the Organization would be notified of any such earlier implementation.

Periodicity of amendments to the IMDG Code

9.14 The Committee was informed that the Secretary-General, in a letter to the UN Economic and Social Council (ECOSOC) as governing body of the UN Committee of Experts on the Transport of Dangerous Goods, had, in pursuance of the Committee's request, conveyed the Committee's concerns on the issue of periodicity of amendments emanating from the work of the UN Committee and had proposed that the publication cycle of the UN Recommendations should be increased from two to four years. The Committee noted that the Secretary-General's letter to ECOSOC was on the agenda of the forthcoming session of the ECOSOC Council (24 June to 26 July 1996) at which IMO will be represented to pursue the above objective and that the outcome of these discussions will be reported to MSC 67.

Future format of the IMDG Code

9.15 The Committee approved the Sub-Committee's decision that the work on reformatting the IMDG Code should be continued under the auspices of the E & T Group as a matter of high priority. The Committee noted the Sub-Committee's discussion on the possible mandatory application of the IMDG Code and its conclusion that this should be considered further in the context of the future format of the Code.

Implementation of the IMDG Code

9.16 The Committee urged Member Governments to provide information on the implementation of the IMDG Code and the contact addresses of the designated national competent authorities dealing with the transport of dangerous goods by sea and of the competent authorities and institutes they have designated for testing and certifying of packagings and intermediate bulk containers (IBCs) for the transport of dangerous goods by sea, in accordance with the provisions of the IMDG Code, as required by circular letter No.1460 and MSC.2/Circ.34/Rev.1, respectively.

Amendments to SOLAS chapter VII

9.17 The Committee approved proposed draft amendments to SOLAS chapter VII, as set out in annex 17 for circulation with a view to adoption at MSC 67, in accordance with SOLAS article VIII(b).

Amendments to the BC Code

9.18 The Committee adopted the proposed amendments to the BC Code for circulation by means of MSC/Circ.742 and endorsed the Sub-Committee's action in issuing DSC/Circ.2 on the new coal entry.

Draft Code of Practice for the Safe Loading and Unloading of Bulk Carriers

9.19 In considering the draft Code of Practice for the Safe Loading and Unloading of Bulk Carriers and an associated draft Assembly resolution, the Committee took into account proposals by ICS (MSC 66/9/4) on the alignment of the terminology of the draft Code with that of MSC/Circ.690 on Ship/shore safety checklist, which is appended to the Code, and by Greece (MSC 66/9/7) on changes to the draft Code.

9.20 The Committee, stressing the importance of the co-operation between the ship's crew and the terminal during loading and unloading of bulk carriers, noted with appreciation the work done by ICS and other industry organizations in reproducing in a substantial number of copies in pads and disseminating the ship/shore safety checklist (MSC/Circ.690) and endorsed, in principle, the amendments necessary to remove inconsistencies in appendices 3 and 4 of the draft Code prepared by the Sub-Committee.

9.21 Noting that the draft Code and the associated draft Assembly resolution were to be submitted to the twentieth session of the Assembly for adoption in autumn 1997, the Committee agreed to refer the proposals by Greece (MSC 66/9/7) to DSC 2 for consideration (see paragraph 4.31 above), instructed the Sub-Committee to submit the draft Code, amended as appropriate, with the associated draft Assembly resolution to MSC 68 for approval, and retained the corresponding item on the Sub-Committee's work programme with a target completion date of 1997.

9.22 In the context of relevant activities of the SPI Working Group, the Committee:

- .1 approved MSC/Circ.743 on Communications between maritime Administrations and port authorities, as proposed in MSC 66/2/8, paragraph 7 and annex 2;
- .2 endorsed the group's action on the information leaflet for solid bulk terminal operators; and
- .3 noted the group's action on the model course for use by terminal operators.

9.23 The Committee dealt with changes to draft SOLAS regulation VI/7 and VI/7*bis* proposed by Greece (MSC 66/9/7) under items 3 and 4.

INF Code

9.24 The Committee, endorsing the intention of the Sub-Committee to establish a class 7 expert group at DSC 2 to consider not only the revision of class 7 of the IMDG Code, *vis-à-vis* the revised IAEA transport regulations, but also any issue concerning the INF Code, agreed to consider all other matters related to the INF Code under item 21.

Draft Code of Safe Practice for the Carriage of Cargoes and Persons by Offshore Supply Vessels (OSV Code)

9.25 The Committee approved the draft Code of Safe Practice for the Carriage of Cargoes and

Persons by Offshore Supply Vessels (OSV Code) and the associated draft Assembly resolution, as set out in annex 18, for submission to the twentieth session of the Assembly for adoption.

Entry into enclosed spaces

9.26 The Committee approved a draft Assembly resolution on Recommendations for entering enclosed spaces aboard ships, as amended by the BLG Sub-Committee (see paragraph 11.6 below), set out in annex 19, for submission to the twentieth session of the Assembly for adoption. In addition, the Committee agreed:

- .1 to disseminate the aforementioned Recommendations as MSC/Circ.744 in the interim; and
- .2 to replace the current recommendations in Appendix F of the BC Code with the above Recommendations after adoption of the draft Assembly resolution.

Cargo Securing Manual

9.27 In considering the proposed draft MSC circular on Guidelines for the preparation of the Cargo Securing Manual, the Committee also considered documents submitted by Germany (MSC 66/9/1), IACS (MSC 66/9/2), Denmark (MSC 66/9/3), Japan (MSC 66/9/5) and ICS (MSC 66/9/6) addressing:

- .1 the applicability of the Cargo Securing Manual in relation to certain types of cargoes; and
- .2 the postponement of the implementation date for the carriage of the Cargo Securing Manual, which, as provided by SOLAS regulation VI/5.6, should start as from 1 July 1996.

9.28 After considerable discussion of these two issues, the Committee, as advised by the drafting group (MSC 66/WP.18) agreed to delete the definition of "cargo unit" in paragraph 1.1 of the draft Guidelines for the preparation of the Cargo Securing Manual (DSC 1/27, annex 11) since there was an appropriate definition in the CSS Code already, and further agreed to amend the second paragraph under the preamble to read:

"The Cargo Securing Manual is required on all types of ships engaged in the carriage of all cargoes other than solid and liquid bulk cargoes."

9.29 In referring to DSC 2 the draft amendments to SOLAS chapters VI and VII proposed by Japan (MSC 66/9/5), the Committee instructed the Sub-Committee to prepare appropriate amendments with a view to aligning and clarifying the terminology used in both chapters and other IMO instruments with regard to "cargo units", "cargo transport units", "containers" and "freight containers" in order to avoid any confusion in future.

9.30 The Committee, further agreeing to allow for the postponement of the implementation date for the Carriage of the Cargo Securing Manual by eighteen months and urging Governments to implement the requirement as soon as possible but in any case not later than 31 December 1997, agreed to insert at the end of the draft MSC circular the phrase "and to implement them as soon as possible, but in any case not later than 31 December 1997" and approved MSC/Circ.745 on Guidelines for the preparation of the Cargo Securing Manual.

9.31 The delegations of France and Japan, stressing the need to comply with the provisions of SOLAS regulation V/5.6, which will enter into force on 1 July 1996, reserved their position on the granting of such a postponement of the implementation date.

9.32 Noting the problems connected with the above implementation date, the Committee agreed that careful consideration should be given to the entry into force dates, when adopting amendments, so as to avoid such compliance problems in future.

9.33 In this context, the Secretary-General reiterated the need for a smooth, timely and effective implementation of the ISM Code (see paragraphs 19.6 and 19.9), expressed the hope that the above decision will not create a precedent and appealed to the Committee and all parties concerned to ensure that the Committee will not find itself in a similar position when the time comes for the corresponding SOLAS amendments to enter into force.

9.34 In the same context, the Committee instructed the DE and SLF Sub-Committees to provide advice with regard to specific requirements contained in resolution 13 on Cargo securing equipment, of the 1995 SOLAS Conference, as requested by the Sub-Committee (DSC 1/27, paragraph 15.19).

Recommendations for the safe use of pesticides in ships

9.35 The Committee approved MSC/Circ.746 on Amendments to the Recommendations for the safe use of pesticides in ships.

Offshore tank containers

9.36 The Committee noted the re-establishment of a correspondence group on offshore tank containers.

Ships' stores of a hazardous nature

9.37 In reconsidering the need for the continuation of work on the draft MSC circular on Ships' stores of a hazardous nature, the Committee agreed to delete this item from the Sub-Committee's work programme.

E & T Group meetings

9.38 The Committee considered the need for intersessional meetings of the Sub-Committee's Editorial and Technical Group and approved them as referred to in paragraph 21.96.2.

Multimodal Dangerous Goods Declaration Form

9.39 The Committee endorsed the technical contents of the Multimodal Dangerous Goods Declaration Form, as requested by FAL 24 (MSC 66/2/8, paragraph 3) and endorsed by DSC 1.

Report of the thirty-fourth session of the BC Sub-Committee

9.40 The Committee, noting that urgent matters emanating from the thirty-fourth session of the former Sub-Committee on Bulk Cargoes and Containers (BC) had been considered at its sixty-fifth session, approved, in general, the report of that session of the Sub-Committee (BC 34/17 and MSC 66/9, paragraphs 4 and 5) and took action on all remaining matters as indicated hereunder.

IMO/ILO Guidelines for packing cargo in freight containers or vehicles

9.41 In considering the decision of BC 34 on the revision of the IMO/ILO Guidelines for packing cargo in freight containers or vehicles, the Committee noted that the SPI Working Group, at its fourth session, had already finalized the revision of the Guidelines and submitted them to the UN/ECE Working Party on Combined Transport (WP 24) for consideration and endorsement, following which they would be submitted to MSC 67 for approval.

9.42 In this context, the Committee approved a joint FAL.6/Circ.3/MSC/Circ.747 on Safety problems connected with the intermodal transport, as prepared by the SPI Working Group (MSC 66/2/8, paragraph 6 and annex 1).

Noxious solid substances

9.43 The Committee concurred with the recommendation of BC 34 that, in view of the lack of available data and information on noxious solid substances, no immediate action on this issue should be taken but that the MEPC should revert to it at an appropriate time in the future. In this context, the Committee noted that MEPC 37 instructed the DSC Sub-Committee to follow this matter up and report back when meaningful figures had been collected.

SOLAS regulation VI/6

9.44 The Committee considered draft amendments to SOLAS regulation VI/6 proposed by IACS (MSC 66/INF.6) under item 3 (see paragraph 3.15).

10 RADIOCOMMUNICATIONS AND SEARCH AND RESCUE

Report of the first session of the Sub-Committee

10.1 The Committee approved, in general, the report of the first session of the Sub-Committee on Radiocommunications and Search and Rescue (COMSAR) (COMSAR 1/30 and MSC 66/10) and took action as indicated hereunder.

GMDSS implementation

10.2 The Committee, noting that data included in the GMDSS Master Plan may require updating, urged Member Governments to examine GMDSS/Circ.7, provide the Secretariat with any necessary amendments and respond to the questionnaire on shore-based facilities for the GMDSS (MSC/Circ.684), as necessary.

10.3 The Committee, recognizing that:

- .1 there is a need to urgently install GMDSS equipment on ships and to train sufficient radio personnel as GMDSS operators;
- .2 shipowners and ship operators should be made aware that Administrations will not grant exemptions from the carriage of GMDSS equipment, other than those provided for under regulation 3 of SOLAS chapter IV, after 1 February 1999; and
- .3 if ships have not installed GMDSS equipment and do not have a passenger ship safety certificate and form P or cargo ship safety radio certificate and form R valid for the

GMDSS or appropriately certificated radio personnel after 1 February 1999, then such ships could experience considerable delay awaiting the supply of GMDSS equipment and the inability to trade because of non-compliance with the SOLAS or STCW Conventions, or both,

approved MSC/Circ.748 on Implementation of the Global Maritime Distress and Safety System (GMDSS).

Clarification of SOLAS GMDSS provisions

10.4 The Committee endorsed the Sub-Committee's action in developing recommended changes to Recommendation ITU-R M.541-5 and in bringing them to the attention of ITU-R Working Party 8 B for consideration.

10.5 The Committee approved MSC/Circ.749 on Guidance to Administrations on improving capability of shore authorities to contact ships during situations involving distress or SAR operations.

Amendments to SOLAS GMDSS provisions

10.6 The Committee instructed the Sub-Committee to develop a draft new SOLAS regulation on the need for automatic position-updating for GMDSS radiocommunication equipment and, if necessary, consequential amendments to existing SOLAS regulation IV/13.

10.7 The Committee instructed NAV 42 to consider the need for automatic position-updating for GMDSS radiocommunication equipment when developing requirements for carriage of electronic position-fixing equipment.

10.8 The Committee further instructed the Sub-Committee to prepare suitable amendments to SOLAS regulation IV/15 with regard to maintenance and servicing requirements for satellite EPIRBs.

Provision of registration databases

10.9 The Committee, being informed that the approved budget for the financial period 1996-1997 did not include specific funding for the development of an ISID in IMO, instructed the Secretariat to take appropriate action to respond to the Sub-Committee's proposal concerning registration of maritime mobile service identities (MMSIs) within the framework of existing resources.

Promulgation of Maritime Safety Information (MSI)

10.10 In accordance with the procedure for amending the World-Wide Navigational Warning Service prescribed in annex 2 to resolution A.706(17), the Committee adopted proposed amendments to that resolution, for circulation by MSC/Circ.750 and agreed that the amendments should enter into force on 1 January 1998.

10.11 The Committee invited IHO, and instructed the Secretariat to amend the relevant publications and documents, to reflect the amendments referred to in MSC/Circ.750.

Code assignment methods for 406 MHz satellite EPIRBs

10.12 The Committee, noting that the draft amendments to paragraph 4 of the Annex to resolution A.810(19) - Performance standards for float-free satellite EPIRBs operating on 406 MHz, had been agreed with COSPAS-SARSAT, adopted them by resolution MSC.56(66), as set out in annex 20, in

accordance with operative paragraph 6 of that resolution (see also MSC 66/WP.4). The Committee noted that this action completed the review of resolution A.810(19) which operative paragraph 5 of the resolution had requested the Committee to undertake prior to 1 February 1997.

Plan for the provision of maritime SAR services

10.13 The Committee approved a draft Assembly resolution on Guidance to Administrations on development of a shore-based SAR telecommunication infrastructure, set out in annex 21, for submission to the twentieth session of the Assembly for adoption.

Review of the 1979 SAR Convention

10.14 The Committee, considering the proposals of the Sub-Committee (COMSAR 1/30, paragraph 13.5) and the United States (MSC 66/10/1), approved that the 1979 SAR Convention should be reviewed with a view to updating its provisions and facilitating its wider acceptance by Governments and instructed the Sub-Committee to act accordingly. Noting that this work cannot be concluded during a normal Sub-Committee's session, the Committee also approved an *ad hoc* intersessional meeting of the SAR Working Group (ISWG) to undertake this task.

10.15 The delegation of Norway offered to host the ISWG meeting in the autumn of 1996 following consultations with the Secretariat and subject to the Council approving such a meeting.

Development of measures complementary to the INF Code

10.16 The Committee noted the Sub-Committee's opinion regarding location of INF containers (COMSAR 1/30, paragraphs 16.3 and 16.4) which has also been brought to the attention of NAV 42 for consideration.

ITU World Radiocommunication Conference (WRC) matters

10.17 The Committee approved the IMO position that the provisions of the Radio Regulations concerning the maritime mobile services should be considered by WRC-97 as a matter of urgency, taking into account, in particular, that the GMDSS's full implementation date (1 February 1999) will be prior to WRC-99. The Secretariat was instructed to bring this position to the June 1996 ITU Council meeting.

Issue of COMSAR circulars

10.18 The Committee, noting the urgent need, endorsed the Sub-Committee's action in issuing:

- .1 COMSAR/Circ.1 - Relays of distress alerts by digital selective calling;
- .2 COMSAR/Circ.2 - Procedure for responding to an MF (2187.5 kHz) DSC distress alert in sea areas A2;
- .3 COMSAR/Circ.3 - Relations between NAVAREA Co-ordinators and RCCs;
- .4 COMSAR/Circ.4 - the Joint IMO/IHO/WMO Manual on Maritime Safety Information (MSI);
- .5 COMSAR/Circ.5 - List of NAVAREA Co-ordinators; and

- .6 COMSAR/Circ.6 - Recommendation on prevention of harmful interference on the 8, 12 and 16 MHz GMDSS distress and safety simplex frequencies.

Outstanding matters emanating from the twenty-sixth session of the Sub-Committee on Life-Saving, Search and Rescue (LSR)

10.19 The Committee considered outstanding matters emanating from the twenty-sixth session of the former LSR Sub-Committee pertinent to the work of the COMSAR Sub-Committee and took action as indicated hereunder.

International SAR Plan

10.20 The Committee considered the opinion of the LSR Sub-Committee that further means (such as the establishment of a SAR fund) should be sought to encourage Parties to the 1979 SAR Convention to conclude formal agreements so that a definitive SAR plan could be achieved and invited Member Governments to consider the matter and take action as appropriate, in particular to ensure the widest possible acceptance of the SAR Convention.

10.21 The Committee noted a progress report given by the Secretariat on the funding and arrangements currently underway to organize regional SAR/GMDSS Conferences scheduled to be held in:

- .1 Cape Town (South Africa), in September 1996, for Western Indian Ocean countries as a follow-up to the 1992 Sharjah and Mombasa Seminars and Workshops;
- .2 Seoul (Republic of Korea), in April 1997, for Pacific Ocean countries to prepare a final Provisional SAR Plan for the entire Pacific Ocean;
- .3 Spain in [1997] for Mediterranean and Black Sea countries as a follow-up to the 1994 Varna and 1995 Toulon Seminars and Workshops; and
- .4 a suitable place in [1998] to prepare a final Provisional SAR Plan for the entire Indian Ocean.

10.22 The Committee, noting that, with the co-operation of the Government of South Africa, arrangements were well in hand for the Cape Town Conference, expressed appreciation to the Governments of the Netherlands, Norway, South Africa and the United Kingdom, the European Commission and the International Transport Federation (ITF) for providing all necessary funds .

10.23 The Committee also noted with appreciation that the Government of the Republic of Korea had agreed to host the Pacific Ocean Conference in Seoul and, together with Australia, the Netherlands, Norway, the United Kingdom, Hong Kong, the ITF and others, had pledged to contribute towards the necessary funding.

10.24 However, noting that further funding was needed for the Seoul Conference and also funding for the Conference in Spain, the Committee invited other Governments, in particular those in the regions concerned, and organizations to contribute so that the Conferences could be held as planned.

10.25 The delegation of Turkey, referring to paragraph 10.5 of document COMSAR 1/30, informed the Committee that it had initiated discussions with other Black Sea countries and reaffirmed its offer

to host and finance the relevant SAR Conference in Turkey. Later in the session, the Committee was informed that, following consultations, a SAR meeting to progress work initiated at the 1994 Varna Seminar and Workshop for Black Sea countries will be convened in Turkey at a place and time (probably in autumn 1996) to be decided following consultations between the Government of Turkey and the Secretariat. Steps to be taken after the aforementioned meeting will be established on the basis of its outcome.

10.26 The delegation of Israel informed the Committee that the Peace Treaty which was signed between Israel and Jordan in 1995 contained a section which deals with maritime matters. This section includes, among other items, co-operation in SAR, PSC and prevention and fighting of sea pollution in the Gulf of Aquaba. Israel will provide the Secretariat with more detailed written information.

SAR operating plan for high-speed craft

10.27 The Committee approved MSC/Circ.751 on Special needs of high-speed craft - SAR operating plan.

Outcome of the eleventh session of the Inmarsat Assembly - Proposed institutional changes

10.28 The Committee noted information by Inmarsat (MSC 66/10/2) on the outcome of the eleventh session of the Inmarsat Assembly (London, 27 February to 1 March 1996), which, *inter alia*, considered the IMO submission agreed by the Committee at its sixty-fifth session (MSC 65/25, paragraph 7.38 and annex 24).

10.29 The Committee noted that the Inmarsat Assembly, at its eleventh session, had decided:

- .1 to request the Inmarsat Council to take into account the IMO MSC's request in its work on the future structure so as to ensure that Inmarsat's distress and safety services are guaranteed;
- .2 that the continued provision of global maritime distress and safety services and support of the GMDSS are prerequisite basic principles and public service obligations that must be retained in any future structure of Inmarsat;
- .3 that essential elements to be taken into consideration in any future structure include:
 - .1 that the intergovernmental character of the Organization should be preserved; and
 - .2 that the intergovernmental regulatory oversight of the Assembly should be continued for the basic principles and public service obligations; and
- .4 that the Inmarsat Council will be considering the future structure at its fifty-ninth session (26 to 29 March 1996) and a supplementary report will be made by Inmarsat to the sixty-sixth session of the MSC."

10.30 The Inmarsat observer, by the statement reproduced in annex 28, informed the Committee of the outcome of the 59th and 60th sessions of the Inmarsat Council on proposed institutional changes in Inmarsat.

10.31 The Committee concurred in a statement by the Secretary-General that the Organization's prime concern was safety at sea and, in this particular case, that the radiocommunication services for

distress and safety envisaged by chapter IV of the SOLAS Convention are guaranteed and provided in an efficient and effective manner. Any disruption of the present maritime mobile-satellite services currently being phased-in, would cause serious problems for distress and safety radiocommunications, would have a possible negative impact on safety at sea and should be avoided at any cost. Provided these services continue to be provided and the obligations undertaken in SOLAS by the providers of such services continue to be fulfilled, the Organization should be prepared to consider any scheme which would emerge from current negotiations in Inmarsat and would take appropriate action.

10.32 The Committee noted that Inmarsat had invited the IMO Secretariat to participate as an observer in future sessions of the Inmarsat Assembly's ISWG on proposed changes to Inmarsat.

10.33 The Committee instructed the Secretariat to convey the outcome of this discussion to the Director General of Inmarsat with a request that he brings it to the attention of all Inmarsat bodies concerned and that he informs the Secretary-General of developments on the issue in time for the Secretary-General to report to MSC 67, when the Committee will consider the matter further and decide as appropriate.

11 BULK LIQUIDS AND GASES

Urgent matters emanating from the first session of the Sub-Committee

11.1 The Committee considered urgent matters referred to it emanating from the first session of the Sub-Committee on Bulk Liquids and Gases (BLG) (BLG 1/20 and Add.1 and MSC 66/11) and took action as indicated hereunder.

Amendments to the IGC and GC Codes

11.2 The Committee approved proposed amendments to the IGC and GC Codes, as set out in annex 22, with a view to adoption by MSC 67.

Safety standards for benzene mixtures

11.3 The Committee approved MSC/Circ.752 on Minimum safety standards for ships carrying mixtures, the benzene content of which is 0.5% or more.

Amendments to SOLAS regulations II-2/56, 59 and 62

11.4 The Committee approved proposed amendments to SOLAS regulations II-2/56 and 62, and, with respect to regulation II-2/59, an amended version proposed by the BLG Sub-Committee Chairman (MSC 66/WP.11), as set out in annex 23, with a view to adoption by MSC 67.

11.5 With regard to comments made by Norway (MSC 66/11/1) on the proposed amendments to SOLAS regulation II-2/59, the Committee agreed with the BLG Sub-Committee Chairman that the Sub-Committee should review chapter 8 of the IBC Code to assess whether there may be any discrepancies between the revised regulation II-2/59 and the IBC Code and, if so, remove them.

Entering enclosed spaces aboard ships

11.6 The Committee endorsed the proposed modifications to the draft Assembly resolution on Recommendations for entering enclosed spaces aboard ships, prepared by DSC 1, and approved the draft Assembly resolution as set out in annex 19, for submission to the twentieth session of the

Assembly for adoption, as referred to in section 9 (paragraph 9.26).

Vague expressions in the IBC and IGC Codes

11.7 The Committee approved proposed amendments to the IBC and IGC Codes dealing with vague expressions, as set out in annex 24, with a view to adoption by MSC 67.

Intersessional meeting of the Hazard Evaluation Working Group

11.8 The Committee approved the holding of an intersessional meeting of the Hazard Evaluation Working Group in September/October 1996, subject to concurrence by the MEPC and approval by the Council (see also paragraph 21.96.3).

12 FLAG STATE IMPLEMENTATION

Report of the third session of the Sub-Committee

12.1 The Committee, recalling that, at its sixty-fifth session, it considered urgent matters emanating from the third session of the Sub-Committee on Flag State Implementation (FSI), approved, in general, the report of that session of the Sub-Committee (FSI 3/17 and MSC 66/12) and took action on all remaining matters as indicated hereunder.

Status of UNCLOS

12.2 The Committee agreed with the Sub-Committee's view that information on the status of UNCLOS should be regularly provided.

IMO deficiency database information availability

12.3 The Committee endorsed the Sub-Committee's decision that there should be no restrictions on the availability of information contained in the IMO deficiency database other than those imposed by the providers of the related data, and that the same rules should apply to all IMO Members, Associate Members, intergovernmental organizations and non-governmental organizations in consultative status with IMO.

12.4 The delegation of Greece, however, considering that there should be some restrictions in the supply of information to non-governmental organizations in consultative status, reserved its position on the issue.

Deficiency reports

12.5 The Committee concurred with the Sub-Committee's view that, in order to keep deficiency reports submitted to the Organization as brief as possible, only interventions that lead to the detention of a ship should be reported and that, therefore, port States should provide the Secretariat with reports on detentions only as well as with the total number of PSC inspections conducted per year and per flag.

Casualty statistics and investigations

12.6 The Committee concurred with the Sub-Committee's decision to establish a correspondence group to develop a draft code of international standards and recommended practices in marine accident investigations.

12.7 The Committee agreed with the Sub-Committee's view that, once updated, the IMO model course on marine accident and incident investigation, together with any possible future guidelines, such as improved international procedures and practices in such investigations, should be used for the development of training requirements for investigators.

12.8 The Committee concurred with the Sub-Committee's decision to establish a correspondence group to prepare an MSC/MEPC circular containing amalgamated and harmonized reporting procedures based on existing MSC and MEPC circulars.

12.9 The Committee concurred with the Sub-Committee's decision to re-establish the correspondence group on casualty analysis.

12.10 The Committee endorsed the Sub-Committee's decision to urge Member Governments to submit information on casualties to fishing vessels irrespective of their length as well as information on fishermen and, due to the lack of sufficient response so far, approved MSC/Circ.753, based on MSC 66/WP.19 (Secretariat), inviting Member Governments to submit such information as soon as possible.

Ship identification and particulars

12.11 The Committee agreed with the Sub-Committee's opinion that, for the proper development of IMO casualty and deficiency databases and further electronic transfer of data, information on ship identification and particulars should be readily available to the Secretariat and updated on a monthly basis (see paragraph 12.18 below).

Safe manning document

12.12 The Committee concurred with the Sub-Committee's decision to refer the safe manning document, as amended (FSI 3/WP.3, annex 4), to the STW Sub-Committee for consideration and onward submission to the Committee for approval as an MSC circular.

Technical assistance

12.13 The Committee endorsed the Sub-Committee's request for submissions by countries from Central Asia, the Persian Gulf and the Gulf of Oman regarding their needs in the development of management of port reception facilities, the training of ship surveyors for port State control, marine pollution emergency response and search and rescue.

Urgent matters emanating from the fourth session of the Sub-Committee

12.14 In accordance with its prior decision (MSC 65/25, paragraph 22.31), the Committee considered urgent matters referred to it emanating from the fourth session of the Sub-Committee (FSI 4/18 and MSC 66/12) and took action as indicated hereunder.

Casualty statistics and investigations

12.15 The Committee concurred with the Sub-Committee's proposal that the finalization of the draft Code of international standards and recommended practices in marine accident investigations be postponed to FSI 5, and possibly FSI 6, when the outcome of the Joint IMO/ILO *ad hoc* Working Group may be known, and that the correspondence group on improved international standards continue its task intersessionally.

12.16 The Committee agreed that the finalization of the draft MSC/MEPC circular on harmonized reporting procedures be postponed to FSI 5, pending further consideration of the causes and human factors involved in this matter.

12.17 The Committee concurred with the Sub-Committee's decision that the casualty database construction should be finalized at FSI 5 and that consideration of this matter prior to its finalization should be limited to causes and contributing factors.

Ship identification and particulars

12.18 The Committee noted that the Sub-Committee, in the context of the casualty and deficiency databases construction, had reiterated that there was a need for information on ship identification and particulars and had invited suggestions as to how IMO could obtain the necessary funding (approximately US\$ 45,000); that the Netherlands had invited the IMO representative at the next meeting of PSC Committee of the Paris MoU to highlight the problem and seek the financial support of the Paris MoU Members to meet this need; and that the Sub-Committee had agreed with that approach and instructed the Secretariat accordingly.

12.19 The Committee noted that the 28th Meeting of the Paris MoU Port State Control Committee (Gdansk, Poland, 8 to 10 May 1996) considered a document submitted by the Secretariat in pursuance of the above instructions, containing background information and a quotation from LMIS for the provision of the necessary data and decided that no further action should be taken for the time being.

Guidelines for flag States

12.20 The Committee agreed with the Sub-Committee's decision, at its third session, to establish a correspondence group to review resolution A.740(18) - Interim guidelines to assist Flag States. The Committee further agreed with the Sub-Committee's proposal that the consideration of the draft Assembly resolution should be referred to FSI 5 for refining and subsequent submission to MSC 68 and MEPC 40 for approval, in time for submission to the twentieth session of the Assembly for adoption.

Pseudo-certificates of non-party States

12.21 The Committee noted the Sub-Committee's agreement that:

- .1 a "certificate" issued to a ship flying the flag of a non-party to a convention should be clearly distinguished from a convention certificate, (e.g. by using the title "document of compliance" in lieu of "certificate");
- .2 no such "certificate" should be accepted if issued at the request of the shipowner without the authorization of the flag Administration; and
- .3 port State control for ships carrying such a "certificate" should be exercised in accordance with the relevant provisions of resolution A.787(19) concerning ships of non-parties to the convention.

12.22 Some delegations expressed concern about paragraph 12.21.2 above, since the flag Administration may not be in a position to authorize the issuance of certificates of conventions to which it was not a party. Other delegations were of the opinion that such States should not benefit by applying only those parts of a particular convention that would suit their needs while not assuming the related responsibilities.

12.23 Some delegations expressed the view that this issue was not related to convention requirements and that, therefore, work on this item should be discontinued. It was further pointed out that the provisions of resolution A.787(19) were sufficiently clear on how to deal with certificates issued to a ship flying the flag of a State non-party to a convention, and that no further guidance was necessary.

12.24 The Committee noted the Sub-Committee's intention to further consider, at FSI 5, a draft MSC/MEPC circular on certificates or documents of compliance issued to non-Party ships (FSI 4/WP.7).

Other issues emanating from FSI 4

12.25 Besides the action taken on the urgent matters referred to in the preceding paragraphs, the Committee agreed to consider also other issues emanating from FSI 4, as specified in document MSC 66/12/Add.1 on which there was a need for the Committee to take action at the present session to enable their finalization at FSI 5, as they could not be referred to MSC 67 due to its close proximity to FSI 5. The action taken by the Committee on these issues is indicated hereunder.

Human element

12.26 The Committee agreed to refer the list of personnel-related factors in section 8.1 of annex 1 to document FSI 4/WP.3 and the description of the human factors classification scheme appended thereto, to the Joint MSC/MEPC Working Group on the Human Element, for further consideration and advice (see paragraphs 13.21.10). It further agreed that the outcome of the consideration of the matter by the joint group should be contained in its report to MSC 67 (see paragraph 13.22).

Port State control

12.27 The Committee agreed, in the light of the advice received by the Ozone Secretariat of the UNEP on the export of ships registered in countries which are not parties to the Montreal Protocol (FP 41/8), to refer the draft MSC circular on PSC of ships with reduced halon quantities contained in the annex to document FSI 4/7 to FP 41 for further consideration, and subsequent submission to MSC 67 for approval.

Responsibility of Governments

12.28 The Committee noted the discussion regarding State responsibility, as reported in document FSI 4/18, paragraphs 8.17 to 8.26.

Non-observance of international rules and standards

12.29 The Committee noted a document submitted by the OECD (MSC 66/12/1) on the competitive advantages obtained by some shipowners as a result of non-observance of applicable international regulations and standards, pointing out that it was the responsibility of flag States to ensure compliance with international safety standards and to monitor instances of sub-standard operations which pose a serious risk to safety of life at sea and the protection of the marine environment. The document concluded that lasting solutions to combat non-observance of agreed international rules and standards necessitated co-ordinated co-operation of all participants in international shipping operations, paying particular attention to:

- .1 the initiatives of IMO to improve international rules and standards and their implementation;

- .2 the strengthening and better co-ordination of port State control inspections; and
- .3 the responsibility of the industry in combating non-observance of international rules and standards.

12.30 The Committee, recognizing the importance of the issues raised in the OECD study, agreed to refer it to FSI 5 for consideration and invited Members to submit comments and proposals thereon to that session of the Sub-Committee.

13 ROLE OF THE HUMAN ELEMENT IN MARITIME CASUALTIES

Report of the Joint MSC/MEPC Working Group

13.1 The Committee approved, in general, the report (MSC 66/13) of the Joint MSC/MEPC Working Group on the Human Element, which met during MEPC's thirty-seventh session.

13.2 The Committee noted the general strategy for the conduct of the group's further work (MSC 66/13, paragraph 8) on two different levels, i.e.:

level one:

- .1 by identifying what has already been done with regard to the human element within IMO, e.g., the ISM Code and the revision of the STCW Convention, and what is currently being undertaken, e.g., consideration of the results emanating from instructions to sub-committees to take into account the human element in their respective activities;
- .2 by identifying actions with regard to the human element which are relevant to the work of the joint group, within the industry and within other relevant international organizations (e.g. ILO and WHO), which have already been taken or are being undertaken; and
- .3 by undertaking any possible follow-up actions with respect to .1; and

level two:

- .1 by developing more systematic, methodical and comprehensive ways of dealing with human element matters in the future.

13.3 The Committee invited Member Governments to consider draft regulations, resolutions and circulars prepared by the sub-committees for the Committees' approval and provide information on relevant human element failures, which may be taken into account in the joint group's further work.

Human element correspondence group

13.4 The Committee noted the information provided by the human element correspondence group (MSC 66/13/1, MSC 66/13/2 and MSC 66/INF.2) and invited Member Governments to submit any comments, suggestions and additions they may have to the listing of human element studies and reports set out in MSC 66/INF.2, for consideration by the Joint MSC/MEPC Working Group on the Human Element.

Documents submitted to the present session

13.5 In addition to the report of the joint MSC/MEPC Working Group on the Human Element on its meeting during MEPC 37 (MSC 66/13), the Committee had before it documents as referred to in the ensuing paragraphs.

13.6 The United States submitted the report (MSC 66/13/5) of the intersessional correspondence group on the Human Element pointing out that, in accordance with the group's terms of reference, a number of documents had been developed and submitted to the Committee as MSC 66/13/1, MSC 66/13/2, MSC 66/13/5, annex 1 and MSC 66/13/5, annex 2 and MSC 66/INF.2. In this context, it had been proposed that, once consensus has been achieved on the guiding principles, the Committee could develop a set of human element goals. The United States (MSC 66/INF.24) also provided a condensed version of the United States Coast Guard's strategic plan for addressing the human element in maritime casualties and pollution prevention through its national programme entitled "Prevention Through People (PTP)".

13.7 The United Kingdom (MSC 66/13/3) submitted a proposal providing guidance on how companies, operating multi-flagged fleets, should be treated under the Guidelines for Administrations on the Implementation of the ISM Code (resolution A.788(19)). Based on its experience with issuing Documents of Compliance and Safety Management Certificates under the ISM Code, the United Kingdom had, furthermore, formulated proposals for further guidance for Administrations (MSC 66/13/10, annex A) and for amending the ISM Code (MSC 66/13/10, annex B). In another paper (MSC 66/13/8), the United Kingdom addressed the technical response capabilities available to the marine industry covering rapid naval architectural calculations for ship casualties.

13.8 Germany submitted the report of the correspondence group on an Integrated System for Shipboard Emergency Plans (MSC 66/13/4). Germany had also submitted a proposal (MSC 66/13/11) for instructing all sub-committees to take account of the principles developed by the Working Group on the Human Element when considering instructions to personnel.

13.9 Denmark (MSC 66/13/6) offered a non-exhaustive list of subjects dealt with by the Organization divided into five main categories (MSC 66/13/6, annex), recommending that questions relating to the implementation of existing rules and regulations concerning these subjects should be answered. Denmark suggested that, even if this task was large and required some time, it would make a practical and substantial contribution to the work of the Organization. Denmark further proposed that each sub-committee be instructed to form, at each session, a very small specialized drafting group to carefully consider, from the human element point of view, any written text prepared for submission to the Committee for consideration.

13.10 ILO (MSC 66/13/9) provided information on its activities concerning the human element and IACS (MSC 66/INF.3 and Add.1) informed the Committee of activities aimed at facilitating the work of organizations recognized, under the provisions of resolution A.739(18), to carry out certification under the ISM Code.

13.11 The Committee, recalling that, when considering, at its sixty-fifth session, the report of the tenth session of the joint IMO/ILO Committee on Training, it had been advised that it had not been feasible, for lack of the broad range of expertise and time required, for that joint Committee to undertake the task of developing guidelines for the investigation of human factors in maritime casualties, noted that the Secretariat (MSC 66/13/7) had, as instructed, prepared, in consultation with ILO, draft terms of reference for a joint IMO/ILO *ad hoc* working group to deal with such matters.

13.12 ICS and INTERTANKO (MSC 66/13/12) submitted a proposal to ensure that shipping

companies and the ships they operate are in compliance with the requirements of new SOLAS chapter IX by the dates specified therein (see action taken by the Committee in the context of document MSC 66/19/3 under item 19). A second proposal concerned the reciprocal recognition of documents issued by one SOLAS Contracting Government by other such Governments.

13.13 The Committee, recalling the Netherlands proposal (MSC 66/7/2) that the provisions of SOLAS regulation V/13 on Manning should be transferred to chapter IX thereof, agreed to consider the matter under this item.

13.14 Japan (MSC 66/INF.11) provided information on a seminar on the human element held in Hiroshima in December 1995.

Documents of Compliance issued to companies operating multi-flagged fleets

13.15 With respect to the Guidelines to Administrations on the implementation of the ISM Code for companies operating multi-flagged fleets, proposed by the United Kingdom (MSC 66/13/3), delegations held different views. Whereas there was some qualified support for the proposal, most delegations were of the opinion that a routine recognition of DOCs by other Contracting Governments would go against the spirit of the ISM Code, pointing out that section 13 of the ISM Code made allowance for other Contracting Governments to issue a DOC only at the request of an Administration. Those delegations considered that such requests, and mutual recognition of DOCs arising therefrom, was a matter of bilateral agreements rather than, as proposed, a routine procedure.

13.16 Several comments concerned the proposal that, for the purpose of paragraph 13.2 of the ISM Code, a Contracting Government may only issue DOCs to a company which has its principal place of business in its own country. This was considered to be contrary to the SOLAS Convention which makes this the prerogative of an Administration.

13.17 Having considered the matter in some depth, the Committee agreed not to accept the proposal for automatic recognition by Administrations of DOCs issued by another Administration but that such recognition was a matter between sovereign States, to be agreed bilaterally between them. The Committee further agreed that guidance on such mutual recognition of DOCs, issued to companies operating multi-flagged fleets, should be developed.

Joint IMO/ILO *ad hoc* Working Group on Investigation of Human Factors in Maritime Casualties

13.18 The Committee approved the draft terms of reference for the Joint IMO/ILO *ad hoc* Working Group on Investigation of Human Factor³ July 1996s in Maritime Casualties (MSC 66/13/7), inviting the MEPC to concur.

13.19 The Committee agreed that the joint group should follow the same procedures as the Joint IMO/ILO Group of Experts on Fatigue, which met concurrently with the IMO Sub-Committee on Standards of Training and Watchkeeping (STW) in 1993 and 1994 without additional cost to the two Organizations and that the following IMO Member Governments should represent the Organization at the joint group:

GREECE
LIBERIA
NORWAY

SPAIN
UNITED KINGDOM
UNITED STATES

13.20 The Committee agreed that, subject to an affirmative decision of ILO's Governing Body, the first session of the joint group should be held from 13 to 15 January 1997, i.e. during the first three days

of FSI 5 so that the outcome of its work would be brought to that Sub-Committee's attention for consideration and action as appropriate.

Reconvening of the Joint MSC/MEPC Working Group on the Human Element

13.21 The Committee, after preliminary discussions on the issues involved, reconvened the Joint MSC/MEPC Working Group on the Human Element, instructing it to meet for the full meeting period and, taking into account any comments raised in plenary, to:

- .1 review and modify, as appropriate, the draft Guidelines for a structure of an integrated system for shipboard emergency plans (MSC 66/13/4) and an associated draft Assembly resolution, for approval by the Committee at this session;
- .2 prepare draft amendments to SOLAS to include, in chapter IX, relevant provisions of resolution A.788(19) relating to interim DOCs and SMCs;
- .3 develop guidance for Administrations on the issue and mutual recognition of DOCs for companies operating multi-flagged fleets;
- .4 consider and modify, as appropriate, the proposed draft amendments to resolution A.741(18) (MSC 66/13/10, annex B) and the proposed supplementary guidance for Administrations (MSC 66/13/10, annex A) with a view to approval by MSC 67;
- .5 review and modify, as appropriate, the draft Assembly resolution on Human Element Principles and Goals for the Organization (MSC 66/13/5, annex 1), with a view to approval by MSC 67, taking into consideration the proposal by Germany made in document MSC 66/13/11;
- .6 review and modify, as appropriate, the list of underway activities within IMO addressing the human element (MSC 66/13/5, annex 2);
- .7 consider the proposals by Denmark (MSC 66/13/6) and advise the Committee accordingly, with respect to:
 - .7.1 the categorization of subjects dealt with by the Organization and the questions raised against these categories; and
 - .7.2 the establishment of human element drafting groups, meeting concurrently with the Committees and their subsidiary bodies, to consider relevant written texts in the light of the human element, prior to their submission to the Committees;
- .8 consider the proposal by the United Kingdom (MSC 66/13/8) for the development of guidance notes on the provision of rapid naval architectural support for emergency management and advise the Committee accordingly;
- .9 consider the proposal by the Netherlands (MSC 66/7/2) to transfer the existing provisions of SOLAS regulation V/13 on safe manning to chapter IX;
- .10 consider the list of personnel-related factors (FSI/WP.3, annex 1, section 8.1) and the "Description of the human factors classification scheme" appended thereto;
- .11 consider the Note by the Secretariat (MSC 66/23/2 and MSC 66/INF.9) concerning the

manual or handbook of IMO requirements to be implemented by seafarers;

- .12 recommend, if judged necessary, intersessional work by a correspondence group and draft terms of reference for such group; and
- .13 submit an oral report on this session and a written one to MSC 67.

13.22 Having received the joint working group's interim report (MSC 66/WP.17) and noting that the group's report would be submitted to MSC 67, the Committee took action as indicated hereunder.

Structure of an integrated system for shipboard emergency plans

13.23 The Committee approved MSC circular on Guidelines for a structure of an integrated system for contingency planning for shipboard emergencies (see paragraph 13.32 below), noting that a draft Assembly resolution would be submitted to its next session.

Companies operating multi-flagged fleets

13.24 The Committee approved MSC circular on the Treatment of companies operating multi-flagged fleets under resolution A.788(19) on Guidelines on implementation of the International Safety Management (ISM) Code by Administrations (see paragraph 13.32 below).

Proposed supplementary guidance and draft amendments to the ISM Code

13.25 The Committee agreed that the proposed supplementary guidance for Administrations, proposed by the United Kingdom (MSC 66/13/10, annex 1), seen against the background of guidance already provided by IMO and under preparation by other organizations, would not add significantly to the information already available and, on the contrary, could create confusion to all those who were currently preparing for audits under the ISM Code. The Committee agreed that, as experience is gained, any difficulties experienced are collated for the production of a future consolidated guidance document.

13.26 Having considered the need for the proposed amendments to the ISM Code (MSC 66/13/10, annex 2) *vis-à-vis* the desirability of leaving the Code unchanged in a period when Administrations and companies were coming to grips with its implementation, the Committee agreed that, although there was some merit in the proposals, it would be preferable, for the time being, not to amend the ISM Code.

SOLAS regulation on manning

13.27 The Committee endorsed the working group's recommendation not to support the proposal by the Netherlands on an amendment to SOLAS chapter IX, to incorporate a regulation on manning. The Committee agreed that manning was not an issue specific to navigation but considered it inopportune to amend the recently introduced chapter IX at this stage preferring that manning, for the time being, be retained in SOLAS chapter V.

Human element principles

13.28 The Committee, having agreed that the Organization should develop, in the near future, a strategic plan for addressing human element issues, decided that, to develop such a plan, a set of human element principles and goals should be developed as a first step. Pending the development of a draft Assembly resolution setting out the strategic plan, the Committee approved an MSC circular on Human element principles for the work of the Maritime Safety Committee and its subsidiary bodies (see paragraph 13.32 below), and instructed the Joint MSC/MEPC Working Group on the Human Element to develop an appropriate draft Assembly resolution at its next session.

Naval architectural support for emergency management

13.29 The Committee noted the differing views of the working group on naval architectural support for emergency management, in that some delegations considered that a form of technical response capability would be helpful to certain classes of ships, e.g. large tankers and bulk carriers, whereas others were of the opinion that necessary naval architectural calculations could be carried out on board, provided that the right computer software was made available.

Implementation of the ISM Code

13.30 The Committee, recalling its consideration of the Note by the Secretary-General (MSC 66/15/2) on the Implementation of the ISM Code under agenda item 15, noted the draft MSC circular on the matter prepared by the working group (MSC 66/WP.17, annex 2), and approved an MSC circular on Timely and effective implementation of the ISM Code (see paragraph 13.32 below), after having made the following changes:

- .1 paragraph 3.4 was changed to read: "In co-operation with other port States and flag States to develop and communicate, as soon as possible, operational measures which will be put in place when chapter IX of SOLAS enters into force, in order to ascertain that ships entering their ports have been issued with the appropriate certification.";
- .2 Paragraph 3.5 was deleted;
- .3 the heading of paragraph 4 was changed to read: "Incentives"; and
- .4 paragraph 4 was changed to read : "In view of the beneficial impact of the timely and effective implementation of the ISM Code, the Committee invited all relevant parties to consider taking any appropriate measures to ensure that shipping companies will be in a position to implement the ISM Code within the specified deadlines."

Intersessional correspondence group

13.31 The Committee agreed with the working group's proposal to establish an intersessional correspondence group* with the following terms of reference:

- .1 to develop a draft strategic plan for addressing human element issues which will include recommended goals and tasks and, where possible, deadlines;
- .2 to develop further the draft list of common terms used in human element analysis; and
- .3 to update the list of studies and reports completed or under way on the impact of the human element relative to ship operation and management.

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Action requested of the MEPC

13.32 The Committee invited the MEPC to endorse its decisions on this item, in particular those set out under paragraphs 13.21, 13.23 to 13.26, 13.28 and 13.30 and that the circulars approved under this section are issued as MSC/MEPC circulars.

14 FORMAL SAFETY ASSESSMENT

14.1 The Committee considered the report (MSC 66/14/1) of the *ad hoc* correspondence group it re-established at MSC 65, when it agreed that:

- .1 for the time being, the FSA should be considered as a comparative tool and that guidelines for its application should be developed; and
- .2 the proposal for setting up an advisory body should be further considered by MSC 66.

14.2 The Committee also considered relevant documents submitted by:

- the United Kingdom (MSC 66/14, MSC 66/INF.8 and MSC 66/INF.25) on the FSA methodology;
- Sweden (MSC 66/INF.10) on introduction of modern risk assessment into shipping;
- Denmark, Finland, Norway, Sweden and the United Kingdom (MSC 66/INF.23) on safety assessment of passenger/ro-ro vessels; and
- the United States (MSC 66/INF.18) and Japan (MSC 66/INF.28).

14.3 After a preliminary discussion in plenary, the Committee established, as agreed at MSC 65, a working group and instructed it, taking into account all documents submitted and comments made in plenary, to:

- .1 start the development of guidelines for the purpose of achieving a clear, practical and effective application of the FSA to the IMO rule-making process;
- .2 develop a relevant working plan, including steps, expected results and deadlines;
- .3 consider whether to proceed with the work intersessionally and, if in the affirmative, prepare draft terms of reference for the relevant correspondence group;
- .4 consider whether an advisory body should be set up and, if the outcome so dictates, prepare draft terms of reference for such an advisory body; and
- .5 report to the Committee accordingly.

Outcome of the working group

14.4 Having received the working group's report (MSC 66/WP.14), the Committee agreed to further consider the outcome of the working group at MSC 67, invited Member Governments to submit comments on the report to that session of the Committee and took action as indicated hereunder.

14.5 The delegation of the Russian Federation pointed out that, in relation to paragraphs 12 and 13 of the report, comments from Member Governments should take into account their socio-economic situations and the FSA should be carried out based on suitable statistical data even in its early stage of application.

14.6 The Committee concurred with the group's view that the FSA development should follow a step-by-step approach and noted the proposed draft plan of action for the application of the FSA to the IMO rule-making process (MSC 66/WP. 14, annex 3).

14.7 The Committee also noted that the group had prepared a preliminary text of draft guidelines on the application of the FSA to the IMO rule-making process to be submitted to MSC 67 for consideration with a view to its finalization at MSC 68. In order to facilitate the development of the guidelines, the Committee agreed to establish a correspondence group, with the terms of reference as set out in annex 25, and to reconvene the working group at MSC 67 and MSC 68.

14.8 The Committee agreed that both safety and environmental protection issues should be considered, as the FSA deals with both the ship and its operation. Therefore, the Committee agreed that the MEPC should be invited to join in the development of the guidelines so as to ensure that both safety and environmental protection issues are addressed in the development of ship type regulations, and instructed the Secretariat to inform MEPC 38 of the status of development of the guidelines and invite that Committee to consider how it should be involved in the development of the guidelines.

14.9 The Committee noted the group's view that the comprehensive review of SOLAS chapter II-2 currently under way in the FP Sub-Committee might provide an opportunity for a trial application of the FSA on a hazard category approach. This would, of course, depend on the progress being made on the development of the guidelines referred to above. The Committee, therefore, advised the FP Sub-Committee that, upon completion of the said guidelines, it might be instructed to apply them in its work on the comprehensive review of SOLAS chapter II-2.

15 TECHNICAL ASSISTANCE SUB-PROGRAMME IN MARITIME SAFETY

Integrated technical co-operation programme

15.1 The Committee recalled that at its sixty-fourth session, after considering a request by the TC Committee at its fortieth session to the MSC, LEG and FAL Committees to formulate detailed technical co-operation work plans for inclusion in their respective sub-programmes and incorporation into the overall Integrated Technical Co-operation Programme (ITCP) of the Organization, it instructed the Secretariat to prepare such a plan for consideration by MSC 65 and onward submission to TCC 41. Since this could not be done at that time, the Secretariat (Maritime Safety Division) was instructed to continue its technical co-operation activities, in co-operation with the Technical Co-operation Division, and present its proposals for a detailed safety-related work plan for approval by MSC 66 and consequent incorporation into the ITCP.

Technical co-operation work plan on maritime safety

15.2 The Committee noted that, as a prerequisite to establishing the requested TC work plan, it was found necessary to identify essential services needed by developing countries to be able to discharge their implementation responsibilities, including facilities, expertise and training requirements; implementation difficulties experienced by flag States and other States; and measures to encourage flag States to properly implement IMO instruments and enforce them adequately. In response, the FSI Sub-Committee had issued two questionnaires (FSI/Circ.1 and FSI/Circ.2), requesting information on

maritime administrations and on the qualifications of port State control inspectors, while continuing to collect other relevant information assessing the capabilities and needs of maritime administrations concerned.

15.3 The Committee also noted that, in view of the urgency of collecting the necessary information, the Technical Co-operation Committee, at its forty-first session, agreed to a proposal by the Secretariat recommending an appropriate course of action on needs assessment and programming missions to complement the questionnaires mentioned above, which would be carried out with the assistance of consultants visiting a few countries representing a good cross section of the developing regions during the period from November 1995 to February 1996.

15.4 The Committee further noted that all the information collected on resources and needs, as communicated by Governments which had responded to the questionnaires; from needs assessment missions and other fact-finding missions; from technical co-operation projects already delivered or being delivered; and from experience gained by the Secretariat when dealing with technical co-operation activities, has been registered in a database designed by the Secretariat and reproduced, in a compact form, in documents:

- .1 MSC 66/15 and MSC 66/15/4 (on the Technical co-operation work plan on maritime safety);
- .2 MSC 66/15/Add.1 (on the Plan of action for the training of port State control officers);
and
- .3 MSC 66/15/1 and MSC 66/INF.13 (listing actual ongoing projects and those in the pipeline in the field of maritime safety).

15.5 The Committee noted that more detailed information, as contained in the aforementioned database, could be supplied on request.

15.6 Several delegations expressed appreciation for the implementation of the ongoing technical co-operation projects and suggested further co-operation within the priorities of the ITCP. The delegation of Singapore and the EEC observer offered clarification on certain parts of the information provided.

15.7 The United States delegation pointed out that, besides those activities relating to the human element that were already incorporated in the work plan, the human element should be given priority and emphasis in all relevant projects and requested the Secretariat to take appropriate action to this effect.

15.8 The delegation of Trinidad and Tobago observed that, apart from the global project for technical assistance as a follow-up to the 1995 STCW Conference, there was no provision for the implementation of STCW requirements in the Caribbean region. They therefore proposed that a Caribbean sub-regional project on the implementation of the 1995 STCW requirements for maritime administrations in the region should be included in the technical co-operation work plan similar to that reported for other regions. Such a project should provide assistance to Governments of the region in consolidating their training institutions through the upgrading of syllabi and curricula, upgrading and provision of training equipment and training of trainers, taking account of the revised STCW Convention. The project, to be addressed as a high priority issue, should also provide assistance to administrations in complying with the new STCW requirements.

15.9 The Committee, having considered the proposed Technical Co-operation Sub-programme in Maritime Safety and the associated work plan contained in the documents, approved both for onward transmission to the TC Committee. The Secretariat was instructed to continue its identification of technical co-operation project proposals, in co-operation with the Technical Co-operation Division, and to report developments to MSC 67.

15.10 The Committee invited Member Governments to consider sponsoring some of the technical co-operation project proposals when they are considered by the Technical Co-operation Committee.

IMO model course programme

15.11 The Committee, having noted document MSC 66/15/2, which provides an update on IMO model course production and revision, instructed the Secretariat to follow-up the IMO model course project and to report developments to MSC 67.

Outcome of the 1995 STCW Conference

15.12 With regard to paragraph 8.1 of document MSC 66/2 concerning the outcome of the 1995 STCW Conference, the Committee noted:

- .1 resolution 11 and, in particular, the Conference's invitation to:
 - .1.1 STCW Parties to provide, or arrange to provide, in co-operation with the Organization, assistance to those States which have difficulty in meeting the improved requirements of the STCW Convention and which request such assistance; and
 - .1.2 the Organization to extend endeavours to provide States with the assistance they require and to make adequate provision for that purpose within its technical co-operation programme.
- .2 resolution 12 and, in particular, the Conference's invitation to the Organization to continue to:
 - .2.1 utilize the resources and expertise of the World Maritime University (WMU) to transfer maritime education and knowledge wherever needed, particularly in developing countries; and
 - .2.2 encourage and support the WMU to assume a leading role for the promotion and implementation of a network of advanced maritime training establishments; and
- .3 resolution 13 and, in particular, the Conference's invitation to:
 - .3.1 the Organization to take steps to revise and update those model courses which provide guidance on the implementation of the training and assessment provisions of the STCW Convention, as amended; and
 - .3.2 Governments to provide funding for, and otherwise assist in, the revision and updating of such model courses.

15.13 The Committee invited the TC Committee to take the lead in any follow-up activities necessary to implement the above requests of the 1995 STCW Conference pledging its support and co-operation and instructed the Secretariat to take any action to that effect keeping the Committee informed of developments and submitting proposals for action by the Committee within its areas of responsibility.

16 PIRACY AND ARMED ROBBERY AGAINST SHIPS

16.1 The Committee noted MSC/Circ.700 issued by the Secretary-General in July 1995 expressing concern at the sharp rise in the number of piracy attacks reported to the Organization during the second quarter of 1995.

16.2 The Committee also noted, along with this development, the changing pattern in both the likely location and the severity of the attacks with the areas most affected being the South China Sea, the coast of Somalia, the Arabian Peninsula and the north eastern coast of South America.

16.3 The Committee shared the Secretary-General's concern that most of the attacks reported in the above areas involved the use of firearms by the pirates and robbers, which had resulted in a number of fatalities and that the pirates in the South China Sea and the coast of Somalia at times used craft disguised as Government boats and posed as Government officials while approaching innocent ships and before launching their attacks.

16.4 The Committee recalled that, at its sixty-fifth session (MSC 65/25, paragraph 16.10), it instructed the Secretariat to issue, as from 31 July 1995, monthly reports of all incidents of piracy and armed robbery against ships reported to the Organization and, in addition, on a quarterly basis, composite reports accompanied by an analysis, on a regional basis, of the situation and an indication whether the frequency of incidents was increasing or decreasing and advising any new feature or pattern of significance.

16.5 In this regard, the Committee noted (MSC 66/16) that, in accordance with the above instructions, the Secretariat had compiled monthly reports of incidents reported to it (issued as MSC/Circs.701, 703, 708, 711, 712, 713, 716, 717, 719 and 722) and quarterly reports (issued as MSC/Circs. 698, 709, 714 and 720).

16.6 The Committee also noted a composite report (MSC 66/16/Add.1) covering all acts of piracy and armed robbery against ships, which had been reported to the Organization in 1995 based on their actual date and time of occurrence and agreed that such a yearly summary would be useful in analysing and understanding the trend. The Committee instructed the Secretariat to prepare such a yearly summary after March of every year to cover the whole of the previous year.

16.7 The Committee, noting with concern that the graph in annex 5 to document MSC 66/16/Add.1 showed an upward trend in 1995 after a lull at the beginning of that year, particularly in the South China Sea, reiterated its invitation to all Governments concerned and the industry to intensify their efforts to prevent and eliminate all unlawful activities in all areas of their concern.

16.8 The Committee noted information (MSC 66/16/1) provided by the Governments of Brazil, Colombia, Sierra Leone, Thailand and Hong Kong, on acts of piracy and armed robbery reported to have occurred in their waters.

16.9 The delegation of Brazil referred to initiatives of their national authorities by setting up a National Safety Committee in Brazilian ports that will co-ordinate efforts of all governmental sectors involved in improving the safety of ships in their waters and preventing piracy attacks. The National

Safety Committee, besides co-operating with other international agencies, will promote the provision of police patrol services in national waters and the dissemination of safety instructions as part of national prevention of piracy actions. The Brazilian delegation appealed to Member Governments to urge ships under their flag and shipping companies to co-operate with their national authorities to improve safety and prevent piracy by registering the event with the local police authority enabling the relevant report of occurrence to be filed, so that the National Safety Committee can follow up on the occurrence.

16.10 The French delegation informed the Committee of initiatives taken in early 1996 to improve the security of ships and to prevent pirate attacks. A destroyer and a commando section were on patrol from Djibouti in the Red Sea and surrounding waters. This action could be repeated, if necessary.

The m.v. Anna Sierra incident

16.11 The Committee noted (MSC 66/16/2) information provided by the IMB (ICC) on the m.v. **Anna Sierra**, which had been attacked and hijacked by pirates on a voyage from Thailand to the Philippines and its crew had been forced overboard onto a small raft in rough seas without food, water or navigation equipment. The ship was later found in Southern China with the pirates and cargo on board. IMB (ICC) reported that the ship was still in the port of Beihai, pointing to the length of time it has taken to resolve the situation where indisputable evidence existed as to the true identity of the ship and ownership of the cargo. The IMB (ICC) observer, in introducing document MSC 66/16/2 questioned whether the International Convention on the Suppression of Unlawful Acts against the Safety of Navigation, 1988 was sufficient to deal with an incident similar to the hijacking of the m.v. **Anna Sierra**.

16.12 The delegation of Cyprus thanked the International Maritime Bureau and the People's Republic of China for their assistance in the case of the m.v. **Anna Sierra** hijacking and informed the Committee about another piracy attack on the m.v. **San Marino** in South America on 3 May 1996.

16.13 The delegation of China informed the Committee of its Government's strong opposition to piracy attacks, such as those reported above and stated that their Government was making every possible endeavour to prevent and suppress them.

17 SURVEY AND CERTIFICATION

17.1 The Committee recalled that MSC 65 dealt with various issues relating to survey and certification and:

- .1 approved draft amendments to resolution A.744(18) - Guidelines on the enhanced programme of inspections during surveys (EPS) of bulk carriers and oil tankers, with a view to their adoption at this session; and
- .2 decided not to develop, for the time being, standard survey report forms for surveys under the harmonized system of survey and certification (HSSC).

Decisions of MEPC 37

17.2 The Committee noted the decisions of MEPC 37 relating to the report of the Joint MSC/MEPC Working Group on Survey and Certification.

Proposed review of resolution A.744(18)

17.3 IACS (MSC 66/17/2) invited the Committee to note that, based on its experience in the implementation of IACS Unified Requirements for enhanced surveys of bulk carriers and oil tankers, it had suitably modified them and proposed a review of the IMO guidelines (resolution A.744(18)) to achieve compatibility between the text of the two organizations.

17.4 Recalling that the DE Sub-Committee was currently developing guidelines on corrosion prevention through a correspondence group (DE 39/31, paragraphs 3.8 to 3.12), and recognizing that the above IACS proposals referred mainly to soft coatings, the Committee agreed to remit them to the correspondence group for consideration and incorporation, if appropriate, into the said guidelines.

Survey Guidelines under the HSSC

17.5 The Netherlands (MSC 66/17/1) invited the Committee to consider a proposed interpretation of the term "any five-year period" in the context of the HSSC guidelines (resolution A.746(18) and the EPS guidelines (resolution A.744(18)).

17.6 Following some discussion, the Committee agreed that, for the time being, the proposed interpretation could be applied to ships other than those subject to the enhanced programme of inspections, and invited Member Governments to submit comments and proposals on how to solve the apparent conflict between resolutions A.744(18) and A.746(18) on the application of the expression "any five-year period" to all ships, for consideration at MSC 67.

Surveys and inspections of ro-ro passenger ships

17.7 The Committee noted that, in the context of resolution A.794(19) - Surveys and inspections of ro-ro passenger ships, it had been requested to develop, as a matter of urgency, guidelines for unscheduled inspections of ro-ro passenger ships, taking into account the guidelines existing and presently being developed by recognized organizations. The Committee agreed to consider the matter on the basis of relevant proposals submitted.

17.8 In this connection, the Committee agreed that the FSI Sub-Committee was the competent IMO body to develop such guidelines and invited Member Governments to submit relevant proposals directly to that Sub-Committee to enable it to initiate work on the issue as soon as possible.

18 EXISTING SHIPS' SAFETY STANDARDS

18.1 The Committee recalled that, at its sixty-fifth session, in considering the report of the Correspondence Group on the Guidelines for the Application of the Grandfather Clauses, it:

- .1 concurred, in general, with the draft guidelines produced;
- .2 agreed to establish a joint MSC/MEPC correspondence group to make any necessary adaptations to cover pollution aspects and to finalize the guidelines, taking into account relevant submissions to MSC 65 as well as resolutions A.500(XII) and A.777(18);
- .3 agreed to the deferral of a decision on the inclusion of an additional working arrangement until the guidelines were finalized; and
- .4 agreed that, after finalization, the guidelines should be applied on an interim, case-by-case trial basis, so that experience might be gained from their implementation

which would enable the introduction of any necessary modifications,

and further noted that MEPC 37 had concurred with the Committee's view that a joint correspondence group should finalize the draft guidelines.

18.2 The Committee, having received the report of the correspondence group (MSC 66/18) and comments thereon submitted by OCIMF (MSC 66/18/1), took action as indicated hereunder:

- .1 noted the report of the group, in particular:
 - .1.1 the proposed amendment to the title of the guidelines (paragraph 6);
 - .1.2 the proposed definition of "safety issue" (paragraph 10);
 - .1.3 the proposed removal, from paragraph 1.2 of the draft guidelines, of the linkage between the adoption of measures for new ships and existing ships (paragraph 11); and
 - .1.4 the proposal for further refinement of the draft guidelines and the redrafting of the step-by-step procedure at a later stage after relevant experience has been gained (paragraph 12);
- .2 approved, in principle, the draft "Interim Guidelines for the systematic application of the grandfather clauses" (annex to document MSC 66/18), subject to its decisions on OCIMF's proposals (MSC 66/18/1) and on the understanding that MEPC 38 might decide on a further adaptation to cover environmental issues; and
- .3 agreed that the Interim Guidelines should be applied on a case-by-case trial basis when constructional requirements are proposed for new ships so that experience can be gained from their application and necessary modifications be made when the need arises.

18.3 With regard to OCIMF's proposals (MSC 66/18/1), the Committee agreed that the proposals referred to in paragraph 5 and comments made in the last sentence of paragraph 6 of the aforementioned document and further proposals by OCIMF on additional texts to paragraphs 1.2 and 2.1.1 and deletion of the second sentence from paragraph 2.1.4 of the draft guidelines should be taken into account in the finalization of the guidelines and requested a small group to review them and prepare the final text of modifications to the draft guidelines for the Committee's approval.

18.4 Having received the report of the aforementioned group (MSC 66/WP.20), the Committee endorsed the modifications prepared by the group and approved the Interim Guidelines for the systematic application of the grandfather clauses, as set out in annex 26, for dissemination, subject to concurrence by MEPC 38, by means of an MSC/MEPC circular.

19 IMPLEMENTATION OF INSTRUMENTS AND RELATED MATTERS

Acceptance of conventions

19.1 The Committee noted information on the status of acceptance, as of 9 February 1996, of safety-related conventions, protocols and amendments thereto (MSC 66/19 and MSC 66/INF.7) and was advised orally by the Secretariat of additional acceptances notified after the above date.

Implementation of codes, recommendations, guidelines, etc.

19.2 The Committee also noted information on the status of implementation, as of 9 February 1996, of safety-related codes, recommendations, guidelines and other non-mandatory instruments presented in a consolidated tabulation based on information provided by Member Governments (MSC 66/19/1); and was advised orally by the Secretariat of additional information received thereafter.

19.3 The Committee recalled that, at its sixty-fifth session (MSC 66/25, paragraph 19.3), it reiterated its request to the sub-committees to review the list of codes, recommendations, guidelines and other non-mandatory instruments annexed to document MSC 65/19/1, so that it would, in the future, contain information provided by maritime Administrations only on those instruments for which there was a need to record their status of implementation.

19.4 In this regard, the Committee noted document MSC 66/19/1/Add.1 (Secretariat), which provides information on the response of sub-committees to the aforementioned request of the Committee and decided:

- .1 to approve all the recommendations of the sub-committees;
- .2 to refer back to the SLF Sub-Committee those instruments that were not specifically mentioned in their review; and
- .3 to retain, under the purview of the Committee, MSC/Circ.443 - Measures to prevent unlawful acts against passengers and crews on board ships.

19.5 After a suggestion by the delegation of Liberia, the Committee decided that the document presenting the status of implementation by Governments of codes, recommendations, guidelines and other non-mandatory instruments related to the work of the Committee should henceforth be issued once every two years for the first session of the Committee after each session of the Assembly.

Implementation of the ISM Code

19.6 The Committee considered a Note by the Secretary-General (MSC 66/19/3) giving a comprehensive background of actions taken at various fora within the Organization since the Committee and the MEPC prepared the ISM Code which was eventually adopted by the Assembly in 1993. The Note also referred to the adoption, by the 1994 SOLAS Conference in May 1994, of a new SOLAS chapter IX on Management for the Safe Operation of Ships, making the ISM Code mandatory as from 1 July 1998 for certain types of ships and providing a phase-in period until 1 July 2002 when all ships should conform with the requirements of the new chapter IX and the ISM Code.

In his Note the Secretary-General also pointed out that the 1994 SOLAS Conference, recognizing that the implementation of the requirements of chapter IX would place a significant burden on Administrations, organizations acting on their behalf, shipowners and operators, noted that experience had shown that it might require as much as two years' preparation for the establishment of a safety management system that would meet the standard required by the ISM Code. Even allowing for a necessary period of preparation, a large number of applications for certification under the ISM Code might be submitted close to the application dates specified in SOLAS regulation IX/2. To prevent this happening, the SOLAS Conference has recommended that all Administrations concerned should designate dates in advance of the specified application dates by which requests for certification should be submitted for each ship type, in order to allow Administrations or organizations recognized by them time to complete their certification schedule, and shipping companies to rectify any non-compliance.

The Secretary-General's Note further pointed out that the nineteenth Assembly, when adopting resolution A.788(19) on Guidelines on Implementation of the International Safety Management (ISM) Code by Administrations, urged Governments to request the companies concerned to apply for certification under the ISM Code as soon as possible but not later than twelve months prior to the ISM Code becoming mandatory for their ships.

The Secretary-General, believing that the ISM Code will play a very significant role in IMO's efforts to improve safety at sea and prevent pollution of the marine environment and considering that the Code, together with the effective implementation of the revised STCW Convention, will constitute the key issues in IMO's endeavours to achieve its main objectives for many years to come, has attached great importance to the smooth, timely and effective implementation of the ISM Code and the revised STCW Convention. It was for these reasons that he has noted with concern the information that only a small percentage of shipping companies and ships have either applied or obtained the certification required by the ISM Code although the initial implementation date for the Code was now not too far away.

Against this worrying background, the Secretary-General called upon the Committee to focus the attention of the maritime community to the need to take expeditious action so that the initial and subsequent implementation dates for the ISM Code are met and the Code is effectively implemented.

19.7 Under this item, the Committee also considered the proposal of ICS/INTERTANKO (MSC 66/13/12) that shipping companies and the ships they operate should be in compliance with the requirements of SOLAS chapter IX by the dates specified therein.

19.8 Several delegations and observers informed the Committee of actions taken and being taken to expedite the certification of shipping companies and specific types of ships, such as passenger ro-ro ferries and tankers.

19.9 Endorsing the Secretary-General's concern, the ICS observer emphasised that the need for action and clear guidance by flag Administrations was paramount to the implementation process. It was essential that flag Administrations should announce their intentions with regard to national arrangements for implementation, including the specification of dates by which applications for certification should be submitted. ICS suggested that, although the present level of applications for certification was not a reliable measure of the efforts that were in hand, there were indications that more needed to be done to ensure wider understanding of the practical aspects of ISM Code implementation. The ICS observer informed the Committee that ICS, in co-operation with INTERTANKO, had organized a number of one-day workshops aimed at providing shipping companies with practical advice on how to go about establishing their safety management systems. ICS and INTERTANKO believe that there would be a real benefit in organizing similar workshops for the representatives of governments and recognised organizations appointed to act on their behalf, who will be directly involved in the work of ISM Code implementation. Noting that similar assistance had been provided by IMO in connection with other IMO requirements, ICS and INTERTANKO offered their assistance to IMO for the organization of practical workshops along the same lines as those being conducted by industry. The ICS observer informed the Committee that revised ICS/ISF "Guidelines on the Application of the International Safety Management Code", incorporating guidance on the conduct of internal audits, were due to be published in June 1996.

19.10 The Committee, sharing the Secretary-General's concern, considered what actions could be taken to address the issue anew and increase awareness of its implications if prompt action were not expeditiously taken within the remaining time between now and July 1998. To this end, the Committee agreed to refer the matter to the Working Group on the Human Element, which was instructed to

prepare a draft MSC circular on the timely and effective implementation of the ISM Code, for consideration by the Committee. The outcome of the working group's consideration of this item is reflected in paragraph 13.30 above.

Application of SOLAS chapter IX to mobile offshore drilling units

19.11 The Committee considered document MSC 66/19/2 (Secretariat) drawing its attention to regulation 2.1.3 of new SOLAS chapter IX which, when it comes into force, will in addition to other specific ship types, apply only to MODUs propelled by mechanical means and to the 1994 SOLAS Conference's request (SOLAS/CONF.2/RD/5, paragraph 2) to the Maritime Safety Committee to decide on the application of that chapter to non-propelled MODUs.

19.12 The Committee, bearing in mind the provisions of SOLAS regulation I/3(a), decided that mobile offshore drilling units not propelled by mechanical means need not comply with the requirements of new SOLAS chapter IX, when it comes into force.

20 RELATIONS WITH OTHER ORGANIZATIONS

Organizations in consultative status

Previous applications

20.1 The Committee noted that the Council, at its seventy-fourth session (MSC 66/20, paragraph 5):

- .1 deferred its consideration of the application of the International Council on Combustion Engines (CIMAC) to be granted consultative status pending the submission of further information by CIMAC on its capacity to make a substantial contribution to the work of IMO;
- .2 requested the Committee and the MEPC to re-examine the status of EUROMOT in light of the clarifications to be provided by CIMAC; and
- .3 decided to grant consultative status to the Institute of Marine Engineers (IME) and the Iberoamerican Institute of Maritime Law (IIDM).

20.2 The Committee further noted that the Council, at its eighteenth extraordinary session (MSC 66/20, paragraph 7), decided to grant consultative status to the International Maritime Transit Association (IMTA) and the International Ship Managers' Association (ISMA).

New applications and review of organizations with consultative status

20.3 In considering the applications for consultative status referred to it by the Council (MSC 66/20) in respect of the:

- .1 American Society for Industrial Security (ASIS);
- .2 International Christian Maritime Association (ICMA);
- .3 International Federation of Freight Forwarders Associations (FIATA);
- .4 Vessels Operators Hazardous Materials Association, Inc. (VOHMA);

- .5 Caribbean Shipping Association (CSA); and
- .6 Chemical Carriers' Association, Inc. (CCA),

the Committee, noted that MEPC 37:

- .1 recommended that EUROMOT should continue to be in consultative status;
- .2 deferred its decision on the application by CIMAC until further information was supplied to support it; and
- .3 agreed that consultative status should not be granted to VOHMA and CCA,

and that LEG 73 decided to recommend not to grant consultative status to FIATA.

20.4 At the request of the Council, the Committee also considered the significance to the work of IMO of the following organizations, which had not attended or submitted documents to IMO meetings during the past biennium:

- .1 International Fertilizer Industry Association (IFA); jointly with
- .2 European Fertilizer Manufacturers' Association (EFMA);
- .3 European Tugowners' Association (ETA);
- .4 Engineering Committee on Oceanic Resources (ECOR);
- .5 International Salvage Union (ISU);
- .6 International Association of European General Average Adjusters (AIDE);
- .7 International Ocean Institute (IOI); and
- .8 Islamic Shipowners' Association (ISA).

20.5 The Committee established a small group to:

- .1 consider the applications referred to in paragraph 20.3;
- .2 review in accordance with rule 10 of the Rules Governing the Relationship with Non-Governmental International Organizations, as requested by the Council, the consultative status of the organizations referred to in paragraph 20.4 above;
- .3 review the status of CIMAC and EUROMOT in light of the additional information provided by CIMAC; and
- .4 reconsider the limited period status of IRU.

20.6 Having received the report of the group (MSC 66/WP.12), the Committee decided to recommend to the Council:

- .1 that consultative status should not be granted to ASIS, ICMA, FIATA, VOHMA, CSA

and CCA, as they were viewed as either not being truly international or in a position to contribute directly to the work of IMO or that they could have access to IMO through other organizations;

- .2 that the limited period restriction imposed on the IRU status should be waived; and
- .3 that consultative status with IFA, EFMA, ETA, ECOR, ISU, AIDE, IOI and ISA should be discontinued.

20.7 In reviewing the consultative status of EUROMOT, in light of the additional information provided by CIMAC, the Committee agreed that:

- .1 EUROMOT, having been granted consultative status before the CIMAC application had been received and being considered more regional than a truly international organization since, failed to substantially support their continued consultative status by infrequent attendance at IMO meetings; and
- .2 CIMAC, being the truly international organization of the two, failed to submit additional information of relevance to support its application.

20.8 The Committee considered that it was not in a position to decide which of the two organizations should be granted consultative status as the question of regional *vis-à-vis* a truly international nature was not a technical matter that required its expertise and had not been answered consistently in the past. The Council therefore should address this issue with a view to deciding thereon in principle.

European Parliament resolution

20.9 The Committee noted that, in the aftermath of casualties such as the tragic loss of the passenger ferry **Estonia** and in light of the outcome of the 1995 SOLAS Conference, the European Parliament had adopted a new resolution on safety at sea (MSC 66/20/1), recommending action that should be taken to enhance the safety of maritime navigation.

20.10 The EC observer stressed the importance the European Union (EU) attaches to the improvement of the safety of ro-ro ferries and to the appropriate action being taken at IMO and EU level. He drew the Committee's attention to the fact that the above resolution reflected the opinion of the European Parliament, which, together with the Commission and the Council, are the main institutions of the European Union.

21 WORK PROGRAMME

Working arrangements of the MSC and MEPC

21.1 The Committee noted that MEPC 37 agreed that eight working days were needed for its thirty-eighth session in 1996, having regard to the total workload for that session, in particular with respect to outstanding work in preparing the envisaged MARPOL Conference on Air Pollution. It further noted the Secretary-General's suggestion, endorsed by the Chairman of the Committee, that the SLF Sub-Committee be assigned one meeting week during the biennium 1996-1997, instead of the originally planned two, i.e. that the SLF Sub-Committee should meet in September 1996 and then again as early in January 1998 as possible.

21.2 The Committee considered document MSC 66/21/11 (Japan) under agenda item 22.

Work emanating from A 19

21.3 The Committee noted that, in the context of resolution A.786(19) - Strategy for ship/port interface, the Committee should, in co-operation with the relevant committees, take appropriate action and keep the matter under review.

21.4 The Committee, in the context of resolution A.796(19) - Recommendations on a decision support system for masters on passenger ships, requesting the Committee, *inter alia*, to consider the development of respective amendments to the 1974 SOLAS Convention on the basis of these Recommendations, noted that the 1995 SOLAS Conference adopted a new SOLAS regulation III/24-4 on Decision support system for masters of passenger ships, which had included the provisions of the said Recommendations.

21.5 The Committee also noted that, in the context of resolution A.827(19) - Ships' routing, the Committee should review, on the basis of written submissions from Governments, the operation of the Rules and Recommendations set out in Annex 2 to the resolution and the conditions in the Strait of Istanbul, the Strait of Canakkale and the Marmara Sea; consider, as appropriate, any suggestions for changes in these Rules and Recommendations; and report on these matters to the Assembly at its twentieth session.

Follow-up action to the final report of the Panel of Experts on Ro-Ro Ferry Safety

21.6 The Committee recalled that, under item 2, it agreed to deal, under this item, with the remaining issues of the Panel of Experts' report, which were not dealt with by the 1995 SOLAS Conference and required the Committee's action. Having considered these remaining issues, as referred to in paragraphs 10.1 and 10.2 of document MSC 66/2/2/Add.1, the Committee took action as indicated hereunder.

21.7 The Committee agreed to refer a draft MSC circular on Use of aluminium in ship construction of ro-ro passenger high-speed craft (MSC 66/2/2/Add.1, annex 6) to the DE Sub-Committee for consideration in the context of its work on the revision of the HSC Code.

21.8 In respect of the draft MSC circular on Application of the single failure concept in new ships (MSC 66/2/2/Add.1, annex 13), the Committee, having noted the opinion of the Panel of Experts that the single failure concept should be considered as part of the formal safety assessment (FSA), decided to consider the draft MSC circular at its sixty-seventh session in the light of developments in its work on the FSA.

21.9 With regard to obligations of passengers and the Panel's proposal that the industry should highlight in its information to passengers reasonable expectations of the crew regarding the familiarization of passengers with the surroundings and matters of direct relevance to the individual passengers' safety, paying attention to written and oral instructions, identifying themselves, if necessary, as passengers in need for help in cases of emergency, etc., not only on board the ship but also in connection with the issuance of tickets and in advertising material (MSC 66/2/2/Add.1, paragraphs 2.25 and 2.26), the Committee noted that the matter has been substantially addressed in MSC/Circ.681 on Guidelines for passenger safety instructions on ro-ro passenger ships, which had been issued for the guidance of shipowners, operators, shipmasters and crew and all others concerned. It, therefore, decided not to pursue the matter further until specific proposals are made.

21.10 The Committee noted that the Panel, in discussing evacuation problems (MSC 66/2/2/Add.1, paragraph 2.27) connected with passengers being incapacitated due to alcohol, had suggested that the industry should inform passengers (by means, e.g. of safety posters) of the need to keep, for their own

safety, reasonably sober during crossings and agreed that no action was required on the matter at this stage.

21.11 The Committee, as requested by the Panel in the context of its consideration of the issue of accident investigation, including near misses and the future work of the FSI Sub-Committee on the subject (MSC 66/2/2/Add.1, paragraphs 8.1 to 8.12), instructed the Secretariat to bring the Panel's view on this subject to the attention of the FSI Sub-Committee for consideration and action as appropriate.

Requirements and recommendations applicable to all ships and to certain types of ships

21.12 The Committee recalled that, at its sixty-fifth session, in response to the concern expressed by its Chairman and the Chairman of the MEPC that it had become difficult for Administrations, designers, shipyards and other interested parties to exactly identify, from among the vast number of IMO requirements in force, all those that apply to certain ship types at a certain time and that some could be overlooked, which in turn would diminish the real usefulness of new and existing requirements, it instructed the Secretariat to develop a proposal to list all the safety and pollution prevention requirements (contained in conventions, codes, recommendations, etc.) applicable to all ships and those applicable to certain types of ships.

21.13 The Committee, in considering documents MSC 66/21/1 and MSC 66/INF.5, prepared by the Secretariat in response to the Committee's request, noted:

- .1 a typical method of listing all the relevant requirements and a typical example of a possible outline of the SOLAS Convention, if restructured, to address ships by type, as contained in annexes 1 and 2 to document MSC 66/21/1;
- .2 the conclusion that the implementation of the ideas presented in the aforementioned documents would be a major task which would require the full time dedication of a number of experts for a considerable period of time in order to convert existing texts in conventions and recommendations, which have been designed in a horizontally subject-matter functional structure by chapters into a vertical comprehensive set of specific requirements applicable to individually selected ship types;
- .3 an example of the contents and proposed methodology to be applied for the preparation of a set of requirements such as those indicatively listed in the two documents; and
- .4 some legal and technical implications are likely to emerge from the implementation of proposed ideas, such as:
 - .1 the difficulty of bringing into force, through the explicit procedure, of an integrated instrument (containing provisions of the SOLAS, LL and, possibly, MARPOL Conventions);
 - .2 the difficulty of ensuring that any new format by ship type would cover all the requirements and the recognition that a list of requirements applying to new ships only would be of a limited value as those intended to benefit would still have to use, for survey and other purposes, the old texts.

21.14 After considerable discussion, the Committee, agreeing that the proposed list would be a simple but important tool for anyone wishing to identify ship type requirements, concurred with a proposal by the United States that the Secretariat should prepare, for application on an experimental basis, a revised version of MSC 66/INF.5 including a column to reflect the type of ship to which each relevant

recommendation applies. At a subsequent stage, other relevant information clarifying further the specific type of ships, whether the text applies to either new or existing ships or to both, etc., could be added. Bearing in mind its workload in the immediate future, the Committee agreed to consider the revised paper at MSC 68 and instructed the Secretariat accordingly. The Secretariat assumed the task would be of limited cost to the Organization.

Work programmes of the sub-committees

General

21.15 Taking into account the recommendations made by the sub-committees, as reflected in their reports (MSC 66/21 and Add.1 and 2) and the various submissions made, summarized in document MSC 66/WP.5 (Secretariat) and decisions taken during its present session, the Committee reviewed the work programmes of the sub-committees and took action as indicated hereunder.

Review of the INF Code

21.16 The Committee, recalling that A 18 in adopting the INF Code by resolution A.748(18), requested, *inter alia*, its augmentation and a progress report to its nineteenth session, noted (MSC 66/2/3, paragraph 5 and MSC 66/2/3/Add.1) that A 19, in considering the progress report prepared by the Committee and the MEPC, approved a new resolution A.790(19) on the review of the INF Code and endorsed the Secretary-General's proposal for a Special Consultative Meeting (SCM) of entities involved in the maritime transport of nuclear materials covered by the INF Code. The Committee further noted that the SCM took place from 4 to 6 March 1996 (see document MSC 66/2/3/Add.1 and paragraph 2.15 above) and its proceedings have been issued under the symbol SCM 5, which, *inter alia*, contained a statement of thirteen countries on the need for the mandatory application of the INF Code made available to the Committee in document MSC 66/WP.9.

21.17 Following some discussion of the matter, the Committee, taking into account the operative paragraphs of resolution A.790(19) and the concerns aired at the SCM, agreed that, bearing in mind relevant international conventions, treaties, standards and regulations in force, the following specific issues should be considered:

- .1 specific hazards associated with maritime transport of flasks, and consequences of severe accident scenarios - by the DSC Sub-Committee, the MEPC and also IAEA;
- .2 ship structural design requirements for securing flasks to avoid separation from the ship in the event of an accident - by the DE Sub-Committee;
- .3 adequacy of existing requirements for marking, labelling and placarding of the flasks - by the DSC Sub-Committee;
- .4 route planning, notification to coastal States and availability of information on the type of cargo being carried, including its hazards - by the NAV Sub-Committee;
- .5 restriction or exclusion of INF-carrying ships from particularly sensitive sea areas - by the MEPC which may request the NAV Sub-Committee to consider the matter from a safety of navigation point of view;
- .6 adequacy of existing emergency response arrangements - by the MEPC;
- .7 measures to locate, identify and salvage a sunken ship or flasks lost - by both the MSC

and MEPC;

- .8 tracking of ships carrying INF materials throughout the voyage by a shore-based authority - by the NAV Sub-Committee;
- .9 adequacy of existing liability regimes covering accidents with INF materials (a matter considered by the 1996 HNS Conference, which resolved that no radioactive materials should be covered by the HNS Convention) - also by IAEA;
- .10 environmental impact of accidents involving INF materials - by the MEPC, the GESAMP EHS Working Group and UNEP;
- .11 materials being transported under the INF Code (plutonium - liquid (nitrate), INF - Ceramic) - by the DSC Sub-Committee;
- .12 mandatory application of the INF Code - by both the MSC and the MEPC and possibly the Legal Committee; and
- .13 adequacy of flask design and tests - by IAEA.

21.18 The Committee noted that the notification of coastal States in the event of an accident was regulated by existing reporting requirements under both the SOLAS and MARPOL Conventions and, therefore, no further action was required in this regard at present.

21.19 With regard to paragraphs 21.17.7 and 21.17.12 above, the Committee agreed to invite Member Governments to submit substantive proposals to its sixty-seventh session when these issues would be considered. Concerning the suggestions made by some delegations to refer the question of mandatory application of the INF Code to the Legal Committee, the Committee requested these delegations to submit proposals indicating the specific issues to be addressed to the Legal Committee for consideration. Meanwhile, the Committee would take a definitive action on the referral of this matter to the Legal Committee at its next session.

21.20 Noting that the mandatory application of the INF Code might have its problems and that there was a difference of opinions as to what a mandatory INF Code should contain, the Committee agreed that submissions on this matter should address which items might be clarified as mandatory in the Code.

21.21 The Committee further agreed to include in the work programme of the DE Sub-Committee and retain in the work programmes of the DSC and NAV Sub-Committees an item "Development of measures complementary to the INF Code" with a target completion date of 1997, and instructed the Sub-Committees to deal with the respective issues indicated in paragraph 21.17 above.

21.22 The Committee instructed the Secretariat, following agreement by MEPC 38, to convey, to the organizations referred to in the above allocation of work, the outcome of the SCM and the consideration of the matter by the two Committees for consideration and action as appropriate. The Committee further instructed the Secretariat to bring the relevant outcome of the above consideration to the attention of the MEPC and the Legal Committee.

21.23 Noting that, in accordance with resolution A.790(19), the outcome of the consideration of the aforementioned issues should be reported to the Assembly at its twentieth session, the Committee instructed the Secretariat to prepare, in due course, a relevant progress report, including MEPC's input, for consideration by MSC 68, for submission to the twentieth session of the Assembly.

Follow-up action to the 1995 SOLAS Conference

21.24 The Committee considered documents MSC 66/2/2 (Secretariat) and MSC 66/21/10 (Denmark, Finland, Germany, Norway and Sweden) and agreed:

- .1 in the work programmes of the COMSAR Sub-Committee (co-ordinator) and DE Sub-Committee, to include a new item "Low-powered radio homing devices for liferafts on ro-ro passenger ships", with a target completion date of 1997 and instructed the sub-committees to deal with the issue in line with the 1995 SOLAS Conference resolution 6;
- .2 in the work programme of the NAV Sub-Committee (co-ordinator) to amend item H.8 to read "Automatic ship identification transponder/transceiver systems" and in the work programme of the COMSAR Sub-Committee to amend item H.5 to read "VTS and automatic ship identification transponder/transceiver systems", with a target completion date of 1997 and instructed the sub-committees to deal with the issue in line with the action requested in the 1995 SOLAS Conference resolution 9; and
- .3 in the work programme of the FSI Sub-Committee, to include a new item on "Voyage data recorders" with a target completion date of 1998. The Committee, noting that this issue has already been included in the work programmes of the DE (co-ordinator) and NAV Sub-Committees under a subitem entitled "Performance standards of VDRs", agreed to modify that title to read "Voyage data recorders" and instructed the sub-committees to deal with the issue in line with 1995 SOLAS Conference resolution 12.

Procedures for adoption and amendments to radio and navigational equipment performance standards and traffic separation schemes

21.25 The Committee, noting (MSC 66/2/3, paragraphs 19.20 and 19.21) that the nineteenth Assembly authorized it, in the context of:

- .1 resolution A.825(19) - Procedure for adoption and amendment of performance standards for radio and navigational equipment, to perform, on behalf of the Organization, the function of adopting such standards as well as any amendments thereto; and
- .2 resolution A.826(19) - Procedure for adoption and amendment of traffic separation schemes, routing measures other than traffic separation schemes and ship reporting systems, to perform, on behalf of the Organization, the function of adopting such schemes, routing measures other than traffic separation schemes and ship reporting systems as well as any amendments thereto,

instructed the NAV and COMSAR Sub-Committees to take, whenever necessary, appropriate preparatory action to enable the Committee to perform the aforementioned functions.

21.26 The Committee noted that the Secretariat intended to issue a publication incorporating all performance standards of radio and navigational equipment thus far adopted.

Revision of the HSC Code

21.27 The Committee, having considered documents MSC 66/2/2/Add.1 (Panel of Experts) (paragraphs 4.1 to 4.9), MSC 66/21/5 (Denmark, Finland, Norway, Sweden) and MSC 66/21/8 (New

Zealand), agreed to include a new high priority item "Revision of the HSC Code" in the work programmes of the DE (co-ordinator), FP, NAV, COMSAR and SLF Sub-Committees, with a target completion date of 1999.

Sub-Committee on Bulk Liquids and Gases (BLG)

21.28 The Committee, noting that, in the context of resolution A.829(19) - Guidelines for the evaluation of the adequacy of type C tank vent systems (MSC 66/2/3, paragraphs 19.24) the Committee was requested to keep the Guidelines under review and amend them as necessary, instructed the Sub-Committee to deal with the Assembly's request as and when relevant proposals are submitted.

21.29 Based on a proposal by CEFIC (MSC 66/21/3), the Committee included, in the Sub-Committee's work programme, a new high priority item on "Revision of carriage requirements for carbon disulphide in the IBC Code", with a target completion date of 1997.

21.30 Likewise and on the basis of submissions by SIGTTO (MSC 66/21/9, MSC 66/21/13 and MSC 66/INF.12), the Committee included, in the Sub-Committee's work programme, a new low priority item on "Revision of the IGC and GC Codes", with a target completion date of 1998.

21.31 The Committee recalled that, as decided under section 6 (paragraph 6.12), the Sub-Committee would comment on proposed amendments to SOLAS for emergency lighting in oil tanker pump-rooms to be prepared by FP 41 on the basis of a proposal by OCIMF (MSC 66/6/2), under its work programme item "Tanker pump-room safety", for submission to MSC 68 for consideration.

21.32 The Sub-Committee's work programme, as revised and approved by the Committee, subject to concurrence by the MEPC, is set out in annex 27.

Sub-Committee on Dangerous Goods, Solid Cargoes and Containers (DSC)

21.33 Following discussion on a proposal by Hong Kong (MSC 66/21/2) concerning the marking of containers, the Committee agreed that more detailed information was needed and invited Hong Kong to submit such information for consideration by the Committee with a view to deciding on whether further action should be taken on the subject.

21.34 The Committee, noting that the Sub-Committee had discussed the practical/possible consequences of resolution 13 - Cargo securing equipment, of the 1995 SOLAS Conference and had concluded that the implementation on ro-ro passenger ships of the specific requirements contained in this resolution would require detailed technical advice, i.e. methods for the calculation of relevant forces due to the motion of a ship in a damaged condition, instructed the Sub-Committee to include, in the provisions of the Guidelines for the preparation of the Cargo Securing Manual, minimum strength requirements for equipment used for the securing of cargo units including vehicles and containers on ro-ro passenger ships taking into account forces due to the motion of the ship, angle of heel after damage or flooding and other considerations relevant to the strength of the cargo securing arrangements based on inputs from the DE and SLF Sub-Committees and agreed to retain the item "Cargo Securing Manual" on the Sub-Committee's work programme.

21.35 The Committee recalled that, as decided under section 9 (paragraph 9.21), it had retained the item "Loading and unloading of bulk cargoes" on the Sub-Committee's work programme.

21.36 The Sub-Committee's work programme, as revised and approved by the Committee, is set out in annex 27.

Sub-Committee on Fire Protection (FP)

21.37 The Committee, noting (MSC 66/2/3, paragraphs 19.11 and 19.12) that the Assembly, at its nineteenth session, requested the Committee:

- .1 in the context of resolution A.799(19) - Revised recommendation on test methods for qualifying marine construction materials as non-combustible, to continue its work on the subject with a view to further improving the test methods; and
- .2 in the context of resolution A.800(19) - Revised guidelines for approval of sprinkler systems equivalent to that referred to in SOLAS regulation II-2/12, to keep the Guidelines under review and to amend them as necessary,

instructed the Sub-Committee to deal with the Assembly's requests as and when relevant proposals are submitted.

21.38 The Committee, noting the requests of the 1995 SOLAS Conference, as reflected in conference resolutions 2 (Fire-extinguishing arrangements in machinery spaces of passenger ships), 4 (Maximum evacuation time for new ro-ro passenger ships) and 7 (Development of requirements, guidelines and performance standards), instructed the Sub-Committee to finalize:

- .1 the issue of local extinguishing systems under its current work programme item "Fire-fighting systems in machinery and other spaces", at FP 41 as scheduled; and
- .2 the development of performance standards for public address systems under its current work programme item "Ro-ro ferry safety", at FP 41 as scheduled,

and further included, in the work programme of the Sub-Committee, a new high priority subitem "Recommendation on evacuation analysis under SOLAS regulation II-2/28-1.3" under the item "Ro-ro ferry safety", with a target completion date of 1998 and agreed that the Sub-Committee might invite other sub-committees to advise it, if and when necessary.

21.39 In the context of the report of the Working Group on Ro-ro Ferry Safety (MSC 66/2/2/Add.2, paragraph 3.4 and SOLAS/CONF.3/12, paragraph 3.32), the Committee instructed the Sub-Committee to consider requirements for operation of fire doors along escape routes and included, in the work programme of the Sub-Committee under its current item "Ro-ro ferry safety", a new subitem "Operation of fire doors along escape routes", with a target completion date of 1997.

21.40 As requested by FSI 4, the Committee instructed the Sub-Committee to review, for further consideration by the Committee, the draft MSC circular on Port State control of ships with reduced halon quantities, taking into account information provided by UNEP relating to the export of halons to non-Parties to the Montreal Protocol and relevant discussions at FSI 4.

21.41 The Committee recalled that the Sub-Committee would, as decided under section 6 review the amendments to the 1974 SOLAS Convention introducing a new SOLAS regulation II-2/52-1 on Fixed fire detection and fire alarm systems for ships constructed before 1 September 1984 (see paragraphs 6.17 to 6.19) and consider preparing amendments to SOLAS for emergency lighting in oil tanker pump-rooms (see paragraphs 6.11.1 and 6.12).

21.42 The Sub-Committee's work programme, as revised and approved by the Committee, is set out in annex 27.

21.43 The Committee noted that, due to the close proximity between FP 41 and MSC 67, and in accordance with the provisions of paragraph 37 of the Guidelines on the organization and method of work, the Committee, at its sixty-seventh session, can only consider urgent matters emanating from FP 41.

21.44 The Committee agreed that the following items are urgent matters for consideration at MSC 67:

- .1 ro-ro ferry safety;
- .2 Fire Test Procedures Code;
- .3 fire-fighting systems;
- .4 role of the human element in maritime casualties;
- .5 emergency lighting in oil tanker pump-rooms; and
- .6 work programme.

Sub-Committee on Flag State Implementation (FSI)

21.45 The Committee noted that the Assembly, at its nineteenth session (MSC 66/2/3, paragraphs 19.3, 19.4 and 19.5), requested the Committee, in co-operation with the MEPC:

- .1 in the context of resolution A.787(19) - Procedures for port State control:
 - .1.1 to continue its work on the subject with a view to improving further the procedures for control, as may be necessary, and to extend the work to cover amendments to other conventions, including the International Convention on Tonnage Measurements of Ships, 1969 (ITC 69) and the International Safety Management (ISM) Code (SOLAS chapter IX), taking into account experiences gained from the implementation and enforcement of such conventions; and
 - .1.2 to amend the reporting formats contained in appendices 5, 6 and 7 of the Procedures on the basis of experience gained;
- .2 in the context of resolution A.788(19) - Guidelines on implementation of the International Safety Management (ISM) Code by Administrations, to keep the Guidelines under review and to amend them as necessary; and
- .3 in the context of resolution A.789(19) - Specifications on the survey and certification functions of recognized organizations acting on behalf of the Administration, to review the Specifications with a view to improving them, as necessary.

21.46 In this respect, the Committee instructed the Sub-Committee to deal with the Assembly's request as and when relevant proposals are submitted.

21.47 As a consequence of relevant decisions taken under other agenda items, the Committee agreed to add the following items to the Sub-Committee's work programme proposed by FSI 4:

- .1 under item H.2 - Guidelines for flag States, a new subitem .2 entitled "Guidelines for unscheduled inspections of ro-ro passenger ships", with a target completion date of 1998;
- .2 instead of item H.4 - Pseudo-certificates of non-party States (MARPOL 73/78 and SOLAS 74), a new item H.4 entitled "Possible preparation of an MSC/MEPC circular on the issuance of certificates to non-party ships", with a target completion date of 1997; and
- .3 a new item H.5 entitled "Voyage data recorders (co-ordinated by DE)", with a target completion date of 1998 (see paragraph 21.24.3 above).

21.48 The Sub-Committee's work programme, as revised and approved by the Committee, subject to concurrence by the MEPC, is set out in annex 27.

Sub-Committee on Radiocommunications and Search and Rescue (COMSAR)

21.49 Recalling its decision (see paragraph 10.14) on the United States' proposal (MSC 66/10/1), the Committee replaced item H.9.4 by a new item H.12 - "Review of the 1979 SAR Convention", with a target completion date of 1998.

21.50 The Committee noted that the Assembly, at its nineteenth session (MSC 66/2/3, paragraphs 19.13, 19.14, 19.15 and 19.16), requested the Committee:

- .1 in the context of resolution A.801(19) - Provision of radio services for the Global Maritime Distress and Safety System (GMDSS):
 - .1.1 to review annex 5 to the resolution and, if appropriate, adopt amendments thereto; and
 - .1.2 to keep the resolution under review and to adopt amendments thereto, as necessary.
- .2 in the context of resolutions on performance standards, namely, A.802(19), A.803(19), A.804(19), A.805(19), A.806(19) and A.809(19), to keep the performance standards annexed to the resolutions under review and to adopt amendments thereto, as necessary;
- .3 in the context of resolutions on performance standards, namely, A.807(19), A.808(19) and A.812(19):
 - .3.1 to ensure that any proposed amendments to these resolutions are agreed with Inmarsat prior to their adoption; and
 - .3.2 to keep the performance standards, annexed to these resolutions, under review and to adopt amendments thereto, as necessary;
- .4 in the context of resolution A.810(19) - Performance standards for float-free satellite emergency position-indicating radio beacons (EPIRBs) operating on 406 MHz:
 - .4.1 to ensure that any proposed amendments to the resolution are agreed with the COSPAS-SARSAT partners prior to their adoption; and

- .4.2 to keep the performance standards under review and to adopt amendments thereto, as necessary.

21.51 In this respect, the Committee instructed the Sub-Committee to deal with the Assembly's request as and when relevant proposals are submitted.

21.52 The Committee recalled that, as decided under section 10 (paragraphs 10.6 to 10.8), the Sub-Committee would prepare amendments to the SOLAS GMDSS provisions in the context of its work on item "Work consequential to the 1988 GMDSS Conference".

21.53 The Sub-Committee's work programme, as revised and approved by the Committee, is set out in annex 27.

Sub-Committee on Safety of Navigation (NAV)

21.54 The Committee, noting (MSC 66/2/3, paragraphs 19.17, 19.18 and 19.19) that the Assembly, at its nineteenth session, requested the Committee:

- .1 in the context of resolution A.815(19) - World-wide navigation system:
 - .1.1 to recommend for recognition those systems which conform to the requirements of the Annex to the resolution and the information on such systems that should be published; and
 - .1.2 to keep the Report annexed to the resolution under review for adjustment, as necessary;
- .2 in the context of resolution A.817(19) - Performance standards for electronic chart display and information systems (ECDIS):
 - .2.1 to keep the performance standards under review and to adopt amendments thereto, as necessary; and
 - .2.2 to ensure that any proposed amendments to the resolution are agreed with IHO prior to their adoption;
- .3 in the context of resolutions on performance standards, namely, A.816(19), A.818(19), A.819(19), A.820(19), A.821(19), A.822(19), A.823(19) and A.824(19), to keep the above performance standards under review and adopt amendments thereto, as necessary,

instructed the Sub-Committee to deal with the Assembly's requests as appropriate and as and when the relevant proposals are submitted.

21.55 The Committee, noting the outcome of the 1995 SOLAS Conference in the context of conference resolution 5 - Distress messages: obligations and procedures, instructed the Sub-Committee and the COMSAR Sub-Committee to prepare for adoption, as a matter of urgency, amendments to the MERSAR Manual recommending the procedure to be followed by ships receiving a distress alert and failing to proceed to the assistance of persons in distress when it is unreasonable to expect them to do so. To this effect, the Committee included in the Sub-Committee's work programme a new item on "Amendments to the MERSAR Manual (in co-operation with the COMSAR Sub-Committee)", with a target completion date of 1997 and amended item 6.3 of the work programme of the COMSAR

Sub-Committee accordingly.

21.56 The Committee considered a submission by the United Kingdom (MSC 66/7/5) regarding visible ship identification and instructed NAV 42 to provide justification to allow the matter to be pursued, for the Committee's consideration.

21.57 The Committee recalled that, as decided under section 8 (paragraph 8.14), the Sub-Committee would consider the proposed new SOLAS regulation II-1/31.2.10 on pitch controlled propellers.

21.58 The Sub-Committee's work programme, as revised and approved by the Committee, is set out in annex 27.

Sub-Committee on Ship Design and Equipment (DE)

21.59 The Committee, considering that the work programme on item "Matters relating to pollution prevention - Reduction of secondary sources of pollution" was a matter of pollution prevention and that the MEPC should be invited to provide further guidance on proposed amendments to SOLAS regulation II-1/21, which had not been finalized by DE 39, agreed to delete this item from the Sub-Committee's work programme, as proposed by DE 39, unless instructed otherwise by the MEPC in due course. The Secretariat was instructed to bring this decision and section 10 of the DE 39 report to the attention of the MEPC for action as necessary.

21.60 The Committee, noting that the Assembly, at its nineteenth session (MSC 66/2/3, paragraphs 19.25 and 19.26) requested the Committee:

- .1 in the context of resolution A.830(19) - Code of Alarms and Indicators, 1995, to take account of the provisions of the Code when developing new standards on alarms and indicators and to amend or extend the Code as may be necessary; and
- .2 in the context of resolution A.831(19) - Code of Safety for Diving Systems, 1995, to amend the Code, as necessary, in the light of further developments and experience gained from its implementation,

instructed the Sub-Committee to deal with the Assembly's requests as and when relevant proposals are submitted.

21.61 In the context of the 1995 SOLAS Conference resolution 7 - Development of requirements, guidelines and performance standards and the amended paragraph 5.3 of SOLAS regulation II-1/45 (MSC 66/2/2, paragraphs 5.4 and 6), the Committee agreed to include, in the work programme of the Sub-Committee as high priority items and with a target completion date of 1997, the following new items:

- .1 requirements for automatically self-righting liferafts and canopied reversible liferafts;
- .2 revised guidelines for fast rescue boats;
- .3 requirements for launching appliances for fast rescue boats;
- .4 guidelines for helicopter landing and pick-up areas; and
- .5 recommendations for emergency alarm and public address system cabling.

21.62 The Committee, wishing to avoid frequent amendments of instruments, did not endorse the proposal of the United Kingdom (MSC 66/23/7) to amend the Guidelines for emergency towing arrangements on tankers to make pick-up gear and towing pennants mandatory at both the bow and stern of the ship and to apply the guidelines to ships other than tankers. Therefore, the Committee decided not to include an item "Amendments to the Guidelines for emergency towing arrangements on tankers" in the Sub-Committee's work programme, as proposed by the Netherlands (MSC 66/21/4), the United Kingdom (MSC 66/23/7) and IACS (MSC 66/23/3).

21.63 The Committee instructed the Sub-Committee, (co-ordinator) and the SLF Sub-Committee to consider in detail the amendments to SOLAS regulation II-1/14.3 concerning initial testing of watertight bulkheads in passenger and cargo ships proposed by IACS (MSC 66/21/6) and to advise the Committee accordingly.

21.64 Based on a proposal by Denmark (MSC 66/21/7), the Committee included in the work programme of the Sub-Committee a new low priority item on "Standards and requirements for thermal protective lifejackets", with a target completion date of 1998. The Committee agreed that, in considering the subject, the Sub-Committee should give consideration to various climate conditions.

21.65 The Committee instructed the Sub-Committee and the SLF Sub-Committee to consider in detail the comments made in document MSC 66/21/12 (ICHCA) in relation to their work on high-efficiency drainage systems.

21.66 The Committee recalled that, as agreed under section 4 (paragraph 4.14), the Sub-Committee would consider document MSC 66/4/1 (IACS) concerning voyage repairs and maintenance, in the context of its work programme subitem "Need for requirements and restriction on riding repairs".

21.67 The Committee, when considering the report of the Working Group on Bulk Carrier Safety (paragraph 4.34.2), decided to include a new subitem "Recommendation on loading instruments" under the Sub-Committee's work programme item "Bulk carrier safety", with a target completion date of 1998.

21.68 As decided under section 9 (paragraph 9.34), the Committee instructed the Sub-Committee and the SLF Sub-Committee to provide the DSC Sub-Committee with advice on methods for the calculation of relevant forces due to the motion of a ship in a damaged condition.

21.69 The Sub-Committee's work programme, as revised and approved by the Committee, is set out in annex 27.

Sub-Committee on Stability and Load Lines and on Fishing Vessels Safety (SLF)

21.70 The Committee, taking into account decisions made during the session, in particular those made in the context of relevant requests by other sub-committees, agreed that the Sub-Committee should:

- .1 deal, as requested by DSC 1, with the potential conflict of ventilation requirements in SOLAS chapter II-2 and the BC Code with relevant requirements for openings in the 1966 LL Convention;
- .2 comment, as requested by DE 39, on the draft guidelines for the on-board use and application of computers;
- .3 comment, along with the COMSAR, NAV and STW Sub-Committees, as requested by DE 39, on the draft MSC circular for the application of safety standards to pusher

tug-barge combinations;

- .4 advise the DSC Sub-Committee on methods for the calculation of relevant forces due to the motion of a ship in a damaged condition;
- .5 consider, as requested by BLG 1, the interpretation to application of resolution A.747(18) - Application of tonnage measurement of segregated ballast tanks in oil tankers;
- .6 consider comments by ICHCA (MSC 66/21/12) in the context of its work on high-efficiency drainage systems;
- .7 review the proposal by IACS on amendments to SOLAS regulation II-1/14.3, as contained in document MSC 66/21/6; and
- .8 consider the intact stability of double hull tankers (see paragraph 5.14).

21.71 The Committee, as decided under section 4, included a new subitem "Guidelines on equivalence of subdivision and damage stability standards" under the Sub-Committee's work programme item "Bulk carrier safety".

21.72 The Sub-Committee's work programme, as revised and approved by the Committee, is set out in annex 27.

Sub-Committee on Standards of Training and Watchkeeping (STW)

21.73 The Committee noted that, following the 1995 STCW and STCW-F Conferences, the Council at its eighteenth extraordinary session in November 1995, approved two intersessional STCW Working Group meetings to consider a number of matters requiring urgent attention and resolution before the entry into force of the 1995 STCW amendments and the 1995 STCW-F Convention. The first meeting was held from 29 January to 2 February 1996 and the second session will be held from 10 to 14 June 1996.

21.74 The Committee considered (MSC 66/2, paragraph 8.2) resolutions adopted by the 1995 STCW Conference pertinent to its work and took action as indicated hereunder.

21.75 The Committee noted STCW Conference resolution 3 - Transitional provisions, and agreed to monitor progress towards implementation of the revised STCW Convention by all Parties, with the aim of encouraging an orderly transition and anticipating complications which could otherwise undermine full and effective implementation. In this respect, the Committee noted with appreciation information provided by the Secretary-General in his opening speech and the Secretariat under item 2, on activities aiming at assisting STCW Parties to affectively implement the revised Convention.

21.76 In the context of STCW Conference resolution 5 - Training in crisis management and human behaviour for personnel serving on board ro-ro passenger ships, the Committee agreed to develop, as a matter of urgency, detailed provisions on the training of personnel on ro-ro passenger ships in crisis management and human behaviour, for possible inclusion in the STCW Code and noted, in this regard, that the first meeting of the Intersessional Working Group had started work on this item and was expected to finalize texts at its second session for consideration by STW 28.

21.77 In the context of STCW Conference resolution 6 - Training of personnel on passenger ships, the Committee agreed to develop appropriate provisions covering the training of masters, officers, ratings and other personnel serving on passenger ships for inclusion in the 1978 STCW Convention, as

amended. The Committee noted that this item had been included in the agenda of ISWG 1 and would be further considered at ISWG 2.

21.78 In the context of STCW Conference resolution 7 - Monitoring the implications of alternative certification, the Committee agreed to keep under review the implementation of chapter VII of the revised annex to the Convention and instructed the STW Sub-Committee and the ISWG, under the work programme item on the review of chapter VII, to review the relevant sections of the STCW Code with the aim of:

- .1 identifying the alternative certification systems being implemented under chapter VII;
- .2 determining whether revisions are needed to the STCW Code to ensure that the requirements for implementation of such systems are adequate and effective; and
- .3 developing further the principles contained in regulation VII/3 and clarifying their applications.

21.79 In the context of STCW Conference resolution 9 - Development of international standards of medical fitness for seafarers, the Committee instructed the Secretariat to bring the resolution to the attention of ILO and WHO inviting them to develop, in co-operation with IMO, standards of medical fitness for seafarers.

21.80 In the context of STCW Conference resolution 10 - Training of maritime pilots, vessel traffic service personnel and maritime personnel employed on mobile offshore units, the Committee agreed that provisions covering the training and certification of such professionals should be developed and included in the 1978 STCW Convention or in such other instrument or instruments as may be appropriate and noted that this item had been included in the agenda of ISWG 1 and will be further considered by ISWG 2.

21.81 The Committee also noted STCW Conference resolution 4 (Training of radio operators for the GMDSS), Conference resolution 8 (Promotion of technical knowledge, skills and professionalism of seafarers) and Conference resolution 14 (Promotion of women in the maritime industry).

21.82 The Committee noted (MSC 66/2/1) the outcome of the 1995 STCW-F Conference and took action with respect to specific requests contained in the relevant STCW-F Conference resolutions as indicated hereunder.

21.83 The Committee instructed the Sub-Committee to concentrate on the essential follow-up action to the 1995 STCW Conference and to consider actions emanating from the STCW-F Conference with a lower priority.

21.84 In the context of STCW-F Conference resolution 3 - Guidelines and recommendations for fishing vessel personnel, the Committee instructed the STW Sub-Committee, in co-operation with FAO and ILO, to:

- .1 review the Document for Guidance on fishermen's training and certification, and to prepare guidelines and recommendations for the training and certification of personnel on board fishing vessels of 12 metres in length and over but less than 24 metres; and
- .2 review the requirements and recommendations on the prevention of fatigue, and to prepare guidelines for the prevention of fatigue of fishing vessel personnel.

21.85 The Secretariat was instructed to bring resolution 3 to the attention of FAO and ILO inviting them to develop, in co-operation with IMO, amendments to the Document for Guidance and to report to MSC 67 on developments.

21.86 In the context of STCW-F Conference resolution 4 - Training of deckhands on board fishing vessels of 24 metres in length and over, the Committee instructed the STW Sub-Committee to keep the recommendations, annexed thereto, under review and recommend any appropriate relevant action.

21.87 In the context of STCW-F Conference resolution 6 - Training and certification of personnel on board large fishing vessels, the Committee instructed the STW Sub-Committee to develop as soon as possible, taking into account the provisions of the revised STCW Convention, guidance on standards of training, certification and watchkeeping for large fishing vessel personnel.

21.88 In the context of STCW-F Conference resolution 7 - Requirements for officers in charge of an engineering watch and watchkeeping provisions, the Committee instructed the STW Sub-Committee to develop, for possible inclusion in the 1995 STCW-F Convention, requirements for officers in charge of an engineering watch and watchkeeping provisions.

21.89 The Committee instructed the Sub-Committee, in the context of resolution A.828(19) - Recommendations on maritime safety and emergency preparedness training for all personnel working on MOUs and its work in connection with STCW Conference resolution 10 (paragraph 21.80 above) to keep the Recommendations under review and to amend them, as necessary.

21.90 With reference to its decision in paragraph 4.32, the Committee instructed the Sub-Committee to consider the views of the bulk carrier correspondence group under its work programme subitem "Review of resolution A.481(XII) on Principles of safe manning".

21.91 As decided under section 12 (paragraph 12.12 above), the Committee instructed the Sub-Committee to prepare, for the Committee's approval, a draft MSC circular on the safe manning document.

21.92 The Sub-Committee's work programme, as revised and approved by the Committee, is set out in annex 27.

21.93 The Committee noted that, due to the close proximity between STW 28 and MSC 67 and in accordance with the provisions of paragraph 37 of the Guidelines on the organization and method of work, the Committee, at its sixty-seventh session, can only consider urgent matters emanating from STW 28.

21.94 The Committee agreed that the following items are urgent matters for consideration at MSC 67:

- .1 all urgent matters emanating from the outcome of the 1995 STCW Conference which should or could be completed at MSC 67 or on which decisions needed to be taken;
- .2 role of the human element in maritime casualties; and
- .3 the Sub-Committee's proposed revised work programme.

Intersessional meetings

21.95 The Committee, bearing in mind the Council's view that the number of intersessional working groups should be restricted to the minimum necessary, strongly urged all Sub-Committees to scrutinize

the need for intersessional meetings and, only when they consider it essential that such meetings should be held, to submit to the Committee, in good time, a fully justified request for consideration. The Committee emphasised that no arrangements should be made with respect to intersessional meetings until it has had an opportunity to consider the matter and has fully endorsed the Sub-Committee's request.

21.96 Having considered the request of the sub-committees the Committee approved the following intersessional meetings:

- .1 the second session of the ISWG on the Global Navigation Satellite System (GNSS), from 8 to 12 July 1996;
- .2 Editorial and Technical (E&T) Group of the DSC Sub-Committee, from 23 September to 2 October 1996 and again for one week following DSC 2, i.e. from 3 to 7 March 1997. However, the Committee requested DSC 2 to consider the frequency with which the E&T Group would be required to meet in the future, taking into account the outcome of the pending decision of ECOSOC on the periodicity of amendments to the UN Recommendations on the Transport of Dangerous Goods.

The Committee, while recognizing the need to reduce the number of intersessional working groups, recognized that the E&T Group was not an *ad hoc* working group but had been established as an integral part of the working arrangements of both the CDG and now the DSC Sub-Committees and had been authorized by the Committee to liaise closely with the UN Committee of Experts to ensure that the requirements of the IMDG Code are aligned with those of other transport modes. Some delegations considered the meetings of the E&T Group to be an essential and efficient means of maintaining harmonization between the requirements of the different modal organizations responsible for dangerous goods transportation;

- .3 Hazard Evaluation Working Group of the BLG Sub-Committee, from 23 to 27 September 1996, subject to concurrence by MEPC; and
- .4 the SAR Working Group on Review of the SAR Convention, scheduled to be held in Oslo (Norway) in autumn 1996.

21.97 The Committee recalled that the second ISWG on the outcome of the 1995 STCW and STCW-F Conferences had been approved by the C/ES.18 and would be held from 10 to 14 June 1996.

21.98 The Committee noted that the following joint groups have met or will meet during 1996 and early in 1997:

- .1 the Joint IMO/IHO Harmonization Group on ECDIS (HGE) (met from 29 to 30 April 1996);
- .2 the Joint IMO/ICAO Working Group on Harmonization of Aeronautical Maritime SAR (in its fourth session, which is expected to take place from 14 to 18 October 1996. Australia has offered to host the meeting and ICAO will execute the secretariat functions); and
- .3 the Joint IMO/ILO *Ad Hoc* Working Group on Investigation of Human Factors in Maritime Casualties (to be held concurrently with FSI 5, i.e. from 13 to 17 January 1997).

Substantive items for inclusion in the agendas for the next two sessions

21.99 The Committee agreed on the substantive items to be included in the agendas for its sixty-seventh and sixty-eighth sessions (MSC 66/WP.6, as amended).

21.100 With respect to work on referencing standards in IMO instruments as mandatory or non-mandatory (MSC 66/WP.2 and MSC 66/WP.10/Add.4) (see paragraph 3.36), the Committee agreed to consider, at MSC 67, any relevant submissions under the item "Implementation of instruments and related matters".

21.101 The Committee, recalling the provisions of the Guidelines on the organization and method of work of the MSC and MEPC and their subsidiary bodies concerning the number of groups which may be established at a session, agreed, on the basis of decisions taken under various agenda items, that working groups on the following issues should be established at the Committee's sixty-seventh session:

- .1 bulk carrier safety;
- .2 role of the human element; and
- .3 Formal Safety Assessment (FSA).

Long-term work plan

21.102 The Committee took note of resolution A.836(19) - Long-term work plan of the Organization (up to 2002), and the action requested of the Committee, as reproduced in paragraphs 19.27 and 20 of document MSC 66/2/3, in particular that the Assembly, at its nineteenth session, requested the Committee to assign priorities in all the items of the Committee's long-term work plan (MSC 66/2/3, paragraph 20).

21.103 The Committee instructed the Secretariat, when preparing the relevant document for MSC 68 containing a proposed indicative list of subjects for the Committee's approval, to include, in consultation with the Chairman, proposals on priorities for items in the Committee's long-term work plan, for consideration by the Committee.

Dates of the next sessions

21.104 The Committee noted that its sixty-seventh session would be held from 2 to 6 December 1996 and its sixty-eighth session from 28 May to 6 June 1997.

22 APPLICATION OF THE COMMITTEE'S GUIDELINES

22.1 The Committee noted (MSC 66/22) that this item had been included in its agenda in response to the request of the Council, at its seventy-fourth session, that the Committees should inform it, under a specific agenda item, on the application of the Guidelines on the organization and method of work of the Maritime Safety Committee and the Marine Environment Protection Committee and their subsidiary bodies (MSC 64/22, annex 20, MSC/Circ.680 and MEPC/Circ.297).

22.2 In this respect, the Committee recalled that MSC 65 had reviewed, in the light of relevant recommendations made in the Guidelines, the work programme of the sub-committees and assigned priorities to each item in their work programmes and also agreed on the establishment of priorities to items in its long-term and short-term programmes. The Committee further recalled that, based on proposals submitted jointly by its Chairman and the MEPC Chairman, MSC 65 also decided on:

- .1 the procedure to be followed by sub-committees when considering their programmes;
- .2 the consideration by the Committee of proposals for new items submitted by Governments and international organizations, and those made by sub-committees; and
- .3 the preparation, for each session of the Committee, of a working paper listing all items envisaged to be included in its work programme.

22.3 The Committee considered documents by the United Kingdom (MSC 66/22/1) containing proposals to revise the Guidelines on the establishment of priorities in the work programmes of the Committees' subsidiary bodies and by Japan (MSC 66/21/11) containing proposals to amend the Guidelines for correspondence groups aiming at limiting the number of such groups.

22.4 In this context, the Committee recalled the Secretary-General's remarks at his opening speech concerning:

- the Committees' organization and method of work Guidelines, which started being fully implemented at the beginning of this year, and his confidence that, given time, they will eventually prove their usefulness and achieve their objectives; and
- his concern about the proliferation of correspondence groups and the good results achieved so far this year in keeping their numbers to a minimum,

and noted with appreciation that the sub-committees had responded positively to the call for streamlining their work programmes and reducing the number of correspondence groups under their responsibility.

22.5 The Committee noted information provided by the Secretariat on the record volume of documentation (1998 pages of text) processed, all in due time, for MSC 66. From statistics provided, it appeared that the volume of documentation continued to increase and unavoidably bottlenecks have occurred in the translation, typing and printing process, resulting in difficulties in meeting the guidelines set by the Committee. It was hoped that the effective application of the Committees' Guidelines will eventually result in a reduction of the volume of documentation needed for the work of the Committees and their subsidiary bodies.

22.6 Following a detailed discussion on the proposals in the aforementioned documents, the Committee, endorsing a proposal by the United States delegation, authorized the Chairman, in consultation with the MEPC Chairman and the Secretariat, to prepare a draft revision of the Guidelines on the organization and method of work of the Committees and their subsidiary bodies, incorporating therein the essence of these proposals and other proposals and comments made in the course of the discussion. In preparing the draft revised Guidelines, the decisions of MEPC 38, which will also be invited to consider the proposed amendments, should be taken into account and the outcome should be submitted to MSC 67 for consideration.

22.7 Addressing the subject, the Secretary-General referred to his initiative in 1993 in proposing the convening, during the eighteenth Assembly, of a one-day joint MSC/MEPC session to discuss matters which were prompted by a series of accidents. When addressing that meeting he had identified as important the need to consider the different approaches that had been expounded on previous occasions on matters such as:

- reduced work programmes to address only urgent and important issues versus the need to bring about improvements, by keeping abreast of technological developments and to

respond to major accidents;

- the need to deal effectively with the ever-increasing volume of work versus the declared inability of many delegations to cover the full spectrum of IMO activities and thus effectively participate in the rule-making process;
- the need to respond speedily to compelling, well-founded concerns versus Administrations' lack of capacity to absorb the pace of frequently adopted amendments to IMO instruments; and
- the view that the pace and volume of changes to IMO's technical provisions had made the implementation of the Organization's standards difficult if not impossible for Governments to cope with.

That meeting was followed by a meeting of Committee and Sub-Committee Chairmen and later the decisions of the two meetings were, to a great extent, incorporated in the Guidelines on the organization and method of work of the MSC and MEPC and their subsidiary bodies.

The Secretary-General emphasized that the main concern of the Committee should be not to lose sight of IMO's main objectives which are maritime safety and environmental protection. He advised that the Committee's efforts should focus on those items which, because of their nature and objective, deserved its undivided attention, so that it could act speedily on them. This would necessitate that a well-considered balance was achieved in the Committee's decisions on its work programme.

He suggested that, if there was a need to revise the Guidelines, the Committee should do so but what the Committee most needed was a rationalization of its work which would focus on priorities and take into account, at the same time, the ability of Members to absorb and cope with the tremendous amount of work which may result for them.

Referring to the cost incurred by a recent accident in the Strait of Singapore, he concluded that this was what the work of the Committees was all about, that is to promote safety of life and property at sea and the protection of the marine environment.

He addressed the need for the Committee to be flexible in its decisions so that it could cope with any emergency of, e.g., the magnitude of the **Estonia** accident. This necessitates that the Committee should, at all times, be able to react to real needs and adjust its work programme accordingly. He was personally convinced that IMO, being cost effective in all its activities and addressing issues in a realistic and pragmatic manner, was providing good value for money.

The Secretary-General referred to the new role assigned to IMO by the 1995 STCW Conference which entrusted the Organization with an important role in ensuring that the provisions of the STCW Convention are effectively implemented. He considered that IMO had responded successfully to new challenges and changes in the maritime world. This had also been reflected when the name of the Organization had been changed from IMCO to IMO.

He concluded by stating that, if the Committee did not focus on the real issues IMO was established to deal with in a pragmatic and cost-effective manner, it would do a disservice to the shipping industry and its Member Governments.

22.8 The Chairman concurred in all respects with the content of the Secretary-General's intervention and, summing up, reiterated the Committee's decision on the issue, as reflected in paragraph 22.6 and added that the Committee should endeavour to improve its method of work in a dynamic and pragmatic

manner. He appealed to Member Governments to respond positively to the need for focusing on real and urgent safety needs and keeping the volume of documentation at reasonable levels bearing in mind the limited resources of the Organization. He reiterated the MEPC Chairman's plea in asking delegates to brief their colleagues who will attend MEPC 38 to be prepared to discuss the issues when they meet in three weeks' time. Finally, he informed the Committee of his and the MEPC Chairman's intention to communicate with all Sub-Committee Chairmen requesting them to strictly apply the Committees' Guidelines, in particular in whatsoever concerns the establishment of correspondence groups, proposals for intersessional meetings and the assignment of priorities in their Sub-Committees' work programmes.

Issuance of bulky circulars

22.9 The Committee noted that, for reasons of economy and to ease the Printing Section's workload, the Secretariat will, in the future, issue bulky circulars which, because of their content, need to be updated at frequent intervals (e.g., SAR circulars, the circular on the Master Plan of shore-based facilities for the GMDSS, circulars providing information on competent authorities for various IMO activities, etc.) in loose-leaf format to allow the easy substitution of only those pages on which changes have been made.

23 ANY OTHER BUSINESS

Ro-ro ferry security

23.1 The Committee recalled that an IMO seminar on Ferry Security, financed by the Government of the United Kingdom, was convened at IMO Headquarters on 16 and 17 November 1993. The purpose of the seminar was to discuss the United Kingdom and European experience of the security requirements for ro-ro passenger ferries and at ferry ports and to consider the need to supplement MSC/Circ.443 on Measures to prevent unlawful acts against passengers and crews on board ships, to cover ferries and ferry ports with emphasis on security procedures for passengers and vehicles transported by ferries on voyages of less than 24-hour duration.

23.2 The Committee also recalled that MSC 63 established a correspondence group, with the United Kingdom as the focal point, to consider measures that should be taken to fill the gap the 1993 seminar had identified as existing in MSC/Circ.443 as far as passenger ferries and ferry ports were concerned.

23.3 The Committee considered the proposed measures contained in document MSC 66/23 and, having agreed to delete the reference to "domestic passenger ferries or" in paragraph 2 of the aforementioned document, approved MSC/Circ.754 on Passenger ferry security.

Quality Certification of IACS Member Societies

23.4 The Committee recalled that IACS first invited IMO to participate in its proposed Quality System Certification Scheme (QSCS) at MSC 59 in May 1991. The Committee then agreed to appoint an IMO consultant/observer to report on the effectiveness of the scheme. A progress report by the consultant (annexed to document MSC 65/24/6) was considered at MSC 65 when the Committee asked for a final report to enable it, at this session, to decide the Organization's future participation in the scheme.

23.5 The Committee noted the consultant's report (MSC 66/23/1, annex) describing the scheme as "substantially complete" *vis-à-vis* the provisions of resolution A.739(18) - Guidelines for the authorization of organizations acting on behalf of the Administration, which have been brought into the scope of the audit. The Committee further noted that the report sets out the options for longer term participation in the scheme and other recommendations.

23.6 The IACS representative commented on the consultant's report, in particular on further developments with respect to the establishment of an IACS Advisory Committee to consider any improvements to the certification scheme and related matters which advice and resolutions will be considered by the IACS Advisory Committee in establishing its own policy.

23.7 After considering the consultant's report and taking into account IACS's comments, the Committee decided to continue the IACS/IMO co-operative effort by allowing the consultant to continue participating in the IACS scheme in the current form and agreeing to IMO's participation in the work of the IACS Advisory Committee. The Secretary-General was authorized to continue the liaison with IACS, take any action he deems appropriate to meet the Committee's decision and report progress made in the interim to MSC 67. The Committee was advised that the above participation would not result in any financial burden to the Organization.

23.8 With regard to the question of whether the scheme should be recognised as fulfilling the requirements of resolution A.739(18), the Committee expressed the view that, through the IACS Quality System Certification Scheme, Administrations may accept that IACS societies meet the requirements of appendix 1 to Assembly resolution A.739(18).

23.9 The IACS representative thanked the Committee for its decision and welcomed IMO's participation in the IACS Advisory Committee. He also updated the Consultant's report by informing the Committee that both the Croatian and Indian Registers received, during 1996, Certificates of Conformity to the IACS QSCS.

Manual or handbook of IMO requirements to be implemented by seafarers

23.10 The Committee, further considering the request of the former COM Sub-Committee, at its fortieth session, whether the Secretariat should prepare IMO publications in printed and CD-ROM format for carriage on ships for the information and guidance of seafarers and the extent of the information they should contain, noted a list, prepared by the Secretariat (MSC 66/23/2 and MSC 66/INF.9), of relevant IMO regulations, recommendations, information and guidance which are intended for seafarers to implement and referred it to the Joint MSC/MEPC Working Group on the Human Element for consideration and advice (see paragraph 13.21.11 above). The Committee noted that the outcome of the consideration of the matter by the joint group would be contained in the group's report to MSC 67 (see paragraph 13.22).

Pilot transfer arrangements

23.11 Recalling the revised poster showing the required boarding arrangements for pilots based on the requirements of SOLAS regulation V/17 and resolution A.667(16), which was approved for circulation at its sixty-fourth session (MSC/Circ.568/Rev.1), the Committee noted an IACS unified interpretation (SC 112) of "Pilot Transfer Arrangements" for SOLAS regulation V/17(c) (MSC 66/23/4) for application when safe access to and egress from the ship for the pilot is provided utilizing the accommodation ladder in conjunction with a pilot ladder.

Side shell doors and stern doors on ro-ro passenger ships

23.12 The Committee noted that the Assembly, at its nineteenth session, adopted resolution A.793(19) entitled "Strength and securing and locking arrangements of shell doors on ro-ro passenger ships". In doing so, the Assembly had noted that IACS had issued Unified Requirement S8 for bow doors to be applied to new ro-ro passenger ships and, retrospectively, to existing ro-ro passenger ships by Unified Requirement S16. It therefore urged Governments to ensure that all ro-ro passenger ships comply with IACS Unified Requirement S8 for bow doors and with Unified Requirements applicable

to all other shell doors, as they may be accepted by the Maritime Safety Committee. The Assembly also urged IACS to review similar Unified Requirements for all other shell doors leading on to the car deck for application to all ro-ro passenger ships and to submit the result of that review to MSC 66.

23.13 The Committee, having considered document MSC 66/23/6 containing UR S9 on Side shell doors and stern doors and UR S15 on Side shell doors and stern doors - Retrospective application of UR S9, as amended in 1996, to existing ro-ro passenger ships, submitted by IACS in response to the aforementioned request of the Assembly (resolution A.793(19)), agreed to disseminate UR S9, as further modified by IACS, and UR S15 by MSC/Circ.755. It also noted that IACS would apply UR S9 to new ships from 1 July 1997 and UR S15 to ro-ro passenger ships constructed before 1 July 1997 not later than the date of the first periodical survey after 1 July 1997.

Joint North West European R & D Project on "Safety of passenger/ro-ro vessels"

23.14 The Committee noted information (MSC 66/INF.21) provided by Denmark, Finland, Norway, Sweden and the United Kingdom concerning a seminar on a Joint North West European R & D Project on "Safety of Passenger/Ro-Ro Vessels" and the main tasks of that project as well as recommendations for a new probabilistic rule-framework (MSC 66/INF.22). The Committee further noted that the final report on the project will be submitted to the SLF Sub-Committee.

Consolidated edition of the 1974 SOLAS Convention, as amended

23.15 The Committee noted that the Secretariat had initiated action to prepare and publish a consolidated edition of the 1974 SOLAS Convention to be released on 1 January 1997, which would include the SOLAS Convention and all amendments thereto adopted since the 1992 edition, including those due to enter into force on 1 July 1997.

Statement by the delegation of Lebanon

23.16 The Committee took note of a statement by the delegation of Lebanon that, since April 1996, the Israeli Navy had violated Lebanese territorial waters and committed acts of aggression and forcibly prevented commercial vessels from entering the port of Beirut and other commercial ports on the coast of southern Lebanon by imposing a maritime blockade on these ports from Lebanese territorial waters. (The full statement of the delegation of Lebanon is reproduced in annex 29).

23.17 The Committee also noted a statement by the delegation of Israel in reply to the statement by the delegation of Lebanon. The Israeli delegation expressed the view that the Committee was not a suitable forum for the consideration of security issues. (The full statement of the delegation of Israel is reproduced in annex 30).

23.18 The delegations of the United Arab Emirates, Egypt, League of Arab States, Iran, Saudi Arabia, Tunisia and the Syrian Arab Republic expressed their full support for the statement of the delegation of Lebanon, considering the Israeli actions in the incidents described to be contrary to international law, the freedom of navigation and a threat to maritime safety. (The full statement of the delegation of the Syrian Arab Republic is reproduced in annex 31).

23.19 The delegation of Italy, referring to IMO circular letter No.1898 of 25 April 1996, page 2, paragraph 3 informed the Committee that the ro-ro vessel **Pelander**, referred therein as Italian was not, according to the Register of Ships 1995/96, registered under the Italian flag.

23.20 The delegations of France and the United States expressed the view that the Committee should only address the technical aspects of maritime issues. Both delegations recalled their previous position and statements at MSC 65 and strongly supported the principles of freedom of navigation in

accordance with international law for now and for the future. The United States also strongly supported the right of self-defence in accordance with international law and believed in the demonstrated effectiveness of diplomatic efforts to restore calm in the area.

Expressions of appreciation

23.21 The Committee expressed appreciation to:

- .1 HELMEPA, for a presentation of its publication on SOLAS and Seafarers;
- .2 ISF, for a Seminar on the Human Element;
- .3 ILO, for a presentation on Drugs and alcohol abuse;
- .4 ISO, for a presentation on Integrated shipboard information technology; and
- .5 ITF, for an Exhibition on bulk carrier safety.

23.22 The Committee also expressed appreciation to the following Sub-Committee Chairmen, delegates and observers who had recently relinquished their duties or retired or were to retire soon or were transferred to other duties, for their invaluable contribution to its work and wished them a long and happy retirement or, as the case may be, every success in their new duties:

- Mr. T.R. Funder (Denmark), former Chairman of the Committee and the STW and NAV Sub-Committees and President of the 1994 SOLAS and 1995 STCW Conferences, who retired recently;
- Captain H. Valkonen (Finland) on relinquishing his duties as Chairman of the FSI Sub-Committee;
- Captain D. Geraci (Argentina), Alternate Permanent Representative of Argentina to IMO, who has returned home;
- Mr. W. Welch (United Kingdom), who will be retiring shortly;
- Captain J. Fear, Representative of Inmarsat to IMO, who also retired recently;
- Mr. K. Murphy (ICFTU), who retired after many years of attendance of the Committee and the COM Sub-Committee; and
- Mr. S.D. Srivastava of the Secretariat, who is to retire shortly.

(The annexes will be issued separately
in addenda to this document)