

SUB-COMMITTEE ON STABILITY AND
LOAD LINES AND ON FISHING VESSELS
SAFETY
53rd session
Agenda item 19

SLF 53/19
1 February 2011
Original: ENGLISH

REPORT TO THE MARITIME SAFETY COMMITTEE

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1 GENERAL

1.1 The Sub-Committee held its fifty-third session from 10 to 14 January 2011 under the chairmanship of Mr. Z. Szozda (Poland), who was unanimously re-elected as Chairman for 2011 at the opening of the session. The Sub-Committee Vice-Chairman, Mr. K. Hunter (United Kingdom), was also unanimously re-elected as the Vice-Chairman for 2011 at the opening of the session.

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

ALGERIA	LATVIA
ANGOLA	LIBERIA
ARGENTINA	LIBYAN ARAB JAMAHIRIYA
AUSTRALIA	MALAYSIA
BAHAMAS	MALTA
BELGIUM	MARSHALL ISLANDS
BELIZE	MEXICO
BRAZIL	MOROCCO
CANADA	NETHERLANDS
CHILE	NIGERIA
CHINA	NORWAY
COLOMBIA	PANAMA
COOK ISLANDS	PERU
CROATIA	PHILIPPINES
CUBA	POLAND
CYPRUS	PORTUGAL
DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA	REPUBLIC OF KOREA
DENMARK	RUSSIAN FEDERATION
ECUADOR	SAINT KITTS AND NEVIS
EGYPT	SAUDI ARABIA
FINLAND	SINGAPORE
FRANCE	SLOVENIA
GERMANY	SOUTH AFRICA
GREECE	SPAIN
ICELAND	SWEDEN
INDIA	TURKEY
INDONESIA	TUVALU
IRAN (ISLAMIC REPUBLIC OF)	UKRAINE
IRELAND	UNITED KINGDOM
ITALY	UNITED STATES
JAPAN	URUGUAY
KIRIBATI	VANUATU

and the following Associate Member of IMO:

HONG KONG, CHINA

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

INTERNATIONAL LABOUR ORGANIZATION (ILO)
FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS (FAO)

by observers from the following intergovernmental organizations:

EUROPEAN COMMISSION (EC)
MARITIME ORGANIZATION FOR WEST AND CENTRAL AFRICA (MOWCA)

and by observers from the following non-governmental organizations:

INTERNATIONAL CHAMBER OF SHIPPING (ICS)
BIMCO
INTERNATIONAL ASSOCIATION OF CLASSIFICATION SOCIETIES (IACS)
OIL COMPANIES INTERNATIONAL MARINE FORUM (OCIMF)
INTERNATIONAL COUNCIL OF MARINE INDUSTRY ORGANIZATIONS (ICOMIA)
INTERNATIONAL FEDERATION OF SHIPMASTERS' ASSOCIATIONS (IFSMA)
INTERNATIONAL ASSOCIATION OF INDEPENDENT TANKER OWNERS
(INTERTANKO)
INTERNATIONAL MARITIME RESCUE FEDERATION (IMRF)
CRUISE LINES INTERNATIONAL ASSOCIATION (CLIA)
INTERNATIONAL ASSOCIATION OF DRY CARGO SHIPOWNERS
(INTERCARGO)
INTERNATIONAL PARCEL TANKERS ASSOCIATION (IPTA)
INTERNATIONAL MARINE CONTRACTORS ASSOCIATION (IMCA)
THE ROYAL INSTITUTION OF NAVAL ARCHITECTS (RINA)
INTERFERRY
INTERNATIONAL TRANSPORT WORKERS' FEDERATION (ITF)
SUPERYACHT BUILDERS ASSOCIATION (SYBAss)

Opening address

1.4 The Secretary-General welcomed participants and delivered his opening address, the full text of which is reproduced in document SLF 53/INF.13.

Chairman's remarks

1.5 The Chairman, in thanking the Secretary-General, stated that his words of encouragement as well as his advice and requests would be given every consideration and that his helpful guidance on the subjects to be considered by the Sub-Committee was very much appreciated, in particular concerning the further work on the legal and technical options to facilitate and expedite the earliest possible entry into force of the 1993 Torremolinos Protocol, the development of the new generation intact stability criteria and the comprehensive work related to subdivision and damage stability.

Adoption of the agenda

1.6 The Sub-Committee adopted the agenda (SLF 53/1) and agreed, in general, to be guided in its work by the annotations to the provisional agenda contained in document SLF 53/1/1. The agenda, as adopted, with the list of documents considered under each agenda item, is set out in document SLF 53/INF.14.

2 DECISIONS OF OTHER IMO BODIES

General

2.1 The Sub-Committee noted the decisions and comments pertaining to its work made by DE 53, FP 54, MSC 87, FSI 18, NAV 56, DSC 15 and MSC 88, as reported in documents

SLF 53/2 and SLF 53/2/1, and took them into account in its deliberations when dealing with the relevant agenda items.

Decisions by C 104

2.2 With regard to the outcome of C 104, the Sub-Committee noted that the Council had approved a number of cost-saving measures with a view to improving the conduct of meetings by increasing efficiency and effectiveness. In this context, the measures of immediate interest to the work of the Sub-Committee are highlighted as follows:

- .1 documents, other than information documents and reports of working and correspondence group reports, which contain more than 20 pages, will not be translated into all working languages in their entirety, but should include, for translation purposes, a summary of the document not longer than four pages, with the technical content submitted as an annex in the language needed by working or drafting groups (e.g., English);
- .2 only two copies of working papers printed for circulation during a meeting will be printed per Member State, Associate Member and IGO and one copy per NGO;
- .3 working papers will be uploaded onto IMODOCS simultaneously with being printed and distributed in hard copy;
- .4 the Chairmen of IMO organs and the Secretariat should examine how best to reduce the size of meeting reports and standardize their style and structure; and
- .5 to save meeting time, information documents, and documents requiring no action other than for their contents to be noted, should not be introduced in the plenary meetings of any IMO organ.

3 DEVELOPMENT OF NEW GENERATION INTACT STABILITY CRITERIA

General

3.1 The Sub-Committee recalled that SLF 52 re-established the Correspondence Group on Intact Stability (SLF 52/19, paragraph 3.19) to continue to work on the items contained in the updated plan of action for matters related to the new generation intact stability criteria (SLF 52/WP.1, annex 3).

Report of the working group (part 2) established at SLF 52

3.2 The Sub-Committee considered part 2 of the report of the Working Group on Intact Stability established at SLF 52 (SLF 53/3) and, having approved it in general, noted that the group's report had been considered in detail by the Correspondence Group on Intact Stability (SLF 53/3/1 and SLF 53/INF.10) established at SLF 52.

Report of the correspondence group

3.3 The Sub-Committee considered the report of the correspondence group (SLF 53/3/1 and SLF 53/INF.10) and noted that the group had collected additional methodologies for vulnerability criteria (levels 1 and 2) with sample calculation results. Together with the methodologies proposed by SLF 52, these cover all three levels for all four failure modes. The methodologies for vulnerability criteria were verified and refined through several validation and verification studies and discussion by the group.

3.4 The Sub-Committee noted that the group had considered that further discussion at SLF 53 was required to develop consolidated criteria set for each mode. In this context, the order of conservativeness among different levels is essential, as agreed at SLF 52. The extent of complexity should be further discussed, particularly for the level 1 criterion, for feasible application to all SOLAS and Load Lines ships from the viewpoints of surveyors and designers. For example, in case of the level 1 criterion for parametric rolling, the question is whether calculation of GM in waves can be required for all ships or not, and whether the concept of wave group is acceptable for this level or not. For the parametric rolling level 2 criterion, the question is whether a discrete numerical technique such as the Runge Kutta method may be used or not.

3.5 In the context of the above, the Sub-Committee considered the following documents:

- .1 SLF 53/3/5 (Poland), providing a summary of the discussion so far on the general approach to new generation intact stability criteria in terms of the structure of the criteria. In this context, the delegation of Poland expressed the opinion that elaboration and consensus on the structure of the new criteria are as important at the current stage, as elaboration of specific criteria for different vulnerability levels of different stability failure modes, and presented a draft structure of the new generation intact stability criteria for further consideration by the Sub-Committee;
- .2 SLF 53/3/6 (Poland), providing comments on the report of the correspondence group, with regard to the dead ship condition, and proposing to:
 - .1 keep the existing weather criterion, together with the limiting parameters of ships to which it may be applied, as in part A of the 2008 IS Code, until a possible future analysis may show that some ships satisfying this criterion are unsafe; and
 - .2 develop a new weather criterion applicable to non-conventional ships, based on an accurate physical model of ship's behaviour under wind and waves action, i.e. direct safety assessment method, as it may be deemed appropriate;
- .3 SLF 53/3/7 (United States), providing comments on part of the report of the correspondence group (SLF 53/INF.10, annexes 1 and 2), on level 1 vulnerability criteria for parametric roll, and presenting a combined version for level 1, vulnerability criteria, that maintains the core methodology while permitting flexibility in the factors selected for the key parameters to adequately reflect the intended standards;
- .4 SLF 53/3/8 (Japan, United States), providing comments on proposed surf-riding and broaching levels 1 and 2 vulnerability criteria (SLF 53/INF.10, annexes 3 and 5), suggesting refinements to these proposed criteria, and a draft specification for direct stability assessment of matters related to manoeuvrability and course keeping ability;
- .5 SLF 53/3/9 (Italy), providing comments related to the report of the correspondence group (SLF 53/3/1 and SLF 53/INF.10), in particular, concerning first level vulnerability assessment methods for parametric roll. The delegation of Italy was of the opinion that the fundamental bases of the

methods proposed by Italy (SLF 53/INF.10, annex 1), Japan (SLF 53/INF.10, annex 2), and the United States (SLF 53/INF.10, annex 13) could be merged in a single combined methodology; and

- .6 SLF 53/INF.8 (Sweden), presenting sample calculations on the proposed level 2 criteria regarding parametric roll that was submitted by Japan and the United States to the IS Correspondence Group. The study was performed on 25 ships of different types with lengths between 90 m and 310 m.

3.6 Having considered the above documents, the Sub-Committee noted, in particular, that:

- .1 some delegations expressed their concerns regarding the application of the new generation intact stability criteria to different ship types and sizes, and the implications, when and after relevant requirements enter into force;
- .2 in principle, ships should first be assessed by simplified criteria, not by complex ones; and
- .3 the second generation criteria should be based on physics and hydrodynamics, instead of only numerical solutions, for validation of the criteria.

3.7 In the context of the above, the Sub-Committee also noted the views of the delegation of Germany, with regard to the ongoing development of new generation intact stability criteria, in particular, that the ongoing work of the Working Group on Intact Stability should be focussed on the following critical aspects:

- .1 finding out which of the proposed criteria are physically resilient, i.e. reflect the real behaviour of a vessel, and what criteria reliably distinguish between susceptible and not susceptible ships;
- .2 proof of the accuracy of the correlation between levels 1 and 2 for all proposed criteria;
- .3 the range of applicability of the criteria with respect to different types of ships; and
- .4 the assessment of possible measures in order to guarantee a ship's safety.

Excessive stability

3.8 With regard to matters related to excessive stability, the Sub-Committee had for its consideration document SLF 53/3/2 (Germany), referring to the matrix containing the defined stability failure modes (SLF 52/WP.1, annex 1) and the different levels for stability assessment; and proposing to extend the matrix with regard to partial stability failures, i.e. large accelerations. The Sub-Committee recalled that the delegation of Germany had highlighted at SLF 52, within the working group, possible consequences of large acceleration forces due to excessive stability. Real scenarios had been presented, resulting in ship and cargo damage and even crew injuries. In that context, the working group at SLF 52 had agreed that excessive stability leading to partial stability failure should be considered as part of the criteria for each stability failure mode, if applicable.

3.9 In light of the above, the Sub-Committee, noting that the words "large accelerations" are more appropriate than "excessive stability", instructed the working group to further consider matters related to excessive stability, and advise the Sub-Committee on whether these matters should be included in the plan of action for intact stability work, as an additional stability failure mode.

Matters related to ships carrying timber deck cargoes

Timber load lines

3.10 The Sub-Committee noted that DSC 15 (SLF 53/2/1), having noted that the requirements for timber load lines may become obsolete due to the more stringent assignment of the enhanced (B-60) summer freeboard for ships, had invited SLF 53 to consider a possible revision of the requirements for timber load lines in the 1966 Load Lines Convention and the 1988 Load Lines Protocol.

Intact stability

3.11 The Sub-Committee also noted that DSC 15, having noted that the 2008 IS Code generally addresses the problem of excessive stability, had also invited SLF 53 to further consider the problem of excessive stability of timber deck carriers when developing the new generation intact stability criteria.

Outcome of MSC 88

3.12 The Sub-Committee further noted that MSC 88, having noted the outcome of DSC 15, had instructed SLF 53 to consider the aforementioned issues (see paragraphs 3.10 and 3.11) and advise MSC 89 on whether any consequential actions are needed.

Instructions to the IS Working Group

3.13 In light of the above, the Sub-Committee instructed the working group (see paragraph 3.20) to further consider a possible revision of the timber load lines requirements in the 1966 LL Convention and in the 1988 LL Protocol and the problem of excessive stability of timber deck carriers, and advise the Sub-Committee on whether these matters should be included in the plan of action for intact stability work.

Proposal for amendments to the 2008 IS Code

3.14 The Sub-Committee considered document SLF 53/3/4 (RINA), proposing amendments to the International Code on Intact Stability, 2008 (2008 IS Code), in order to address the following issues:

- .1 the criterion for the angle of heel in turns in the 2008 IS Code takes no account of the ship's turning ability, and assumes a turning diameter that is double that recommended by the Standards for ship manoeuvrability;
- .2 the formula required to be employed is not valid for some hull types;
- .3 this criterion conflicts with the requirements of the 2000 HSC Code; and
- .4 the present criterion guarantees no minimum stability margin in full-helm turns.

3.15 Noting that the proposal was outside the scope of the agenda item, the Sub-Committee invited Member Governments and international organizations to submit a proposal for a relevant new planned output to MSC 89, in accordance with the Committees' Guidelines.

3.16 The observer from RINA, having noted the decision of the Sub-Committee, expressed disappointment with the reluctance of the Sub-Committee to discuss some of the technical aspects of the document.

Activities of the SNAME Dynamic Stability Task Group

3.17 The Sub-Committee noted with appreciation the information provided by RINA (SLF 53/3/3) about ongoing activities of the SNAME Dynamic Stability Task Group, which is conducting a long range, cross-disciplinary study of intact dynamic stability for ships that operate in significant sea conditions, directly supporting the work of the Organization.

Procedure for determining a GM limit curve based on an alternative model test and numerical simulations

3.18 The Sub-Committee noted the information contained in document SLF 53/INF.3 (Finland, Norway) on an alternative approach to the weather criterion (2008 IS Code, part A, section 2.3) and the alternative assessment of the weather criterion (MSC.1/Circ.1200 and MSC.1/Circ.1227). In the view of the co-sponsors, the basis for this approach is the inapplicability of the ordinary weather criterion for large passenger ships and other ships with similar dimensions, in particular due to the inherent overestimation of the so-called roll-back angle in the conventional method. In this context, the document demonstrates a method for deriving stability limiting values for such ships using an alternative model test and numerical simulations.

Review of action plan for intact stability work

3.19 The Sub-Committee instructed the working group to review the plan of action for intact stability work (SLF 52/WP.1, annex 3) and prepare a revised plan, identifying the priorities, time frames and objectives for the work to be accomplished.

Establishment of the working group

3.20 The Sub-Committee established the Working Group on Intact Stability and instructed it, taking into account comments made and decisions taken in plenary, to:

- .1 further consider the new generation intact stability criteria on the basis of the report of the correspondence group (SLF 53/3/1 and SLF 53/INF.10), and the second part of the report of the working group established at SLF 52 (SLF 53/3), and taking into account documents SLF 53/3/5, SLF 53/3/6, SLF 53/3/7, SLF 53/3/8, SLF 53/3/9 and SLF 53/INF.8;
- .2 consider matters related to excessive stability, taking into account document SLF 53/3/2, and the relevant part of document SLF 53/2/1, and advise the Sub-Committee on the incorporation of excessive stability as an additional stability failure mode in the plan of action for the new generation intact stability criteria;
- .3 consider matters related to timber deck carriers, including a possible revision of the timber load lines requirements in the 1966 LL Convention

and in the 1988 LL Protocol, taking into account the relevant part of document SLF 53/2/1, and advise the Sub-Committee accordingly;

- .4 review the plan of action for intact stability work contained in annex 3 to document SLF 52/WP.1, taking into account the progress made during the session, and prepare a revised plan, identifying the priorities, time frames and objectives for the work to be accomplished;
- .5 consider whether it is necessary to re-establish a correspondence group and, if so, prepare terms of reference for consideration by the Sub-Committee; and
- .6 submit a written report (part 1) to plenary, and continue working through the week and submit part 2 of the report to SLF 54, as soon as possible after this session, so that it can be taken into account by the correspondence group, if established.

Report of the working group

3.21 Having considered the report of the working group (part 1) (SLF 53/WP.4), the Sub-Committee approved it in general and took action as outlined hereunder.

Title of the output

3.22 Taking into account the decisions of C 104 on the use of SMART terms for the outputs to be included in the next biennial strategic plan of the Organization, the Sub-Committee agreed to replace the word "new" with the word "second" in the title of the output so that it would read "Development of second generation intact stability criteria".

Summary of the proposals considered for the second generation intact stability criteria

3.23 The Sub-Committee noted the updated summary of proposals considered for the second generation intact stability criteria, as set out in annex 1 to document SLF 53/WP.4, and invited those delegations that submitted the proposals for consolidation to take appropriate action, in order to facilitate the achievement of the consolidation objective.

3.24 The Sub-Committee also noted the list of sample population of 73 ships (SLF 53/WP.4, annex 2), which were used and tested by the correspondence group, using the draft vulnerability criteria proposals.

3.25 In the context of the above, the Sub-Committee invited Member Governments and international organizations to submit additional sample ships and ship types, including available experimental data, for future testing and validation of the draft vulnerability criteria and direct stability assessment methods.

Structure of the second generation intact stability criteria

3.26 The Sub-Committee noted the revised structure of the second generation intact stability criteria (SLF 53/WP.4, annex 3), especially that an interim period of several years may be needed to gain sufficient experience in this matter, and endorsed the view of the group that the second generation intact stability criteria, once completed, should initially be considered as recommended criteria in part B of the 2008 IS Code and be transferred to part A at some point in the future.

3.27 Considering that Administrations had recognized that industry may be faced with challenges to properly implement the second generation intact stability criteria (SLF 51/4), the Sub-Committee noted the possible need for development of guidelines for the implementation of such criteria, which could be included in the Explanatory Notes to the 2008 IS Code.

Problems with large accelerations leading to partial stability failures (excessive stability)

3.28 The Sub-Committee endorsed the group's decision to incorporate a failure mode with the title "Excessive accelerations" as a separate item in the list of stability failure modes.

Excessive stability of timber deck carriers

3.29 Considering the recommendation contained in paragraph 3.7 of part B of the 2008 IS Code, which states that the GM should not exceed 3% of the beam, the Sub-Committee noted the group's views that the problem of excessive stability of timber deck carriers should be included in the development of second generation intact stability criteria associated with excessive loads and accelerations.

3.30 The Sub-Committee also agreed that no action should be taken at this stage regarding timber deck carriers in relation to a possible revision of the timber load lines requirements in the 1966 LL Convention and in the 1988 LL Protocol.

3.31 Subsequently, the Sub-Committee requested the Secretariat to inform MSC 89 of the outcome of its consideration on matters related to excessive stability of timber deck carriers, as described in the above paragraphs.

Review of the plan of action

3.32 The Sub-Committee agreed to the updated plan of action for matters related to the second generation intact stability criteria (SLF 53/WP.4, annex 4), having agreed to delete the square brackets around the target years.

Extension of the target completion year

3.33 In light of the above decisions, the Sub-Committee agreed to invite the Committee to extend the target completion year for the output to 2014.

Establishment of a correspondence group

3.34 The Sub-Committee, taking into account the progress made at this session, agreed to re-establish the correspondence group, under the coordination of Japan^{*}, and instructed it to:

*

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- .1 continue to work on the items contained in the updated plan of action for the new generation intact stability criteria (SLF 53/WP.4, annex 4), taking into account documents SLF 53/3, SLF 53/3/1, SLF 53/3/2, SLF 53/3/3, SLF 53/3/5, SLF 53/3/6, SLF 53/3/7, SLF 53/3/8 SLF 53/3/9, SLF 53/INF.3, SLF 53/INF.8 and SLF 53/INF.10 and relevant documents from previous sessions;
- .2 collect additional methodologies for vulnerability criteria and direct stability assessment concerning the excessive acceleration failure mode (to be submitted by the end of June 2011);
- .3 verify and further refine draft vulnerability criteria (levels 1 and 2) that identify the possible susceptibility of a ship to partial (excessive roll angles/ accelerations) or total (capsizing) stability failures for each mode as listed in paragraph 19 of document SLF 53/WP.4, and in doing so, expand the types and the number of ships for verification and validation;
- .4 review the framework for the second generation intact stability criteria development and terminology and revise, as appropriate;
- .5 develop, verify and further refine direct stability assessment procedures for the stability failure modes identified in paragraph 12 of document SLF 53/WP.4; and
- .6 submit a report to SLF 54.

4 GUIDELINES TO ENHANCE THE SAFETY OF SMALL FISHING VESSELS

General

4.1 The Sub-Committee recalled that, with regard to the draft Guidelines to assist competent authorities in the implementation of Part B of the Code of Safety for fishermen and fishing vessels, Voluntary Guidelines for the design, construction and equipment of small fishing vessels and the Safety Recommendations for decked fishing vessels of less than 12 metres in length and undecked fishing vessels (hereinafter referred to as "Implementation Guidelines"), SLF 52, having considered the outcome of the relevant correspondence group (SLF 52/4/3), agreed, in principle, to the draft Implementation Guidelines, prepared by a working group at that session (SLF 52/WP.2, annex 1).

4.2 The Sub-Committee also recalled that SLF 52 referred the draft Implementation Guidelines to FSI 18 for comments and proposals.

4.3 With regard to the outcome of the correspondence group on fishing vessel safety established at SLF 52 (SLF 52/19, paragraph 4.19), which had been instructed to further develop the draft Implementation Guidelines, the Sub-Committee noted that the group had considered that no further work on the draft Implementation Guidelines was necessary and, therefore, had not submitted a report to this session.

Outcome of FSI 18

4.4 The Sub-Committee noted that FSI 18, having considered the draft Implementation Guidelines, particularly chapters 1 to 5 and 8 and annexes 1 and 5, and having supported the principle that safety in this area needed further enhancement, had agreed that they appeared to comply with the general survey requirements expected of such Guidelines.

Draft Implementation Guidelines

4.5 Following discussion, the Sub-Committee agreed to the draft Guidelines to assist competent authorities in the implementation of Part B of the Code of Safety for fishermen and fishing vessels, the Voluntary Guidelines for the design, construction and equipment of small fishing vessels and the Safety Recommendations for decked fishing vessels of less than 12 metres in length and undecked fishing vessels, as set out in annex 1, for submission to MSC 89 for approval, with a view to forwarding them to FAO and ILO for concurrent approval, as appropriate.

4.6 In this connection, the Sub-Committee noted the views of the representative from FAO that it was still necessary to consider how the Implementation Guidelines could best be made available to users, taking into account similar decisions made by SLF 52 (SLF 52/19, paragraphs 4.16 and 4.17) and MSC 87 (MSC 87/26, paragraphs 12.5 and 12.6). Consequently, the Sub-Committee invited the Committee to:

- .1 request the Secretariat to make the Implementation Guidelines available on the public IMO website; and
- .2 request the Technical Co-operation Committee to consider including, within the Integrated Technical Co-operation Programme (ITCP), the securing of funding for translation of the Implementation Guidelines into the language of recipient countries, if it is not one of the six official languages of IMO.

Completion of the work on this output

4.7 Subsequently, the Sub-Committee invited the Committee to note that the work on this output had been completed.

5 GUIDELINES TO IMPROVE THE EFFECT OF THE 1969 TM CONVENTION ON SHIP DESIGN AND SAFETY

General

5.1 The Sub-Committee recalled that SLF 52, having considered the report of the relevant correspondence group (SLF 52/5/2), noted that the group had considered eight options to improve the effect on ship design and safety of the 1969 Tonnage Measurement Convention and, after combining some of those options and dropping others, prepared four options for further consideration by the Sub-Committee.

5.2 The Sub-Committee also recalled that SLF 52, having considered the report of the relevant drafting group (SLF 52/WP.6), re-established the correspondence group, with terms of reference set out in paragraph 5.11 of document SLF 52/19, with a view to finalization of the matter at this session.

Report of the correspondence group

5.3 The Sub-Committee considered the report of the Correspondence Group on Development of Options to Improve the Effect on Ship Design and Safety of the 1969 TM Convention (SLF 53/5) and noted that the group had further considered the four options prepared by the previous correspondence group (SLF 52/5/2, annex 2), recommending that the Sub-Committee endorse Option A, i.e. ensuring the integrity and uniform implementation of the existing gross and net tonnage parameters (SLF 53/5, annexes 2 and 4), as the best way to address the ship design and safety concerns behind this output without the risk of unintended consequences. The Sub-Committee also noted

that the group had prepared a draft proposal for a new output to implement Option A (SLF 53/5, annex 3) since the aforementioned option includes the consideration of issues that are outside the scope of the current output approved by the Committee.

5.4 In considering document SLF 53/5/1 (Norway, United States), providing comments on the report of the correspondence group, the Sub-Committee noted the co-sponsors' support for Option A and the proposal for a new output to be included in the planned outputs of the Committee for the next biennium. The Sub-Committee also noted the opinion of the co-sponsors that the Sub-Committee had diligently completed its tasking under the current planned output through the work of dedicated correspondence groups, drafting groups and the extensive discussions and debates on this issue at previous sessions.

5.5 In considering the above documents, the Sub-Committee noted a statement by the representative from ILO, supported by some delegations, that the Maritime Labour Convention, 2006, and the Work in Fishing Convention, 2007, used Gross Tonnage (GT) figures as parameters for the applicability of standards concerning living and working conditions on ships and fishing vessels. These instruments referred specifically to the 1969 Tonnage Measurement Convention and, thus, clarity was important to ILO. However, there remained concern that the 1969 TM Convention had led to an economic disincentive for shipowners to improve such crew conditions, in particular by discouraging the provision of more than the minimum required accommodation space and related facilities and by raising the cost of providing ships with additional accommodation spaces for carrying cadets. While recognizing the long and hard work of the correspondence group, he suggested that, when going forward on this issue, it would be important not to close the door on other means of addressing the issue of the negative impacts of tonnage measurement requirements on crew accommodation and the carriage of cadets. Among other things, he suggested that crew accommodation spaces should be measured for possible inclusion in the remarks section of the International Tonnage Certificate, as this could provide the information needed by ports and other entities that might wish to deduct such spaces from overall gross tonnage for the purpose of calculating fees. In the view of the representative from ILO, this would seem to call for a harmonized approach to measuring such spaces.

5.6 Following a brief discussion, the Sub-Committee endorsed Option A, i.e. ensuring the integrity and uniform implementation of the existing gross and net tonnage parameters, as the best way to improve the effect of the 1969 TM Convention on ship design and safety.

5.7 Consequently, noting that the implementation of Option A includes the consideration of issues outside the scope of the output, the Sub-Committee agreed to the justification for a new planned output on "Development of provisions to ensure the integrity and uniform implementation of the 1969 TM Convention", as set out in annex 2, for submission to MSC 89 for approval.

Completion of the work on this output

5.8 Subsequently, the Sub-Committee invited the Committee to note that the work on this output had been completed.

6 STANDARDS ON TIME-DEPENDENT SURVIVABILITY OF PASSENGER SHIPS IN DAMAGED CONDITION

General

6.1 The Sub-Committee recalled that SLF 51, having considered document SLF 51/8 (ITTC), providing a preliminary report on the second stage of the benchmark testing of numerical codes for time-to-flood prediction for damaged passenger ships for realistic cruise

ship data with only two numerical results based on two codes, had invited Member Governments and international organizations to submit documents on the matter to SLF 52.

6.2 The Sub-Committee also recalled that SLF 52, having noted that no documents had been submitted, acknowledged that relevant research work was in progress and, having agreed to retain the item on the agenda for the next session, had invited Member Governments and international organizations to submit relevant documents on the matter to SLF 53.

Information on related research

6.3 The Sub-Committee had for its consideration the following documents:

- .1 SLF 53/INF.2 and Corr.1 (Finland), providing intermediate information on an ongoing research project (FLOODSTAND (Integrated Flooding Control and Standard for Stability and Crises Management)), which started in March 2009, funded by the European Commission, and will last for three years; and
- .2 SLF 53/INF.6 (Japan), containing intermediate information on ongoing research, carried out by Japan, with regard to the application of computational fluid dynamics (CFD) as an alternative to the evaluation method for cross-flooding arrangements. The purpose of the computation is, firstly, to validate the CFD tool with the experimental data and, secondly, to compare the accuracy of CFD computation with that of the simplified regression formulae in the Recommendation on a standard method for evaluating cross-flooding arrangements (resolution MSC.245(83)).

Extension of the target completion year

6.4 Taking the above information into account, the Sub-Committee, having noted views that there may be a need for a revision of the Recommendation on a standard method for evaluating cross-flooding arrangements after the final results of the above research have been made available, agreed to invite the Committee to extend the target completion year for this output to 2013.

6.5 In light of the above decision, the Sub-Committee invited Member Governments and international organizations to submit documents on the matter to SLF 54.

7 STABILITY AND SEA-KEEPING CHARACTERISTICS OF DAMAGED PASSENGER SHIPS IN A SEAWAY WHEN RETURNING TO PORT BY OWN POWER OR UNDER TOW

General

7.1 The Sub-Committee recalled that SLF 52 re-established the Correspondence Group on Subdivision and Damage Stability (SDS) and instructed it to develop draft Operational information for masters of passenger ships for safe return to port by own power or under tow, taking into account the elements listed in paragraph 10 of document SLF 52/WP.3 and comments and proposals made at SLF 52.

Report of the correspondence group

7.2 The Sub-Committee, in considering the report of the correspondence group (SLF 53/7/1), noted that:

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- .1 regarding a mandatory requirement for onboard stability computers, two alternative draft amendments to SOLAS regulation II-1/19 were prepared by the group:
- .1 to require the carriage of an onboard stability computer, which was supported by the majority of the group; and
 - .2 to allow that "... shore-based support may be considered by the Administration",
- however, two members expressed the view that there should only be a requirement for the ship to have access to stability information and that this does not necessarily need to be in the form of an onboard stability computer or shore-based support;
- .2 regarding IACS Unified Requirement L5 (Onboard computers for stability calculations), the group agreed that the unified requirement may be regarded as a suitable template for the assessment of both onboard stability computers and for the provision of shore-based support; and
- .3 the group prepared draft Guidelines on operational information for masters of passenger ships for safe return to port by own power or under tow, which contains guidance for Administrations on what may constitute minimum adequate information for the master in the assessment of the survivability of a ship following damage, for further consideration at this session.

7.3 In considering the draft amendments to SOLAS regulation II-1/19, the Sub-Committee noted the concerns expressed by some delegations with regard to the need for a higher level of training for ship masters than that required by the STCW Convention. Additionally, the Sub-Committee noted comments by the observer from IACS on the necessity to consider the approval of onboard computers and any shore-based support.

7.4 After extensive discussion, the Sub-Committee:

- .1 agreed to the second option of the draft amendments to SOLAS regulation II-1/19 prepared by the group (SLF 53/7/1, annex 1), i.e. to allow that shore-based support may be considered by the Administration;
- .2 recognized the need for improvement of the draft text; and
- .3 agreed that the aforementioned draft amendments should apply to new ships only, which should be clearly specified in the draft text.

7.5 Subsequently, the Sub-Committee agreed to refer the issue to the SDS Working Group and instructed it to finalize the draft amendment to SOLAS regulation II-1/19 and the draft Guidelines on operational information for masters of passenger ships for safe return to port by own power or under tow.

Outcome of FP 54, MSC 87 and MSC 88

7.6 The Sub-Committee considered documents SLF 53/7 and SLF 53/2/1 (Secretariat), reporting on the outcome of FP 54, MSC 87 and MSC 88 on matters related to this agenda item, and took action as indicated in paragraphs 7.7 to 7.11.

Outcome of FP 54

7.7 With regard to the draft Explanatory Notes for the assessment of passenger ship systems capabilities, the Sub-Committee noted that FP 54, having considered document FP 54/8/1 (Secretariat) on the outcome of SLF 52, recommending to delete interpretation 15 (of SOLAS regulation II-2/21.3.2) from the Explanatory Notes as being redundant since SOLAS regulation II-2/21.3.2 addresses the flooding of any single watertight compartment, and interpretation 69 (of SOLAS regulation II-1/18), as it contradicts SOLAS regulation II-1/8-1 and therefore constitutes an amendment to the Convention, had agreed to the recommendations of SLF 52.

7.8 The Sub-Committee noted that FP 54 had considered the report of its Working Group on Explanatory Notes for the Application of the Safe Return to Port Requirements (FP 54/WP.3) and had taken the following actions:

- .1 agreed to the draft Interim Explanatory Notes for the assessment of passenger ship system's capabilities after a fire or flooding casualty and the associated draft MSC circular, for submission to MSC 87 for approval; and
- .2 invited the Committee to instruct the SLF, NAV and COMSAR Sub-Committees to consider the draft interpretations, set out in annex 4 to document FP 54/WP.3, that fall under their purview and provide the outcome of their consideration to the FP Sub-Committee for coordination purposes, with a view to revising the Interim Explanatory Notes, for submission to the Committee for approval.

Outcome of MSC 87

7.9 The Sub-Committee noted that MSC 87 had approved the Interim Explanatory Notes for the assessment of passenger ship systems' capabilities after a fire or flooding casualty (MSC.1/Circ.1369), to provide interim guidance for the uniform implementation of SOLAS regulations II-1/8-1, II-2/21 and II-2/22, as adopted by resolution MSC.216(82), which entered into force on 1 July 2010.

Outcome of MSC 88

7.10 With regard to the aforementioned Interim Explanatory Notes, the Sub-Committee noted that MSC 88, having recalled its approval at MSC 87, had instructed the COMSAR, NAV and SLF Sub-Committees to consider the draft interpretations, set out in annex 4 to document FP 54/WP.3, that fall under their respective purviews, and provide the outcome of their considerations to the FP Sub-Committee for coordination purposes.

7.11 After a general discussion, the Sub-Committee decided to refer the aforementioned interpretations, contained in the annex to document SLF 53/7, to the SDS Working Group for further consideration.

Establishment of the SDS Working Group

7.12 Subsequently, the Sub-Committee established the SDS Working Group and instructed it, taking into account comments and decisions made in plenary, and the report of the correspondence group (SLF 53/7/1), to:

- .1 finalize the draft amendments to SOLAS regulation II-1/19, based on the report of the correspondence group (SLF 53/7/1, annex 1);

- .2 finalize the draft Guidelines on operational information for masters of passenger ships for safe return to port by own power or under tow, based on the report of the correspondence group (SLF 53/7/1, annex 2); and
- .3 consider the draft interpretations, in respect of the Interim Explanatory Notes for the assessment of passenger ship systems' capabilities after a fire or flooding casualty (MSC.1/Circ.1369), taking into account the annex to document SLF 53/7, and advise the Sub-Committee as appropriate.

Report of the SDS Working Group

7.13 Having considered the part of the report of the SDS Working Group (SLF 53/WP.6) relating to the agenda item, the Sub-Committee took action as outlined in the following paragraphs.

Draft Interpretations to SOLAS regulation II-2/21 (Safe return to port and safe areas) under the purview of the Sub-Committee

7.14 The Sub-Committee agreed to the Draft Interpretations to SOLAS regulation II-2/21 (Safe return to port and safe areas) under the purview of the Sub-Committee prepared by the group, as set out in annex 3, and requested the Secretariat to refer them to FP 55 for coordination purposes.

7.15 The Sub-Committee noted that the delegation of the United States did not agree with the draft interpretations proposed in document SLF 53/7 for inclusion in the Interim Explanatory Notes for the assessment of passenger ship systems' capabilities after a fire or flooding casualty (MSC.1/Circ.1369). The delegation was of the opinion that these draft interpretations could allow essential systems to be located adjacent to the side or bottom shell and be considered to remain operational after a flooding casualty if they could withstand the head of water expected. Although it was recognized that the "flooding of any single watertight compartment" requirement in SOLAS regulation II-1/8-1.2 did not include any extents of damage, the delegation of the United States believed the draft Interpretations should reflect some minimum likely damage area, and, therefore, considered it necessary to include a provision that indicated that these interpretations were valid only for essential systems not located in watertight compartments that border the bottom or side shell. In this context, the delegation was of the view that any essential systems located in watertight compartments that border the bottom or side shell should not be considered to remain operational following a flooding casualty for purposes of SOLAS regulation II-1/8-1.2.

Draft SOLAS requirements for onboard stability computers and shore-based support

7.16 In considering the draft amendments, the Sub-Committee noted that the group had been of the view that SOLAS regulation II-1/19 was not the most appropriate location for these requirements and had, instead, prepared relevant amendments to regulation II-1/8-1. Following consideration, the Sub-Committee agreed to the proposed amendments to SOLAS regulation II-1/8-1, as set out in annex 4, introducing a mandatory requirement for either onboard stability computers or shore-based support, for submission to MSC 89 for approval, with a view to subsequent adoption.

7.17 The Sub-Committee agreed that guidance to Administrations for the approval of damage stability modules for safe return to port should be developed by the Organization, providing information on the number of test damage scenarios, which the loading instrument should be capable to calculate. Such guidance was deemed necessary, as the Guidelines for the approval of stability instruments (MSC.1/Circ.1229) did not sufficiently cover the requirements for such modules. Whilst design damage stability considered a defined single

hull penetration, the damage stability module for safe return to port should be sufficient to calculate various combinations of multiple damages. Additionally, the ship model should be set up in more detail, as openings that need not be considered during the design phase could lead to progressive flooding in damage cases that result in a survivability index of "s = 0" while the ship was still afloat.

Guidelines on operational information for masters of passenger ships for safe return to port by own power or under tow

7.18 The Sub-Committee agreed to the draft Guidelines on operational information for masters of passenger ships for safe return to port by own power or under tow, as set out in annex 5, for submission to MSC 89 for approval, including an associated MSC circular cover note prepared by the Secretariat.

7.19 In the context of the above, the Sub-Committee noted the concern expressed by the observer from ITF regarding the time period of one hour for the shore-based support to be operational, and the scope being limited to input, whereas, in their view, output was required by the master.

7.20 The Sub-Committee noted the group's discussion on whether additional training for masters and crew members assigned to operate stability computers went beyond the standards of the STCW Convention and the STCW Code and, agreeing that it was more appropriate for the STW Sub-Committee to consider this matter, referred the issue to the STW Sub-Committee for further consideration.

Completion of the work on this output

7.21 The Sub-Committee invited the Committee to note that work on the output had been completed.

8 GUIDELINES FOR VERIFICATION OF DAMAGE STABILITY REQUIREMENTS FOR TANKERS AND BULK CARRIERS

General

8.1 The Sub-Committee recalled that SLF 52 decided to first develop design and operational guidelines for verification of damage stability requirements for tankers; agreeing that the tanker guidelines should be divided into two parts (i.e. design and operational), and to address bulk carriers after the work related to tankers had been completed. Consequently, Member Governments and international organizations were invited to submit proposals on the design and operational guidelines for tankers to this session, in particular, on the scope, ship types and extent of such guidelines.

Guidelines for verification of damage stability requirements for tankers

8.2 The Sub-Committee had the following documents for its consideration:

- .1 SLF 53/8 (OCIMF, SIGTTO), providing a draft text of operational guidance on verification of damage stability for tankers, for further consideration by the Sub-Committee;
- .2 SLF 53/8/1 (China), providing information on the outcome of an investigation, carried out by China, on operational loading and damage stability verification of tankers of eight major Chinese tanker companies, and making proposals on the development of guidelines for damage stability verification;

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- .3 SLF 53/8/2 (Norway, United Kingdom), providing comments on document SLF 53/8 with regard to the draft operational guidelines for the verification of damage stability of oil, chemical and gas tankers, including an annex containing definitions and interpretations that could complement the aforementioned draft guidelines, as a response to requests for clarification in relation to certain aspects of damage stability verification;
 - .4 SLF 53/8/3 (IACS), providing comments on document SLF 53/8/2 and describing the concerns caused by uncertainties contained in existing IMO instruments to be used as a basis for damage stability verification. In particular, the document invites the Sub-Committee to provide clarification on the correct application of regulation 27 of the 1966 LL Convention, for damage stability calculations of tankers (oil and chemical tankers and gas carriers);
 - .5 SLF 53/8/4 (Iran (Islamic Republic of), IPTA), commenting on document SLF 53/8 supporting, in principle, the content of the document and the annex, as a contribution to the development of Guidance for the operational verification of compliance with damage stability requirements for tankers, however, pointing out that there is currently no requirement under IMO regulations for approval of damage stability software and it would, therefore, be inappropriate to include such a requirement in any IMO guidance;
 - .6 SLF 53/INF.9 (IACS), providing the Guideline for scope of damage stability verification on new oil tankers, chemical tankers, and gas carriers, as revised by IACS (IACS Recommendation No.110) as a result of informal comments received from the United Kingdom's Maritime and Coastguard Agency and the existing procedures used by, and the practical experience of, IACS members relating to damage stability calculations; and
 - .7 SLF 53/INF.11 (Spain), providing complementary information to document SLF 53/8 on the use of minimum required GM (or maximum allowable KG) curves as the means of verification of compliance, based on the Spanish experience and investigation on damage stability for parcel tankers.

8.3 Having considered the above documents, the Sub-Committee noted, in particular, the following views expressed in the discussion:

- .1 the proposals and comments contained in the aforementioned documents should be further considered by a correspondence group, to be established to deal specifically with the verification guidelines. Although the development of Guidelines for verification of damage stability for tankers is directly related to the work of the SDS Correspondence and Working Groups, they were already overloaded and could therefore not take on this extra task;
- .2 the scope of the Guidelines should be clearly defined;
- .3 definitions and interpretations need to be clarified and ways to avoid differing interpretations and ensure consistency should be considered;
- .4 taking into account the agreement at SLF 52 that the Guidelines should be divided into two parts (i.e. design and operational), there is a need for the incorporation of a new part in the Guidelines to provide evidence of compliance for port State control officers (PSCOs);

- .5 the first part of the Guidelines (design) and the second part (operational) should be based on documents SLF 53/INF.9 and SLF 53/8, respectively;
- .6 ambiguities in existing IMO instruments with regard to damage stability requirements should be identified and considered;
- .7 the method of verification of compliance, such as stability computer, stability booklet and shore assistance should be clearly defined;
- .8 the appropriate use of type 2 or 3 computers for verification, should be considered;
- .9 tolerances (i.e. what constitutes a significant deviation from the loading conditions in the stability booklet) need to be defined; and
- .10 the suitability of critical KG/GM curves for tankers should be considered.

Establishment of a drafting group

8.4 The Sub-Committee, having noted the views of those delegations that spoke on how best to proceed with the matter, agreed that a correspondence group would be the best way to progress the work on the output intersessionally, and established a drafting group to prepare terms of reference for such a correspondence group for consideration by the Sub-Committee.

Report of the drafting group

8.5 Having considered the report of the drafting group (SLF 53/WP.7), the Sub-Committee agreed to establish the Correspondence Group on Guidelines for Verification of Damage Stability Requirements for Tankers, under the coordination of the United Kingdom*, and instructed it, taking into account documents SLF 53/8, SLF 53/8/1, SLF 53/8/2, SLF 53/8/3, SLF 53/8/4, SLF 53/INF.9 and SLF 53/INF.11, and comments and proposals made in plenary at SLF 53, to:

- .1 identify existing IMO instruments and relevant references relating to the issue of verification of damage stability requirements, taking into account the outcome of the SDS Working Group at SLF 53;
- .2 identify any ambiguities in the existing requirements and consider the need for clarifications and/or make recommendations for amendments to mandatory instruments and any relevant references;
- .3 develop draft Guidelines for the verification of damage stability requirements for tankers, addressing design and operational issues, using documents SLF 53/INF.9 and SLF 53/8 as base documents;
- .4 consider whether demonstration of verification to third parties should be addressed in the draft Guidelines and, if so, include appropriate text;

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- .5 consider, when developing the above draft Guidelines, in particular the following points:
- .1 scope of the draft Guidelines;
 - .2 clarification of what is meant by loaded in accordance with an approved condition, whether any deviations are allowed and, if so, to what extent;
 - .3 methods of verification of compliance, such as stability software, stability booklet, shore assistance, KG/GM curves and conditions for use of these methods; and
 - .4 clarification of the terms and conditions for use of stability software and documentation which demonstrates that the software is appropriate for its purpose;
- .6 advise on any other relevant issues raised in the course of the group's discussion; and
- .7 submit a report to SLF 54.

8.6 Subsequently, the Sub-Committee invited Member Governments and international organizations to ensure that appropriate experts participate in the correspondence group.

9 SAFETY PROVISIONS APPLICABLE TO TENDERS OPERATING FROM PASSENGER SHIPS

9.1 The Sub-Committee recalled that MSC 84 included, in the work programmes of the DE, FP, COMSAR, NAV, SLF and STW Sub-Committees, a high-priority item on "Safety provisions applicable to tenders operating from passenger ships", with three sessions needed to complete the item, assigning the DE Sub-Committee as the coordinator. Subsequently, MSC 85 included the item in the provisional agenda of SLF 52.

9.2 The Sub-Committee also recalled that SLF 52, having noted that DE 53 would consider the draft Guidelines on tenders and that the outcome of its deliberations would be reported to SLF 53, invited Member Governments and international organizations to submit their comments and proposals to SLF 53, taking into account the outcome of DE 53.

Outcome of DE 53

9.3 In considering document SLF 53/9 (Secretariat), providing the outcome of DE 53 on the matter, the Sub-Committee noted that:

- .1 DE 53 had established a drafting group and had instructed it to prepare consolidated draft Guidelines for passenger ship tenders, on the basis of documents DE 53/14 (CLIA) and DE 53/14/1 (United Kingdom);
- .2 DE 53 had approved the report of the drafting group (DE 53/WP.3) in general and, in particular, had noted the consolidated draft Guidelines for passenger ship tenders, which were subject to further input from the cooperating sub-committees. In this context, the Sub-Committee was specifically requested to consider sections 2.2 and 3.2 of the draft Guidelines; and

- .3 in considering the report of the drafting group, the DE Sub-Committee had agreed that:
- .1 the Guidelines should represent a level of international best practice, but should not include the requirements of individual coastal States that might otherwise be applicable, and to include a statement in the preamble text of the Guidelines to this effect; and
 - .2 the term "tendering" was deemed limited to the transfer of passengers from a passenger ship to shore and back. Longer voyages, such as coastal sightseeing excursions, were not part of the Guidelines.

Consideration of the relevant parts of the draft Guidelines

9.4 The Sub-Committee considered the draft Guidelines for passenger ship tenders, as set out in the annex to document SLF 53/9, in particular paragraphs 2.2 and 3.2 as requested, and agreed as follows:

- .1 the text of paragraph 2.2 should be replaced by the following:

"2.2 If not certified as a lifeboat, freeboard and stability should be of the standard of SOLAS chapter II-1, Parts B1 to B4, as may be amended, passenger vessels of like size and passenger capacity.";
- .2 in subparagraph 3.2.1, the square brackets should be removed;
- .3 subparagraph 3.2.2 should be replaced by the following:

".2 number of passengers on tender being less than 40"; and
- .4 subparagraph 3.2.3 should be further considered by DE 55, with square brackets as follows:

".3 distance of tender from passenger ship to embarkation point on shore of [less than 1 nm] [less than 2.5 nm] [less than 1 nm or up to 2.5 nm, with the agreement of the coastal State];".

9.5 In this connection, in response to concerns expressed by the delegation of Denmark that some tender vessels from cruise ships calling at ports in Greenland have engaged in sightseeing excursions outside of actual tendering operations, the observer from CLIA noted that he hoped CLIA member cruise operators had not been engaged in this practice, but that he would, nonetheless, transmit this concern to the CLIA Operations Committee as well as the Committee on Technical and Safety Matters for discussion. The observer also noted that he would transmit this concern to the European Cruise Council for their consideration.

9.6 The Sub-Committee requested the Secretariat to inform DE 55 of the outcome of its considerations on the matter.

Completion of the work on this output

9.7 Subsequently, the Sub-Committee invited the Committee to note that the work on this output had been completed.

10 REVIEW OF DAMAGE STABILITY REGULATIONS FOR RO-RO PASSENGER SHIPS

General

10.1 The Sub-Committee recalled that SLF 52 had instructed the SDS Correspondence Group to further consider the impact of the SOLAS 2009 amendments on ro-ro passenger ships, as compared to the SOLAS 90 regulations in association with the Stockholm Agreement, taking into account document SLF 52/WP.3, the comments and proposals made at the session and any research results in the matter as they become available.

Report of the correspondence group

10.2 The Sub-Committee considered the report of the correspondence group (SLF 53/10/1), providing comments on ongoing research (GOALDS, FLOODSTAND and EMSA(2)), and agreed the results of this research should be used as a basis for any proposed amendments to SOLAS. In addition, the Sub-Committee noted the information on a new research project initiated by the United Kingdom, designated RP 625, which aims to further investigate the potential problems associated with long lower holds (LLH) ro-pax ships, especially those fitted with B/10 longitudinal bulkheads. This project is of shorter duration than the aforementioned projects and could produce some results for discussion by a correspondence group, if established, in time for SLF 54. In light of the above, as already anticipated at SLF 52, the Sub-Committee noted that an extension of the target completion year to 2013 was found necessary by the group and, therefore, they had requested the Sub-Committee to take action accordingly.

10.3 In this context, the Sub-Committee noted the information contained in document SLF 53/INF.5 (EC) with regard to a study, initiated by the European Maritime Safety Agency (EMSA) at the request of the European Commission, on the specific damage stability parameters of ro-ro passenger ships according to the SOLAS 2009 amendments, including water on deck calculation. The European Commission informed the Sub-Committee that the results of the ongoing research are expected in time for SLF 54.

10.4 In view of the above, the Sub-Committee, having considered:

- .1 the need to widen the scope of the agenda item beyond the issue of water on deck only, thus better reflecting the title; and
- .2 that for cases where research revealed any potential new safety deficiencies in the regulations applicable to ro-pax vessels, the mandate requiring equivalence between the safety standards provided by SOLAS 2009 and the previous versions of SOLAS in force until 1 January 2009, including resolution A.265(VIII), should not apply,

instructed the SDS Working Group to prepare a justification for the expansion of scope of this output, for submission to MSC 89 for approval.

Proposals for amendments to SOLAS regulations II-1/8 and 9 and their Explanatory Notes

10.5 The Sub-Committee considered document SLF 53/10 (RINA), reviewing the SOLAS 2009 damage stability regulations and their Explanatory Notes, and noted proposed amendments to SOLAS regulations II-1/8 and 9 concerning:

- .1 the extension of the level of double bottom protection provided in regulation II-1/9.9 for passenger ships with Long Lower Holds (LLH) to cargo ships, other than tankers, with LLH;
- .2 inconsistencies between regulations II-1/8 and II-1/9 for the increased protection of LLH from side damages; and prevention of water on ro-ro decks which are above the damaged waterline;
- .3 investigation of non-contributing damages to ro-ro decks and long lower holds and development of Explanatory Notes on the investigation process and the actions that are required; and
- .4 the suggestion that definitions for capsized and rapid capsized should be included in the aforementioned regulations and the Explanatory Notes.

10.6 After a brief discussion, noting that the proposed amendments were outside the scope of this agenda item, the Sub-Committee agreed to postpone consideration of the matter until more information is available.

Instructions to the SDS Working Group

10.7 Subsequently, the Sub-Committee instructed the SDS Working Group, established under agenda item 7, taking into account comments and decisions made in plenary and the report of the correspondence group (SLF 53/10/1), to prepare a justification for the expansion of the scope of this planned output, for submission to MSC 89 with a view to approval.

Report of the SDS Working Group

10.8 Having considered the part of the report of the working group (SLF 53/WP.6) dealing with the agenda item, the Sub-Committee approved it in general and took action as outlined in the following paragraphs.

Expansion of the scope of the output

10.9 The Sub-Committee noted the group's view that a number of safety concerns, in addition to water-on-deck on ro-ro passenger ships, had been identified and, subsequently, agreed to the justification to expand the scope of this output prepared by the group, as set out in annex 6, for submission to MSC 89 for approval, requesting the Secretariat to modify the aforementioned justification in accordance with the Committee's Guidelines, as appropriate.

Extension of target completion year

10.10 Having considered the above matters, the Sub-Committee, in order to accommodate the results of ongoing research in the matter, invited the Committee to extend the target completion year for this output to 2013.

Establishment of the SDS Correspondence Group

10.11 The Sub-Committee agreed to re-establish the SDS Correspondence Group under the coordination of the United Kingdom*, and instructed the group, with regard to this agenda item, to:

- .1 further consider the impact of the SOLAS 2009 amendments on ro-ro passenger ships, as compared to the SOLAS 1990 regulations in association with the Stockholm Agreement, taking into account document SLF 53/19 and any research results in the matter as they become available; and
- .2 submit a report to SLF 54.

11 LEGAL AND TECHNICAL OPTIONS TO FACILITATE AND EXPEDITE THE EARLIEST POSSIBLE ENTRY INTO FORCE OF THE 1993 TORREMOLINOS PROTOCOL

General

11.1 The Sub-Committee recalled that SLF 52 had noted the progress made by the Working Group on Fishing Vessel Safety (FVS) on the technical analysis of the 1993 Torremolinos Protocol and that the group had considered the proposed modifications to the Protocol, set out in documents SLF 52/12/Add.2 and SLF 52/INF.5, as a basis for its discussions, taking into account the difficulties raised at the Beijing and Bali seminars and considering the replies to the questionnaire on the technical and legal problems preventing ratification of the 1993 Torremolinos Protocol (SLF 52/12/1 and SLF 52/12/2).

11.2 The Sub-Committee also recalled that MSC 87, noting that the Sub-Committee had considered the development of an Agreement/Assembly resolution on the implementation of the 1993 Torremolinos Protocol, together with the associated amendments to the Protocol to facilitate its entry into force, approved, as requested by SLF 52, the holding of an intersessional meeting of the Working Group on Fishing Vessel Safety to finalize the above Agreement/Assembly resolution on the implementation of the Protocol and to develop the associated amendments thereto, for consideration at this session with a view to finalization.

Outcome of the Intersessional Working Group on Fishing Vessel Safety

11.3 The Sub-Committee considered the report of the Intersessional Working Group on Fishing Vessel Safety (SLF 53/11) and, having approved the report in general, took action as indicated in paragraphs 11.4 to 11.14.

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Legal advice requested by the Intersessional Working Group

11.4 The Sub-Committee considered document SLF 53/11/1 (Secretariat), containing the response from IMO's Legal Affairs and External Relations Division regarding advice requested by the group, and took action as outlined in paragraphs 11.5 to 11.8.

Issuance of certificates

11.5 The Sub-Committee noted that the group, when considering the draft amendments to the 1993 Torremolinos Protocol, particularly with regard to the issuance of International Fishing Vessel Safety Certificates and Exemption Certificates for vessels exempted under the proposed revised regulation I/3(3), had agreed that the Administration does not have to issue such certificates for vessels exempted under the said regulation I/3(3).

11.6 In this regard, the Sub-Committee noted that the group had requested IMO's Legal Affairs and External Relations Division to advise on whether draft regulation I/11 (SLF 53/11, annex 4) appropriately reflected the group's intention and noted the Legal Division's opinion that, when an Administration allows exemptions for fishing vessels under the proposed regulation I/3, paragraph (3), it does not have to issue an International Fishing Vessel Safety Certificate or an International Fishing Vessel Exemption Certificate and the exemption would have the effect of also exempting the vessel from the scope of article 4 of the current Protocol.

Pros and cons of the Agreement option

11.7 In considering the concerns expressed by the group that there could be two international regulatory systems in place if the Contracting Parties to the Protocol do not consent to the Agreement, the Sub-Committee noted the opinion of the Legal Division that, even though the risk of two systems existed, the different systems could be reconciled if identical amendments were also adopted under the articles of the Protocol, after the Protocol had entered into force.

Common fishing zone in draft regulation I/3(3)

11.8 With regard to the common fishing zone in draft regulation I/3 (Exemptions) (SLF 53/11, annex 4), the Sub-Committee noted the opinion of the Legal Division that, if the reference is retained in paragraph (3).2 of the draft regulation, then the following word "zone" used in the subparagraph .2 would be ambiguous since the exclusive economic "zone" is also used in the same subparagraph. In addition, the Sub-Committee noted the view of the Legal Division that some additional wording might be needed at the end of paragraph (3).4, such as "[and subject to any agreement relating to a common fishing zone]".

Information on the number of fishing vessels of 24 m in length and over

11.9 In relation to the number of fishing vessels of 24 m in length and over, the Sub-Committee noted that the group, when discussing the matter (SLF 53/11, paragraph 8), had recognized the importance of updated information and had agreed that FAO should be invited to provide such information, endorsed the group's recommendation to invite FAO to provide the latest information on the number of fishing vessels of 24 m in length and over, if available, and requested the Secretariat to take action accordingly.

Actions requested by the Intersessional Working Group

11.10 In considering the actions requested by the group (SLF 53/11, paragraph 37), the Sub-Committee took into account the following documents submitted to the session:

- .1 SLF 53/11/2 (Republic of Korea), providing comments on the outcome of the group regarding the proposed exemption for fishing vessels operating in the common fishing zone (SLF 53/11, annex 4). In particular, the Republic of Korea agreed, in principle, to the decision of the group on the exemption for fishing vessels operating in the common fishing zones, on the understanding that the exemption should not extend beyond 200 nautical miles from the baseline of those coastal States. However, in considering that the common fishing zones surrounding the Korean Peninsula are where EEZs overlap, they proposed that the words "common fishing zone" be deleted in draft paragraph 3.(3).2; and
- .2 SLF 53/INF.12 (Spain), providing an analysis of the changes in the scope of application if length (L) to gross tonnage equivalence is used, including the applicability of the 1969 International Tonnage Convention to fishing vessels, and containing the results of a research on a sample database of worldwide fishing fleet. The aforementioned analysis was carried out by Spain, taking into consideration the differences in the views expressed by some delegations indicating the correlation between length and gross tonnage.

11.11 Before proceeding with the actions requested by the group, the Sub-Committee decided to consider which option (Agreement or Assembly resolution) should be recommended to the Committee and, after an in-depth discussion, it was recognized that there was a clear indication to recommend the Agreement option to MSC 89, taking into account the pros and cons prepared by the group (SLF 53/11, annex 3).

Draft Agreement relating to the implementation of the 1993 Torremolinos Protocol

11.12 In considering the actions requested by the group regarding the draft Agreement (SLF 53/11, annex 1), the Sub-Committee:

- .1 concerning the acceptance procedure for States that have already ratified the Protocol, taking into account the legal advice from the Secretariat, agreed to the first option of the three sets of square brackets at the end of paragraph (5) of article 3, with minor modification; and
- .2 concerning the condition of entry into force of the Agreement (paragraph (1) of article 4), noting that the majority of the delegations were in favour of deleting the number of fishing vessels of 24 m in length and over (i.e. 14,000), while others preferred to keep that number until the technical issues had been resolved, decided to refer the matter to the working group for further consideration.

Draft Assembly resolution relating to the implementation of the 1993 Torremolinos Protocol

11.13 In considering the draft Assembly resolution (SLF 53/11, annex 2), the Sub-Committee noted that there were no outstanding issues raised by the group and instructed the working group to finalize the text of the draft Assembly resolution on the implementation of the 1993 Torremolinos Protocol, for consideration by the Sub-Committee.

Draft amendments to the 1993 Torremolinos Protocol

11.14 In considering the actions requested by the group regarding the draft amendments to the Protocol (SLF 53/11, annex 4), the Sub-Committee:

- .1 concerning exemptions (regulation I/3), decided to delete the square brackets around the distance "200" (nautical miles), and to refer the words "[and/or common fishing zone]" to the working group for further consideration;
- .2 concerning equivalence of length to gross tonnage (regulation I/1, paragraphs (2) and (3)), decided to delete the square brackets around gross tonnage for vessels of 60 m and 75 m in length, and to delete the words "[or a length overall (LOA) of [...] metres]";
- .3 concerning progressive implementation (regulation I/1, paragraphs (4) and (5)), decided to delete the square brackets around the maximum period of 10 years;
- .4 endorsed the group's recommendation to introduce the HSSC or the simplified 5-year system to the Protocol (regulation I/1 (paragraph (6)) and regulations I/6 to I/17);
- .5 endorsed the group's recommendation that the Administration does not have to issue International Fishing Vessel Safety Certificates and Exemption Certificates for vessels exempted under the revised regulation I/3(3) (regulation I/11); and
- .6 with regard to draft amendments to chapters V, VII and IX, having noted that the majority of the delegations would not accept any lowering of the safety levels; while others, although recognizing that lowering the standards was not advisable, were concerned about difficulties with the implementation of the regulations; agreed to refer the matter to the working group for further consideration.

Establishment of the working group

11.15 Recalling its relevant decision at SLF 52 to establish a working group on the matter at this session, the Sub-Committee established the Fishing Vessel Safety (FVS) Working Group and instructed it, on the basis of the report of the Intersessional Working Group on Fishing Vessel Safety (SLF 53/11), taking into account documents SLF 53/11/1, SLF 53/11/2 and SLF 53/INF.12, and the comments and decisions made in plenary, to:

- .1 finalize the text of the draft Agreement on the implementation of the 1993 Torremolinos Protocol;
- .2 finalize the text of the draft Assembly resolution on the implementation of the 1993 Torremolinos Protocol; and
- .3 finalize the draft amendments to the 1993 Torremolinos Protocol.

Report of the working group

11.16 Having considered the report of the working group (SLF 53/WP.5), the Sub-Committee approved it in general and took action as outlined hereunder.

Draft agreement

11.17 When considering the draft agreement, the Sub-Committee noted the explanation by the Secretariat that the Agreement is a legal instrument, which should be read and interpreted

with the 1993 Torremolinos Protocol as a single new treaty (mandatory) instrument. With regard to the condition of entry into force of the Agreement, the Sub-Committee considered the following five options prepared by the group relating to a combination of number of States and fishing vessels on entry into force condition, using the vessel data provided by the representative of FAO (about 6,000 vessels, authorized to fish on the high seas, gained from Parties and non-Parties (about 60 flag States) to the FAO Agreement to promote compliance with international conservation and management measures by fishing vessels on the high seas, which is in force):

- Option 1: retain the current entry into force condition described in the Protocol (14,000 vessels + 15 States)
- Option 2: reduce 14,000 to 3,000 + 15 States
- Option 3: reduce 14,000 to 1,800 + 20 States
- Option 4: reduce 14,000 to 1,800 + 30 States
- Option 5: delete 14,000 (keep 15 States).

11.18 With regard to Option 2, the Sub-Committee noted that the number of vessels was calculated by taking 50% of the number of fishing vessels of 24 m in length and over reported by FAO (6,000 vessels authorized to fish on the high seas) and, with regard to Options 3 and 4, the number of vessels was calculated by taking 30% of the number of vessels reported by FAO.

11.19 In considering Option 1, the majority of delegations agreed to delete this option since the number of vessels (14,000) required to bring the Agreement into force was not considered realistic. The majority of delegations also agreed to delete Option 5 as a compromise, taking into account the outcome of the working group. With regard to the remaining options, the Sub-Committee noted that the majority of those that spoke expressed support to retain Options 2, 3 and 4 for further consideration by the Committee, noting a particular preference for Options 2 and 3.

11.20 In noting the above views, several delegations stated that more accurate data should be obtained on the number of fishing vessels of 24 m in length and over operating on the high seas before a final decision is taken by the Committee on which option to choose, taking into account that a revision of the data provided by FAO (i.e. 6,000 vessels authorized to fish on the high seas) could alter the number of fishing vessels needed to bring the Agreement into force.

11.21 Following an extensive discussion on the matter, the Sub-Committee agreed to retain Options 2, 3 and 4 in square brackets within the text of article 4, for consideration by MSC 89, where the Committee would take into account the updated data on the number of fishing vessels (see paragraph 11.23). In this connection, the Sub-Committee also agreed to:

- .1 delete the square brackets around reference to article 11 of the Torremolinos Protocol in article 2 of the draft Agreement; and
- .2 retain the square brackets in paragraph (3) of article 4 relate to the date for which the agreement should become effective.

11.22 Consequently, the Sub-Committee approved the draft Agreement on the Implementation of the 1993 Protocol relating to the 1977 Torremolinos Convention on the Safety of Fishing Vessels, as set out in annex 7, for submission to MSC 89, for consideration and action, as appropriate.

11.23 Taking into account the views expressed on the need for more accurate data, the Sub-Committee invited FAO to provide updated data from the database of the FAO Agreement to promote compliance with international conservation and management measures by fishing vessels on the high seas (Compliance Agreement), and also invited Member Governments to submit the number of fishing vessels of 24 m in length and over under their flag, identifying vessels operating on the high seas, to the Organization, if possible prior to MSC 89.

11.24 In this context, the Sub-Committee noted the invitation from the representative of FAO for Member Governments to ratify the aforementioned FAO Compliance Agreement.

Draft Assembly resolution

11.25 The Sub-Committee approved the draft Assembly resolution on the Implementation of the 1993 Protocol relating to the 1977 Torremolinos Convention on the Safety of Fishing Vessels, as set out in annex 8, for submission to MSC 89, for consideration and action, as appropriate, taking into account that the Sub-Committee had a clear indication to recommend the Agreement option to the Committee.

Amendments to the 1993 Torremolinos Protocol

11.26 In considering the proposed amendments to regulation VII/5 (Number and types of survival craft and rescue boats), which were kept in square brackets by the group for further consideration, the Sub-Committee, after an extensive discussion, agreed to delete the square brackets around the proposed amendments to regulation VII/5 and retain the draft text, together with deletion of the square brackets around the word "twice" in the proposed paragraph (5).

11.27 In this context, the Sub-Committee, taking into account the views expressed by several delegations that some of the text in the proposed paragraph (5) on survival craft was ambiguous and that further modifications were necessary to clarify its application, invited delegations to submit comments and proposals to MSC 89 to clarify the provisions of regulation VII/5.

11.28 In considering regulation 2 (Definitions), the Sub-Committee, having concurred with the group's addition of a definition of a common fishing zone, noted FAO's intention to submit modifications to the definition of a common fishing zone to MSC 89.

11.29 The Sub-Committee, having noted the group's view on the need to retain, in the authentic text, the footnote referring to UNCLOS in draft regulation I/3, to clarify the term "baseline", requested the Secretariat to further consider the matter from the legal point a view and advise MSC 89 accordingly, taking into account that footnotes are "editorial apparatus" which are not normally part of an authentic text.

11.30 Subsequently, the Sub-Committee agreed to the draft amendments to the 1993 Torremolinos Protocol, as set out in annex 9, for submission to MSC 89, for consideration and action, as appropriate.

11.31 In this context, the Sub-Committee noted the group's view that the requirements of the 1993 Torremolinos Protocol, which would be implemented through the Agreement, should be further amended (i.e. updated) after the Agreement enters into force.

11.32 The Sub-Committee also noted information by the Secretariat that, if MSC 89 approved the draft Agreement, a diplomatic conference, possibly in 2012, may be appropriate for the adoption of the Agreement. However, the Secretariat advised that further

examination of the matter, taking into account various points, e.g., legal issues, budget implications, etc., was still necessary, and that relevant information on the matter would be submitted to MSC 89.

Completion of the work on this output

11.33 Subsequently, the Sub-Committee invited the Committee to note that the work on this output had been completed.

12 AMENDMENTS TO SOLAS CHAPTER II-1 SUBDIVISION STANDARDS FOR CARGO SHIPS

General

12.1 The Sub-Committee recalled that SLF 52, having considered document MSC 85/23/1 (United Kingdom), proposing to consider deleting footnote .4 to SOLAS regulation II-1/4 and updating references to the remaining footnotes as necessary, had noted the view of the delegation of Germany that footnotes .6 and .7 should also be considered in the context of this item and had invited Member Governments and international organizations to submit their proposals and comments, as appropriate, on the matter to the SDS Correspondence Group, for consideration and advice to SLF 53 as appropriate.

Report of the correspondence group

12.2 In considering the report of the correspondence group (SLF 53/12), the Sub-Committee noted that:

- .1 with regard to removing footnote .4 to SOLAS regulation II-1/4.1, the correspondence group was of the view that more research, in the form of design studies comparing the equivalence in terms of the subdivision and damage stability characteristics of ships complying with both, resolution MSC.235(82) and SOLAS, chapter II-1, part B, was needed before a final decision could be made on how best to apply these instruments; and
- .2 the delegations of China and the United States were currently working on such studies and it was hoped that other delegations could contribute with further work to ensure that the most appropriate regulations and guidelines (or combination thereof) were ultimately applied to offshore supply vessels.

12.3 The Sub-Committee also noted the view of the group that this planned output could not be finalized at this session and an extension of the target completion year was deemed necessary.

12.4 In this context, the Sub-Committee noted the information contained in document SLF 53/INF.7 (China), which provided a summary of a study carried out by China on the impact of the damage stability requirements of the SOLAS 2009 amendments on offshore supply vessels of more than 80 m in length, taking into consideration the discussion within the SDS Correspondence Group, and agreed on the need for the same level of safety for offshore supply vessels of different lengths.

12.5 The Sub-Committee noted the comments by the delegation of Germany, supported by other delegations, that the footnote to SOLAS regulation II-1/4 was necessary for the uniform implementation of the regulation, although, as a footnote, it was not considered to be part of the text of the Convention and, therefore, had not been included in the certified text of

regulation II-1/4. In view of the above, the delegation was of the opinion that meaningful text in footnotes, which guides implementation of regulations, might be better located in the text of such regulations. The Sub-Committee noted the intention of Germany to submit comments on the matter to MSC 89, for the consideration by the Committee.

Instructions to the SDS Working Group

12.6 Following discussion, the Sub-Committee instructed the SDS Working Group, established under agenda item 7, to further consider, time permitting, documents SLF 53/12 and SLF 53/INF.7, and advise the Sub-Committee accordingly.

Report of the SDS Working Group

12.7 Having considered the part of the report of the working group (SLF 53/WP.6) dealing with the agenda item, the Sub-Committee took action as outlined hereunder.

Footnote to SOLAS regulation II-1/4.1

12.8 The Sub-Committee noted the views of the group on the application of the footnote to SOLAS regulation II-1/4.1, in particular that the current practice was to apply the footnote as indicated in the regulation; that the list of instruments provided in the footnote generally included the appropriate damage stability instruments developed by the Organization; and that the mandatory character of the footnote should not be challenged. In this connection, the Sub-Committee also noted that the reference to subdivision standards for offshore supply vessels in the footnote needed to be updated and that this should be taken into account by the SDS Correspondence Group (see paragraph 10.11) in the context of the review of SOLAS chapter II-1.

12.9 Regarding the deletion of footnote .4 to SOLAS regulation II-1/4.1, the Sub-Committee agreed with the view of the group that, before taking a decision on this matter, additional information is necessary in the form of comparative damage stability studies regarding equivalence between both resolution MSC.235(82) and SOLAS chapter II-1, part B-1, as amended (SOLAS 2009).

Instructions to the SDS Correspondence Group

12.10 Having considered the above matters, the Sub-Committee instructed the SDS Correspondence Group established under agenda item 10 (see paragraph 10.11) to:

- .1 further consider the deletion of footnote .4 to regulation II-1/4.1, relating to the supposed equivalence of resolution MSC.235(82) with SOLAS chapter II-1, part B-1; and
- .2 assess, in the light of recent and current research, whether amendments may be necessary to resolution MSC.235(82) to improve the safety level of all sizes and classes of offshore supply vessels and advise the Sub-Committee accordingly.

Extension of the target completion year

12.11 In view of the above, the Sub-Committee invited the Committee to extend the target completion year for this output to 2013, so that the results of relevant ongoing research projects could be taken into account in the considerations.

13 AMENDMENTS TO THE 1966 LL CONVENTION AND THE 1988 LL PROTOCOL RELATED TO SEASONAL ZONE

General

13.1 The Sub-Committee recalled that MSC 86 considered document MSC 86/23/3 (South Africa), proposing to amend the requirements of the 1966 Load Lines Convention and the 1988 Load Line Protocol to shift the Winter Seasonal Zone off the southern tip of Africa further southward by 50 miles, thus allowing tankers to round the Cape of Good Hope on their summer marks all year round, and agreed to include, in the biennial agendas of the NAV and SLF Sub-Committees and the provisional agenda for SLF 52, a new output on "Amendments to the 1966 LL Convention and the 1988 LL Protocol related to seasonal zone", with a target completion date of 2011, assigning the SLF Sub-Committee as coordinator.

13.2 The Sub-Committee also recalled that SLF 52, having noted South Africa's intention to submit further information on the matter, invited Member Governments and international organizations to submit relevant comments and data to this session, with a view to finalizing the matter. In this context, SLF 52 also invited Member Governments and international organizations, if they so wished, to contact South Africa for exchanging data and views.

Outcome of NAV 56 and MSC 88

13.3 In considering the part of document SLF 53/2/1 (Secretariat) related to this agenda item, the Sub-Committee noted that MSC 88 had endorsed the agreement of NAV 56 to shift the Winter Seasonal Zone off the southern tip of Africa further southward by 50 miles, as proposed by South Africa.

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

13.4 The Sub-Committee noted the information contained in document SLF 53/INF.4 (South Africa) on wind and wave statistics in order to assist the Sub-Committee to finalize the draft amendments to the 1966 LL Convention and the 1988 LL Protocol and agreed to take the information into account in the preparation of the draft amendments.

13.5 Having considered document SLF 53/WP.2 (Secretariat), containing proposed amendments to regulation 47 of the 1966 LL Convention and the 1988 LL Protocol to shift the Winter Seasonal Zone off the southern tip of Africa further southward by 50 miles, the Sub-Committee agreed to the draft amendments to the 1966 LL Convention and the 1988 LL Protocol, as set out in annexes 10 and 11, respectively, for submission to MSC 89 for approval with a view to subsequent adoption.

Completion of the work on this output

13.6 Subsequently, the Sub-Committee invited the Committee to note that the work on this output had been completed.

14 REVISION OF SOLAS CHAPTER II-1 SUBDIVISION AND DAMAGE STABILITY REGULATIONS

General

14.1 The Sub-Committee recalled that MSC 85, having endorsed the relevant proposal by SLF 51, had agreed to include, in the SLF Sub-Committee's work programme, a high-priority item on "Revision of SOLAS chapter II-1 subdivision and damage stability regulations", with two sessions needed to complete the item.

14.2 The Sub-Committee also recalled that SLF 52, having considered documents SLF 52/17/1, SLF 52/17/2, SLF 52/17/3, SLF 52/17/4, SLF 52/17/5 and SLF 52/17/6, submitted to that session under the agenda item "Any other business", had decided to consider the aforementioned documents in detail at this session, and, to progress work on the issue intersessionally, had instructed the SDS Correspondence Group to prepare relevant draft amendments to SOLAS chapter II-1 and the associated Explanatory Notes.

Report of the correspondence group

14.3 In considering the report of the correspondence group (SLF 53/14), the Sub-Committee noted that the group had extensive discussions on the draft amendments to SOLAS chapter II-1 and its Explanatory Notes (resolution MSC.281(85)) and had prepared a summary table (SLF 53/14, annex), showing the state of progress, for further consideration by the SDS Working Group.

14.4 The Sub-Committee also had for its consideration the following documents:

- .1 SLF 53/14/1 (United States), providing comments on whether the work under this output is still bound by the past "harmonization" requirement to maintain an equivalent level of safety to the previous SOLAS chapter II-1 subdivision and damage stability regulations. In this context, the Sub-Committee noted that the United States did not believe it was intended to perpetuate the harmonization instruction to maintain an equivalent level of safety to the previous SOLAS regulations. In their view, this item was aimed at refining and improving the current harmonized SOLAS chapter II-1 subdivision and damage stability regulations based on experience that has been gained in their application; and
- .2 SLF 53/14/2 (Japan), providing comments on the development of probabilistic bottom damage stability requirements. The Sub-Committee noted that the correspondence group felt that more statistical data was needed before reaching a decision regarding bottom damage requirements and a likely source for this would be the GOALDS (Goal-based Damaged Stability) research project. The Sub-Committee also noted that Japan believed that the introduction of the probabilistic concept to bottom damage requirements enhances the flexibility of ship design having a sufficient level of safety and strongly supported the goal-based approach to damage stability requirements, which the GOALDS project is developing.

14.5 In considering the above documents, the Sub-Committee agreed that it was no longer bound to maintain an equivalent level of safety to the previous SOLAS chapter II-1 subdivision and damage stability regulations and that this new output is aimed at refining and improving the current SOLAS chapter II-1, based on experience gained in the application of its provisions. If the current work uncovers safety deficiencies in the chapter, then they should be corrected.

14.6 The Sub-Committee also supported the applicability of double bottom requirements to all SOLAS ships without any length restrictions and the development of probabilistic bottom damage stability requirements, following a goal-based approach.

Instructions to the SDS Working Group

14.7 Following discussion, the Sub-Committee agreed to instruct the SDS Working Group, established under agenda item 7, taking into account the comments and decisions made in plenary, based on the report of the correspondence group (SLF 53/14), to further

consider the draft amendments to SOLAS chapter II-1 and its Explanatory Notes (resolution MSC.281(85)), for advice to the Sub-Committee.

Report of the SDS Working Group

14.8 Having considered the part of the report of the working group (SLF 53/WP.6) dealing with the agenda item, the Sub-Committee took action as outlined hereunder.

Proposed amendments to SOLAS chapter II-1 and its related Explanatory Notes

14.9 The Sub-Committee agreed, in principle, to the proposed amendments to SOLAS chapter II-1 and its related Explanatory Notes, as set out in annex 5 to document SLF 53/WP.6, for further consideration by the SDS Correspondence Group. Noting the decision of the group to continue working on the amendments and Explanatory Notes after finalizing its report, the Sub-Committee agreed that the results of this further work would be included in a part 2 of the report of the working group, which would be issued as a session document for SLF 54 immediately after this session, so that it could be taken into account by the SDS Correspondence Group.

Instructions to the SDS Correspondence Group

14.10 Consequently, the Sub-Committee instructed the SDS Correspondence Group established under agenda item 10 (see paragraph 10.11), to:

- .1 consider what requirements for a minimum GM (or maximum allowable KG) are applicable at draughts below the light service draught (dL);
- .2 consider the validity of applying paragraph 8 of SOLAS regulation II-1/9 to smaller ships and, if necessary, suggest appropriate amendments;
- .3 further consider draft SOLAS regulation II-1/7-2.5.2.3, as set out in annex 5 to document SLF 53/WP.6; and
- .4 finalize the draft amendments to SOLAS chapter II-1 and the related Explanatory Notes, taking into account the outcome of the SDS Working Group at SLF 53.

15 CONSIDERATION OF IACS UNIFIED INTERPRETATIONS

15.1 The Sub-Committee recalled that MSC 78 instructed the sub-committees to consider any submitted IACS unified interpretations with a view to developing appropriate IMO interpretations, if deemed necessary.

15.2 The Sub-Committee noted that no IACS interpretations had been submitted to this session.

16 BIENNIAL AGENDA AND PROVISIONAL AGENDA FOR SLF 54

General

16.1 The Sub-Committee recalled that, at its last session, it was informed that the Assembly had requested the Committees to review and revise, during the current biennium, their respective Guidelines on the organization and method of work (Committees' Guidelines), with a view to bringing them in line with the Council's Guidelines on the application of the Strategic Plan and the High-level Action Plan, as adopted by resolution A.1013(26).

Outcome of MSC 87 and MSC 88

16.2 The Sub-Committee noted that MSC 87 had recalled that the Migration Plan relating to the Guidelines on the application of the Strategic Plan and the High-level Action Plan of the Organization, as set out in annex 2 to document MSC 87/23, prepared by the *Ad Hoc* Council Working Group on the Organization's Strategic Plan to facilitate implementation of resolution A.1013(26), was developed with a view towards achieving full implementation of the aforementioned Guidelines by the beginning of the 2012-2013 biennium.

16.3 The Sub-Committee also recalled that, in pursuance of the above request, MSC 87 had prepared a draft revision of the Committees' Guidelines, which was endorsed at MEPC 61, taking into account the provisions of the Migration Plan prepared by the Council. MSC 88, having agreed to additional revisions, had requested the Secretariat to prepare a consolidated version of the draft revised Guidelines, for consideration by MSC 89 with a view to approval.

16.4 The Sub-Committee noted that MSC 87 instructed the subsidiary bodies to prepare their respective biennial agendas for the next biennium at their forthcoming sessions, in accordance with the revised Committees' Guidelines, taking into account that:

- .1 outputs selected for the biennial agenda should be phrased in SMART terms; and
- .2 where the target completion year for a specific output goes beyond the 2012-2013 biennium, an interim output should be placed in the biennial agenda with a target completion year of 2012 or 2013, as appropriate, and a related output should be placed in the Committee's post-biennial agenda with the anticipated completion year,

and requested the Secretariat, in consultation with the Chairmen, to prepare the initial proposals for consideration by the sub-committees accordingly.

16.5 The Sub-Committee also noted that MSC 87, recognizing the need for achieving full implementation of the Guidelines on the application of the Strategic Plan and the High-level Action Plan of the Organization by the beginning of the 2012-2013 biennium, had agreed to finalize its proposals for the High-level Action Plan for the 2012-2013 biennium, based on the revised Guidelines, for consideration at MSC 89, taking into account the proposed biennial agendas prepared by the sub-committees, for submission to C 106. The Committee requested the Secretariat to take action, as appropriate, and inform MEPC 62 accordingly.

16.6 In the context of the Guidelines on the application of the Strategic Plan and the High-level Action Plan, resolution A.1013(26), the Sub-Committee noted that the Committee had been requested to establish and maintain a post-biennial agenda, using the format set out in the aforementioned Guidelines and that the Secretariat had prepared the Committee's post-biennial agenda set out in annex 23 to document MSC 88/26 based on the proposals made by the sub-committees at their last sessions.

Proposals for the biennial agenda for 2012-2013 and provisional agenda for SLF 54

16.7 Taking into account the progress made during this session and the decisions of MSC 87 and MSC 88, the Sub-Committee prepared its draft biennial agenda for the 2012-2013 biennium in SMART terms, including outputs to be placed on the Committee's post-biennial agenda which are under the purview of the Sub-Committee, and the draft provisional agenda for SLF 54 (SLF 53/WP.3), based on the biennial agenda approved by MSC 88 (SLF 53/2, annex), as set out in annexes 12 and 13, respectively, for consideration by MSC 89.

16.8 In considering the existing output on "Development of guidelines for verification of damage stability requirements for tankers and bulk carriers", the Sub-Committee recalled that SLF 52 had decided to first develop guidelines for verification of damage stability requirements for tankers, and to address bulk carriers after the work related to tankers had been completed (see paragraph 8.1). Recalling also the instructions of MSC 87 that outputs selected for the biennial agenda should be phrased in SMART terms, and noting the views on this matter, the Sub-Committee agreed to divide the issue in two outputs for the 2012-2013 biennium as follows:

- .1 Development of guidelines for verification of damage stability requirements for tankers, with target completion year of 2012, for inclusion in the provisional agenda of SLF 54; and
- .2 Development of guidelines for verification of damage stability requirements for bulk carriers, with target completion year of 2013, for inclusion in the provisional agenda of SLF 55.

Arrangements for the next session

16.9 The Sub-Committee agreed to establish at its next session working groups on the following subjects:

- .1 intact stability;
- .2 guidelines for verification of damage stability requirements for tankers; and
- .3 subdivision and damage stability.

16.10 The Sub-Committee established correspondence groups on the following subjects, due to report to SLF 54:

- .1 review of damage stability regulations for ro-ro passenger ships;
- .2 amendments to SOLAS chapter II-1 subdivision standards for cargo ships; and
- .3 revision of SOLAS chapter II-1 subdivision and damage stability regulations.

Status of planned outputs

16.11 The Sub-Committee prepared the report on the status of planned outputs of the High-level Action Plan of the Organization and priorities for the 2010-2011 biennium relevant to the Sub-Committee, as set out in annex 14, and invited the Committee to note the status.

Date of the next session

16.12 The Sub-Committee noted that the fifty-fourth session of the Sub-Committee had been tentatively scheduled to take place from 16 to 20 January 2012.

17 ELECTION OF CHAIRMAN AND VICE-CHAIRMAN FOR 2012

17.1 In accordance with the Rules of Procedure of the Maritime Safety Committee, the Sub-Committee unanimously re-elected Mr. Z. Szozda (Poland) as Chairman and Mr. K. Hunter (United Kingdom) as Vice-Chairman, both for 2012.

18 ANY OTHER BUSINESS**Guidance for watertight doors on passenger ships which may be opened during navigation**

18.1 The Sub-Committee considered document SLF 53/18 (Secretariat), on the outcome of DE 54 on matters related to the work on the Guidance for watertight doors on passenger ships which may be opened during navigation, and noted that DE 54 had finalized a relevant draft MSC circular, incorporating the Guidance for the determination by Administrations of the impact of open watertight doors on ship survivability developed by SLF 52, which was approved by MSC 88 as MSC.1/Circ.1380 on Guidance for watertight doors on passenger ships which may be opened during navigation.

18.2 The Sub-Committee also noted that DE 54, having agreed to the above Guidance, had invited SLF 53 to:

- .1 consider the issue of permitting watertight doors to remain open in relation to the floatability assessment, in particular possible amendments to SOLAS chapter II-1 subdivision and damage stability regulations, with a view to harmonizing damage stability regulations and the floatability assessment; and
- .2 consider modifications to the Guidelines for damage control plans and information to the master (MSC.1/Circ.1245), as consequential changes.

18.3 In the context of the above, the Sub-Committee noted the views of the delegation of the United Kingdom, supported by other delegations, that they had been entirely satisfied with the outcome of decisions made at previous sessions of the SLF and DE Sub-Committees on the draft Guidance presented at DE 54, and had considered that a satisfactory level of safety had been achieved. However, on the completion of the discussion at DE 54, the delegation had expressed its concern at the outcome, which was reiterated at MSC 88, where the delegation reserved its position. The delegation of the United Kingdom, supported by the delegation of Norway, remained convinced that watertight doors should not be allowed to remain open in areas hazardous to navigation under any circumstances other than to allow for passage and then should be closed immediately afterwards. They were in favour of a concession being made when operating in conditions of reduced hazard such that category A doors may remain open following satisfaction of the floatability assessment and would strongly oppose the incorporation in mandatory regulations of making such a concession on the basis of a risk assessment.

Instructions to the SDS Working Group

18.4 Following discussion, the Sub-Committee instructed the SDS Working Group, established under agenda item 7, to consider the following issues, with the lowest priority within the group's work, taking into account the comments made in plenary and document SLF 53/18, and advise the Sub-Committee accordingly:

- .1 permitting watertight doors to remain open in relation to the floatability assessment, in particular possible amendments to SOLAS chapter II-1 subdivision and damage stability regulations, with a view to harmonizing damage stability regulations and the floatability assessment; and
- .2 modifications to the Guidelines for damage control plans and information to the master (MSC.1/Circ.1245), as consequential changes.

Report of the SDS Working Group

18.5 Having received the part of the report of the working group (SLF 53/WP.6) related to this agenda item, the Sub-Committee noted that due to time constraints the group had not been able to consider the matter. If further discussion was considered necessary, the Sub-Committee invited Member Governments and international organizations to submit relevant comments and proposals to the Committee, in accordance with the Committee's Guidelines, bearing in mind that a number of research projects related to the matter are currently underway.

Expressions of appreciation

18.6 The Sub-Committee expressed appreciation for the following delegates and members of the Secretariat, who had recently relinquished their duties, retired or were transferred to other duties or were about to, for their invaluable contribution to its work and wished them a long and happy retirement or, as the case might be, every success in their new duties:

- Mr. John Bainbridge (ITF) (on retirement);
- Mr. Eduardo Hernández Martín (Secretariat) (on retirement);
- Mr. Miguel Palomares (Secretariat) (on retirement);
- Dr. Peter Swift (INTERTANKO) (on retirement);
- Mr. Santiago Villalba (Argentina) (on transfer).

18.7 The Sub-Committee also expressed special appreciation to Professor L. Kobylinski (Poland), who reached a milestone at this session by having attended IMO meetings for 50 years, having served in both functions as Secretary of the SLF Sub-Committee and as a member of the Polish delegation to IMO.

19 ACTION REQUESTED OF THE COMMITTEE

19.1 The Maritime Safety Committee, at its eighty-ninth session, is invited to:

- .1 note that the Sub-Committee agreed to include excessive stability of timber deck carriers in the plan of action for the development of second generation intact stability criteria and that no action should be taken at this time regarding a possible revision of the 1966 LL Convention and 1988 LL Protocol (paragraphs 3.29 and 3.30);
- .2 approve the draft Guidelines to assist competent authorities in the implementation of Part B of the Code of Safety for fishermen and fishing vessels, the Voluntary Guidelines for the design, construction and equipment of small fishing vessels and the Safety Recommendations for decked fishing vessels of less than 12 metres in length and undecked fishing vessels and request the Secretariat to forward the Implementation Guidelines to FAO and ILO for concurrent approval (paragraph 4.5 and annex 1);
- .3 request the Secretariat to make the Implementation Guidelines available on the public IMO website, when appropriate (paragraph 4.6.1);
- .4 invite the Technical Co-operation Committee to consider including, within the Integrated Technical Co-operation Programme (ITCP), the securing of funding for translation of the Implementation Guidelines into the language of recipient countries, if it is not one of the six official languages of IMO (paragraph 4.6.2);

- .5 endorse the Sub-Committee's decisions the best way to improve the effect of the 1969 TM Convention on ship design and safety and approve the justification for the inclusion, in the Sub-Committee's biennial agenda for 2012–2013, of a new planned output on "Development of provisions to ensure the integrity and uniform implementation of the 1969 TM Convention" (paragraphs 5.6 and 5.7 and annex 2);
- .6 note that the Sub-Committee considered the draft Interpretations to SOLAS regulation II-2/21 (Safe return to port and safe areas) that are under the purview of the Sub-Committee and that the outcome has been forwarded to FP 55 for coordination purposes (paragraph 7.14 and annex 3);
- .7 approve the draft amendments to SOLAS regulation II-1/8-1 to introduce a mandatory requirement for either onboard stability computers or shore-based support, with a view to subsequent adoption (paragraph 7.16 and annex 4);
- .8 approve the draft MSC circular on Guidelines on operational information for masters of passenger ships for safe return to port by own power or under tow (paragraph 7.18 and annex 5);
- .9 note that the Sub-Committee referred the matter of additional training for masters and crew members assigned to operate stability computers to the STW Sub-Committee for further consideration (paragraph 7.20);
- .10 note that the Sub-Committee had referred its comments on the draft Guidelines for passenger ship tenders to DE 55 for coordination purposes (paragraphs 9.4 and 9.6);
- .11 approve the justification to expand the scope of the output on "Review of damage stability regulations for ro-ro passenger ships", and extend the target completion year to 2013 (paragraphs 10.9 and 10.10 and annex 6);
- .12 consider the draft Agreement (option 1) and draft Assembly resolution (option 2) prepared in order to facilitate the implementation of the 1993 Torremolinos Protocol, taking into account that the Sub-Committee had a clear indication to recommend the draft Agreement to the Committee, and in particular:
 - .1 agree on one of the aforementioned options (paragraphs 11.22 and 11.25 and annexes 7 and 8);
 - .2 approve the full text of the chosen instrument, taking into account that the draft Agreement has square brackets in paragraphs (1) and (3) of article 4 (paragraph 11.21 and annexes 7 and 8);
 - .3 consider the draft amendments to the 1993 Torremolinos Protocol and take action accordingly (paragraph 11.30 and annex 9); and
 - .4 consider whether to adopt the chosen instrument by a diplomatic conference or at the next Assembly and take action, as appropriate (paragraph 11.32);

- .13 approve the draft Assembly resolution on amendment to the 1966 LL Convention, with a view to adoption at MSC 90 and A 28 (paragraph 13.5 and annex 10);
- .14 approve the draft amendment to the 1988 LL Protocol, with a view to adoption at MSC 90 (paragraph 13.5 and annex 11);
- .15 approve the biennial agenda of the Sub-Committee for the 2012-2013 biennium and the outputs to be placed on the Committee's post-biennial agenda which are under the purview of the Sub-Committee (paragraph 16.7 and annex 12);
- .16 approve the draft provisional agenda for SLF 54 (paragraph 16.7 and annex 13);
- .17 note the report on the status of the Sub-Committee's planned outputs in the High-level Action Plan for the current biennium (paragraph 16.11 and annex 14); and
- .18 approve the report in general.

ANNEX 1

DRAFT GUIDELINES TO ASSIST COMPETENT AUTHORITIES IN THE IMPLEMENTATION OF PART B OF THE CODE OF SAFETY FOR FISHERMEN AND FISHING VESSELS, VOLUNTARY GUIDELINES FOR THE DESIGN CONSTRUCTION AND EQUIPMENT OF SMALL FISHING VESSELS, AND THE SAFETY RECOMMENDATIONS FOR DECKED FISHING VESSELS OF LESS THAN 12 METRES IN LENGTH AND UNDECKED FISHING VESSELS

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PREFACE

The need to address fishing vessel safety within the United Nations system was recognized as early as the 1950s by the Food and Agriculture Organization of the United Nations (FAO) and as a result of calls by naval architects, the marine community and fishermen; much work was undertaken in the design and safety of fishing vessels, especially smaller vessels. In the 1960s, in cooperation with the International Labour Organization (ILO) and the International Maritime Organization (IMO)¹ and FAO, the Code of Safety for Fishermen and Fishing Vessels (hereinafter referred to as the Code) was developed. The Voluntary Guidelines for the Design and Equipment of Small Fishing Vessels (hereinafter referred to as the Voluntary Guidelines) were completed in 1982.

On adopting the Torremolinos Protocol of 1993 relating to the Torremolinos International Convention for the Safety of Fishing Vessels, 1977, the Conference recommended that there would be a need to review the Code. Consequently, IMO undertook a review and invited the participation of FAO and ILO, it also decided, at the same time, to review the Voluntary Guidelines.

Following the completion of the review of the Code of Safety and the Voluntary Guidelines, the revised texts were approved by Maritime Safety Committee (MSC) at its seventy-ninth session (1 to 10 December 2004). Thereafter, at the Committee on Fisheries at its twenty-sixth session, in March 2005, FAO welcomed the revisions and recommended the early publication by IMO of these documents and later, the Governing Body of the ILO approved the revised texts, at its 293rd session in June 2005.

The MSC, at its seventy-ninth session, agreed with the proposal made by FAO to include in the work programme of the Sub-Committee on Stability and Load Lines and on Fishing Vessel Safety (SLF) a new high-priority item on "Safety of small fishing vessels". The aim being to develop safety recommendations for decked fishing vessels of less than 12 m in length and undecked fishing vessels, bearing in mind that the majority of fishing fatalities occur aboard such vessels.

Following the completion of the Safety Recommendations for decked fishing vessels of less than 12 metres in length and undecked fishing vessels (herein after referred to as the Safety Recommendations) were approved by Maritime Safety Committee (MSC), at its eighty-seventh session (12 to 21 May 2010). Thereafter, at the Committee on Fisheries at its [... session in ...], FAO welcomed the revisions and recommended the early publication by IMO of these documents and later, the Governing Body of the ILO approved the revised texts, at its 309th session in November 2010.

In 2007 the ILO adopted the Work in Fishing Convention (No.188) and its accompanying recommendation No.199. These are comprehensive instruments covering many aspects of work on board fishing vessels, including issues such as medical certification, manning, hours of rest, crew accommodation, food and catering, occupational safety and health, medical care at sea, social security and liability for injury and death. They also emphasize the importance of consulting with fishing vessel owners and representatives of fishermen when developing laws, regulations and other measures concerning safety and health in the fisheries sector. The requirements concerning accommodation in particular will have a direct impact on the design and construction of new fishing vessels and on existing vessels where the accommodation is undergoing reconstruction or substantial alteration.

¹ Inter-governmental Maritime Consultative Organization at time of adoption of the Code of Safety.

During the development of the Safety Recommendations, it was further recognized that there was a pressing need to provide assistance in their implementation. The Maritime Safety Committee, at its eighty-third session, approved the development of guidelines to assist competent authorities in the implementation of the Code, Voluntary Guidelines, and Safety Recommendations into their domestic legislation and/or codes of safe practice, or other measures in consultation with all stakeholders in the industry.

FAO held an expert consultation on Best Practices for Safety at Sea in the Fisheries Sector, from 10 to 13 November 2008, with the participation of ILO and IMO with the objective to develop a draft outline of guidelines for such best practices. It was emphasized at the expert consultation that the guidelines should ensure a holistic approach so that all factors influencing safety are comprehensively covered, and that awareness raising of safety issues should be accorded high priority. The best practice guidelines would take into account the outcomes of FAO regional meetings on safety at sea as well as the instruments developed by FAO, ILO and IMO that relate to safety and health in the fisheries sector.

These guidelines are intended for the attention of maritime, labour and fisheries ministries and any other relevant government ministry as and when it is decided to implement Part B of the Code and/or, the Voluntary Guidelines and/or the Safety Recommendations. While the intention is not to provide a single prescription to improve safety, the guidelines do seek to raise awareness and offer guidance on the broad range of such issues which must be addressed in an effective and holistic manner. Furthermore, it is hoped that they would underline the need to provide an environment within which fishing communities, owners, operators and skippers can make use of the options and tools to improve safety at sea in the fisheries sector.

Following the completion of the Guidelines to assist competent authorities in the implementation of *Part B of the Code of Safety for Fishermen and Fishing Vessels, Voluntary Guidelines for the Design Construction and Equipment of Small Fishing Vessels, and Safety Recommendations for Decked Fishing Vessels of less than 12 metres in Length and Undecked fishing vessels (hereinafter referred to as the Implementation Guidelines) were approved by Maritime Safety Committee (MSC) at its [eighty-ninth session (11 to 20 May 2011)]. Thereafter, at the Committee on Fisheries at its [... session in ...], FAO welcomed the revisions and recommended the early publication by IMO of these documents and later, the Governing Body of the ILO approved the revised texts at its [... session in ...].

* These are referred to as Part B of the Code, the Voluntary Guidelines and the Safety Recommendations.

INTRODUCTION

1 Fishing continues to be recognized as one, if not the most hazardous occupation in the world. In 1999, it was estimated that there are 24,000 deaths annually, the large majority of these on board small vessels. At the time of the preparation of these Guidelines, it was also estimated that there are some 4 million fishing vessels operated globally, 1.3 million decked vessels of which probably 96% are less than 24 m in length and 2.7 million undecked vessels of which at least 1.7 million are not mechanically powered, indicating the importance of taking action to improve safety of these smaller vessels.

2 The fishing industry is characterized by the lack of a safety culture; there are many factors that have led to this, earnings only linked to the volume of the catch; training, education, poverty, outdated legislation and the perceived high cost of safety in an industry that is suffering declining catch rates and ever increasing higher input costs. The introduction of a regulatory framework is but one of the faucets to inculcate a safety culture; "the most effective and long lasting change will only occur when the industry itself embraces the need for a safety culture that has eluded it for so long".

3 Apart from having in place a regulatory framework, there are other actions that can be considered as part of an overall safety programme. For example, there should be both high-level and community-based safety seminars focussing on safety awareness, the raising of training and educational levels and addressing minimum levels of manning for different classes and types of fishing vessels.

4 The cooperation and coordination between maritime and fisheries administrations is important, particularly where the responsibilities for safety of fishing vessels are divided under relevant Acts. In addressing stock management issues, decisions made should also consider the possible resultant impact on the safety in the fisheries sector.

5 Valuable lessons on how to improve ergonomics can be gained from other sectors and from experts in occupational safety and health and related disciplines. The administration(s) responsible for improving vessel and crew safety should seek, where practicable, to draw upon such knowledge and experience when seeking to improve fishing vessel design and when overseeing installation of new equipment. The importance of making vessels not only safe but also healthy and tolerable for crews should not be overlooked.

6 Therefore, the purpose of these Guidelines is to assist maritime administrations and/or fisheries ministries to put in place, or refine, a regime that will give effect to Part B of the Code, Voluntary Guidelines, and Safety Recommendations, from a practical perspective. In order to ensure a holistic approach these guidelines include subjects such as operational safety and human element of necessity the reader's attention is drawn to the Code of Safety for Fishermen and Fishing Vessels, Part A. The Guidelines cover such areas as:

- Development of a safety strategy;
- Legal implications;
- Administrative requirements;
- Capacity-building;
- Training of crew members;

- Enforcement of regulations; and
- Operational safety.

7 Any reference in these Implementation Guidelines to "the instruments" means the Code of Safety for Fishermen and Fishing Vessels, Part B, the Voluntary Guidelines for the Design, Construction and Equipment of Small Fishing Vessels and the Safety Recommendations for decked fishing vessels of less than 12 metres in length and undecked fishing vessels.

8 Terms used in these Implementation Guidelines have, in general, the same meaning as those used in the instruments. The following definitions are important for the purpose of these Guidelines and are included here. Therefore, unless provided otherwise:

8.1 *Approved* means approved by the competent authority.

8.2 *Competent authority* is the Government of the State whose flag the vessel is entitled to fly. The competent authority may delegate certain of its duties to entities authorized by it and that it deems suitably qualified to undertake those duties.

8.3 *Crew* means the skipper and all persons employed or engaged in any capacity on board a vessel on the business of that vessel.

8.4 *Existing vessel* is a vessel which is not a new vessel.

8.5 *Fishing vessel* (hereto referred as vessel) means any vessel used commercially for catching fish, whales, seals, walrus or other living resources of the sea.

8.6 *Fishing Vessel Inspector* means a designated member of the staff of a maritime or fisheries administration regardless of the grade of that person.

8.7 *Inspection of a Fishing Vessel* means an inspection carried out to ensure compliance with the provisions of the shipping, labour and/or fisheries Acts.

8.8 *Length (L)* should be taken as 96% of the total length on a waterline at 85% of the least depth, or as the length from the foreside of the stem to the axis of the rudder stock on that waterline, if that length is greater. In vessels designed with rake of keel the waterline on which this length is measured should be parallel to the designed waterline.

8.9 *Length overall (LOA)* should be taken as the distance in a straight line parallel to the design waterline between the foremost point of the bow and the after most point of the stern.

8.10 *New vessel* is a vessel the keel of which is laid, or which is at a similar stage of construction, on or after the date of adoption of the Instruments set out in chapter 1.

8.11 *Organization* means the International Maritime Organization.

8.12 *Owner* means any person or entity having assumed the responsibility for the operation of the vessel.

8.13 *Recognized Organization* means an organization which meets the relevant conditions set forth by the Guidelines for the authorization of organizations acting on behalf of the Administration (resolution A.739(18)).

8.14 *Skipper* means the person having command of a vessel.

8.15 *Surveyor*, in these Guidelines, means a staff member of a vessel classification society, a person appointed as a non-exclusive surveyor by a classification society, a person appointed by Lloyd's Agent or a person accredited by a professional body as a surveyor of vessels.

8.16 *Unseaworthy vessel* means a vessel whose hull, machinery, equipment or operational safety is substantially less than the provisions of the shipping and/or fisheries Acts in relation to standards of safety construction, safety equipment, equipment and operation of a fishing vessel.

CHAPTER 1

THE INSTRUMENTS

1.1 Purpose

The Guidelines set out in this document are intended to assist competent authorities to give effect to the provisions of the Instruments.

1.2 Part B of the Code

1.2.1 The purpose of Part B of the Code is to provide information on the design, construction, and equipment of fishing vessels with a view to promoting the safety of fishing vessels and safety and health of the crew. The Code is not a substitute for national laws and regulations nor is it a substitute for the provisions of international instruments in relation to safety of fishing vessels and crew although it may serve as a guide to those concerned with framing such national laws and regulations. It is voluntary and wider in scope than the Torremolinos Protocol* and only the minimum requirements to ensure the safety of fishing vessels and safety and health of the crew are given for fishing vessels of 24 m in length and over. Each competent authority should take every possible measure to promote the safety of the vessels concerned.

1.2.2 It may be noted that certain sections of the Part B of the Code make reference to the minimum standards set out in the provisions of the 1993 Torremolinos Protocol. Consequently, where so referenced, these are considered to be the minimum standards acceptable in relation to the classes of vessels, as prescribed in the Protocol, and for the application of Part B of the Code.

1.2.3 Furthermore, it may also be noted, that regional uniform standards or guidelines that have been submitted to IMO as provided for under Article 3, paragraphs (4) and (5) of the Protocol for fishing vessels registered and operating in such regions, prevail over chapters IV, V, VII and IX of Part B of the Code. For all other fishing vessels of 24 m in length and over but less than 45 m in length that are registered in such regions but operate, or are intended for operation outside the region, the provisions of Part B of the Code should be addressed.

1.2.4 In addition, unless otherwise stated, the provisions of Part B of the Code are intended to apply to new decked fishing vessels of 24 m in length and over. However, even where not otherwise stated, the competent authority should also apply these provisions, as far as reasonable and practicable, to existing decked fishing vessels.

1.2.5 The provisions of Part B of the Code do not apply to fishing vessels used for sport or recreation or to processing vessels.

1.2.6 Where operating experience has clearly shown that departure from the provisions of this part of the Code is justified, or in applying this part of the Code to any other equivalent area of operation for any vessel covered by this part of the Code, the competent authority may permit adequate alterations or substitutions thereof.

* Torremolinos Protocol of 1993 relating to the Torremolinos International Convention for the Safety of Fishing Vessels, 1977.

1.3 The Voluntary Guidelines

1.3.1 The purpose of the Voluntary Guidelines is to provide information on the design, construction, and equipment of small fishing vessels with a view to promoting the safety of the vessel and safety and health of the crew. They are not intended as a substitute for national laws and regulations but may serve as a guide to those concerned with framing such national laws and regulations. Each competent authority responsible for the safety of fishing vessels should ensure that the provisions of the Voluntary Guidelines are adapted to its specific requirements, having due regard to the size and type of vessels, their intended service and area of operation.

1.3.2 Unless otherwise stated, the provisions of the Voluntary Guidelines are intended to apply to new decked fishing vessels of 12 m in length and over, but less than 24 m in length. Nevertheless, even where not otherwise stated, the competent authority should as far as reasonable and practical give consideration to the application of these provisions to existing decked fishing vessels. They do not, however, apply to fishing vessels used for sport or recreation or to processing vessels.

1.4 The Safety Recommendations

1.4.1 The purpose of these Safety Recommendations is to provide information on the design, construction, equipment, training and protection of the crew of small fishing vessels with a view to promoting the safety of the vessel and safety and health of the crew. They are not intended as a substitute for national laws and regulations but may serve as a guide to those concerned with framing such national laws and regulations. Each competent authority responsible for the safety of vessels should ensure that the provisions of these safety recommendations are adapted to its specific requirements, having due regard to the size and type of vessels, their intended service and area of operation. Furthermore, attention is drawn to Part A of the FAO/ILO/IMO Code of Safety for Fishermen and Fishing Vessels, 2005.

1.4.2 Unless otherwise stated, the provisions of these Recommendations are intended to apply to new decked vessels of less than 12 m in length (L) and new undecked vessels intended to operate at sea. Nevertheless, even where not otherwise stated, the competent authority should as far as reasonable and practical give consideration to the application of these provisions to existing vessels.

1.5 Mandatory and other voluntary instruments

1.5.1 In implementing a safety regime, using the above mentioned documents, references will be found in them to the mandatory and other non-mandatory instruments given in annex 4, which a competent authority would also need to consider when adopting a holistic approach to fishing vessel safety.

1.5.2 However, it must be understood that the provisions of a Convention when in force and ratified by the State concerned, take precedence over non-mandatory instruments.

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Annex XVIII	Basic first aid kit
Annex XIX	Personnel protective equipment
Annex XX	Requirements for buoyant apparatus
Annex XXI	Guidance on the requirements for life-saving equipment
Annex XXII	Recommendation for testing lifejackets
Annex XXIII	Correct securing of hydrostatic release units
Annex XXIV	Safety training
Annex XXV	Safe operation of winches, line haulers and lifting gear
Annex XXVI	GMDSS
Annex XXVII	Range of VHF for various transmitting/receiving units
Annex XXVIII	Use of mobile telephones in distress and safety communications
Annex XXIX	Radar reflector
Annex XXX	Equipment required to comply with the Collision Regulations
Annex XXXI	International Code of Signals
Annex XXXII	Distress Signals
Annex XXXIII	Basic Pre-sea safety training
Annex XXXIV	Annotated list of pertinent publications

Table 4 – Examples of pertinent mandatory and other voluntary instruments²

Mandatory	International Convention for the Safety of Life at Sea (SOLAS), 1974, as amended, and Protocol. In part applicable to fishing vessels. (www.imo.org)
Mandatory	International Convention on Maritime Search and Rescue, 1979. (www.imo.org)
Mandatory	Convention on the International Regulations for Preventing Collisions at Sea (COLREGS), 1972. Applicable to all fishing vessels. (www.imo.org)
Mandatory	Torremolinos Protocol of 1993 relating to the Torremolinos International Convention on the Safety of Fishing Vessels, 1977. Not yet in force as at (date of printing). (www.imo.org)
Mandatory	International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel (STCW-F), 1995. Not yet in force as at (date of printing). (www.imo.org)
Mandatory	Work in Fishing Convention No. 188 and Recommendation No. 199, 2007. Not yet in force as at (date of printing). (www.ilo.org)
Voluntary	Part A of the Code of Safety for Fishermen and Fishing Vessels.
Voluntary	Document for Guidance on Standards of Training, Certification and Watchkeeping of Fishing Vessel Personnel, 2001. (www.imo.org)
Voluntary	Standard specifications for the marking and identification of fishing vessels, 1989. Voluntary. (www.fao.org)
Voluntary	Code of Conduct for Responsible Fisheries, 1995. (www.fao.org)

² An expanded list is given in Annex V.

CHAPTER 2

ADMINISTRATIVE REQUIREMENTS

2.1 Assessment of national needs

2.1.1 A review of the relevant Act or Acts would identify the various elements that should be covered by an Administration concerned with the safety of fishing vessels. In parallel, an assessment of the fleet should be carried out that would cover all sectors to determine the extent of the requirements of the Administration to implement the provisions of the Instruments as and when incorporated in the Act or Acts. In particular, a census of the fishermen should be carried out and their distribution along the coast (beach landing sites, small harbours and ports) mapped from the point of view of safety services and implementation of the provision in legislation.

2.1.2 The servicing sector should also be assessed and that would include, but not necessarily limited to the:

- shipbuilding/boatbuilding sectors;
- training institutions;
- existing extension services; and
- the role of the Coast Guard.

2.1.3 On the basis of the above-mentioned assessments, the Administration should review its minimum requirements to carry out inspections/surveys on a long-term basis and to plan recruitment and training needs, bearing in mind the need for:

- a review of fishing vessel designs and construction methods in the country and the preparation of standards;
- broad-based training;
- institutional strengthening through the development of a long term strategy for the training and certification/accreditation of fishing vessel inspectors;
- fishing vessel measurement, outline specifications and plans;
- preparation of a model law for the incorporation of standards for fishing vessel construction; and
- a financial and economic feasibility analysis.

2.1.4 With regard to the parallel exercise to identify provisions in the principal legislation and regulations that need amendment, it is important to consider what should be covered in relation to the provisions of the Instrument regarding the construction of fishing vessels. In particular, to address conditions for watertight integrity and equipment, stability and associated seaworthiness, machinery and electrical installations, fire protection and fire fighting, protection of the crew, life-saving appliances, emergency procedures and safety training, radio communications, navigational equipment, crew accommodation, manning and training.

2.1.5 Thereafter, how the provisions of the instruments may be adapted to the specific requirements of the competent authority should be examined, having due regard to the size and type of vessels, their intended mode and area of operation, and climatic conditions. For this reason careful consideration should be given with regard to which of the provisions in the

Instruments are either necessary or unnecessary in the context of the domestic and high seas fisheries. In addition, particular attention should be paid to a situation where vessels registered and or licensed by the flag State are fishing or intending to fish in the exclusive economic zone of another State where more stringent safety regulations may be in place.

2.2 Communications with industry

2.2.1 It is important and essential for the competent authority to communicate with all stakeholders in the industry on all issues before the introduction of the measures to implement the instruments.

2.2.2 Stakeholders are any person or body that has an involvement in the fishing industry, such as, employer and employee representatives, vessel builders, equipment suppliers, insurers, training institutions, fishermen's co-operatives, fishermen, vessel owners, fishermen's federations, etc.

2.3 Determination of linkages between ministries

2.3.1 In parallel with the process of reviewing, amending existing legislation or preparing new legislation on the basis of the provisions of the Instruments, the competent authority should consult with appropriate ministries and apportion responsibilities for the implementation of such legislation.

2.3.2 Thereafter, the ministry elected to play the central role in formulating the measures to give effect to the revised or new legislation, which is often the agency responsible for the safety of vessels, in the context of stability, construction, machinery and electrical equipment, would identify the relevant ministries to consult when considering areas outside of its expertise, e.g., radio communications. Although the relevant ministries would differ in each country, such ministries may include, but not be limited to communications, equipment standards, training and certification, occupational health and safety, labour, etc. There should be a coordinated approach to setting standards and policies and the implementation of legislation, amended or new, to be promulgated on the basis of the Instruments.

2.4 Measures when amending or implementing new safety standards

2.4.1 Consideration should be given to the difficulties that may be encountered by the fishing industry when proposing new measures. This may include measures applicable to existing vessels, and consideration of whether a phasing-in period is necessary for certain requirements. For this reason, it is important and essential for the competent authority to communicate with all stakeholders in the industry on all issues before the deciding on measures to implement the provisions of the Instruments; however the standards set should reflect the outcome of the Assessment of National Needs described above, and should not be lower than that of the instruments.

2.4.2 In addition, competent authorities may consider various stimulus packages to ensure early compliance with new measures, such as grants to replace older vessels or equipment, tax incentives, etc.

2.5 The competent authority

2.5.1 The competent authority should ensure that the delegated authority for fishing vessel safety should be comprised of units that are responsible for:

- policy and planning;
- administration, including internal training and qualification of staff;
- vessel Registration/Licensing for fish;
- technical standards;
- survey and enforcement;
- training, manning, certification, medical and labour standards;
- naval architecture/marine engineering; and
- legal aspects.

2.5.2 Assessment of the requirements for safety equipment and construction materials; the availability of spare parts and service centres

2.5.3 In many countries, there are no manufacturers that produce safety equipment required when implementing the instruments. Fishing vessels therefore carry equipment that is imported. In accepting the use of imported safety equipment, the competent authority should consider the suitability of the equipment against the guidance of the instruments and the availability of spares and replacements and also service centres.

2.5.4 The same consideration should be given to the materials and other equipment used in building the vessel.

2.6 Registration of fishing vessels

2.6.1 Fishing vessels should be registered as a matter of course and the requirement to do so should be in the principle legislation as set out in chapter 3. It is recognized, however, that in many countries, emphasis is placed on the license to fish in the case of small fishing vessels rather than the registry process. Nevertheless in such cases, the licence to fish should contain the same information as required for the register of a fishing vessel in relation to its particulars and ownership.

2.6.2 The competent authority should ensure that appropriate arrangements are in place to adequately service the need to register a fishing vessel. In this regard, it is noted that often the larger fishing vessels fall under the registrar of ships while the task for small vessels lies with a fisheries management administration. Administrations should liaise with all stakeholders to ensure that all fishing vessels are registered and/or licensed to fish.

2.6.3 However, notwithstanding where the responsibility lies, the conditions for the register of a fishing vessel should have a common interpretation and should cover the requirements for new locally built vessels, existing vessels renewing the safety certificate on expiry and imported fishing vessels. Examples of conditions that may be applied are given in annex 1.

2.7 Casualty/Incident investigation

2.7.1 In considering the action required to implement the measures to give effect to the instruments, it is important that a thorough understanding of accidents/incidents and their causes as expanded upon under the heading of the Development of a Safety Strategy that follows. It being understood that while these Guidelines seek to assist competent authorities implementing the instruments, casualty investigation should not be limited to design, construction and equipment issues; but take cognizance of other causal factors that fall outside the ambit of these instruments.

2.7.2 Therefore a "marine accident investigation body" should be established by the competent authority; which should operate independently of the delegated authority for fishing vessel safety.

2.7.3 Furthermore, whereas any marine safety investigation should be separate from, and independent of, any other form of investigation, other government agencies would be required to cooperate with a marine accident investigation body.

2.7.4 The results of investigations should be made public. This is part of the methodology used in heightening safety awareness.

2.8 Development of a safety strategy*

2.8.1 In order to develop a safety strategy, it is imperative to understand and document (as benchmarks) the type and incidence of accidents on board fishing vessels whether these occur at sea or in port. In this regard, as recommended above, consideration should be given at an early stage to establish a "marine accident investigation body". Due consideration should also be given to the structure of the existing fleet and their operational areas, number of fishers, status of available fish resources, the maritime and fisheries legislation and the ability of the competent authority to enforce regulations.

2.8.2 Furthermore, the safety culture in the country and the socio-economic situation of the fishing sector has to be well understood and in particular, the fishers' perception of safety. Thus the stakeholders should be consulted and invited to contribute to the development of the safety strategy. The participation of the stakeholders is of utmost importance in order to have transparency in the process and to prepare realistic and attainable objectives in safety at sea.

2.8.3 In addition, since the strategy might have to extend beyond waters under the jurisdiction of a flag State due to sub-regional, regional and inter-regional agreements to which the flag State may be a party, the influence of these agreements should also be analysed.

2.8.4 An analysis of the information collected concerning accidents should identify key reasons that may include, among others:

- adverse weather;
- human element (inexperience, fatigue, poor training);
- collision;
- grounding;
- flooding;
- communication failures (ship to ship/ship to shore);
- mechanical defects (deck machinery, gear handling, running gear);
- unguarded moving parts of machinery;
- fishing operations (gear coming fast, safe retrieval of fishing gear);
- working aloft;
- lack of, or poorly maintained, survival equipment;
- unseaworthiness of the vessel;
- fire and failure of fire-fighting equipment;
- poor loading/unloading practices and fuel management affecting stability;

* This subject is dealt with in great detail within the FAO Technical Report [...] Best Practices for Safety – [rest of agreed title].

- operating area and distance from safe haven;
- bunkering and storing activities; and
- the pressure of fisheries management decisions.

2.8.5 The underlying contributing factors listed above are a direct reflection on the effectiveness/thoroughness of fishing vessel inspection services and owners or requirements for pre-sea training and the implementation of the provisions of STCW-F in general (notwithstanding that a competent authority may not have ratified that convention).

2.9 Refining the safety strategy

2.9.1 A basic approach, following an understanding of safety issues, would be further consultation with the main stakeholders, it being understood that there would be variations in the composition of the participants (of the stakeholders) depending upon the diversity of the national fleet.

2.9.2 Through such consultations, current impediments to improvements could be highlighted and solutions identified. It being understood that in most cases there would be a need for acceptance of responsibilities by stakeholders such as, owners, managers, skippers, the authorities delegated by the competent authority (maritime and/or fisheries administration, SAR services and ministries concerned with safety and health issues) and certainly in the case of small scale fisheries, the local communities.

2.9.3 In parallel, an inventory should be taken with regard to existing services and capabilities within the country and where appropriate within a region, for comparison with perceived needs. Such an inventory should provide a comprehensive overview of all aspects of the fisheries sector including human resources as referred to in attendant chapters to these guidelines.

2.9.4 The use of a methodology considering Hazard Analysis or Risk Evaluation should be considered to identify and mitigate potential dangers to fishermen and fishing vessels.

2.10 Procedures for investigating complaints

The competent authority should put in place procedures for responding to complaints concerning issues that are covered by the Instruments, such as safety and crew accommodation.

2.11 Special requirements

It is recognized that external assistance may be required in some cases to overcome constraints to the development and implementation of a safety strategy and possibly technical and legal assistance in certain subjects. In particular in the understanding and use of analytical tools developed for a better understanding of safety issues. In this regard, there would be a need to identify sources of such assistance, for example the technical cooperation programmes of UN agencies or through regional cooperation arrangements.

CHAPTER 3

LEGAL IMPLICATIONS

3.1 Introduction

3.1.1 At the outset it should be kept in mind that the Instruments are not intended as a substitute for national laws and regulations but may serve as a guide to those concerned with framing such national laws and regulations.

3.1.2 The primary goal under this section of the Guidelines is to help competent authorities to build their own legislation and regulations or other measures for the safety of fishing vessels, and it is important that these regulations have a sound legal basis. This legislation could be drafted in various ways and at various levels, depending on the constitution and legal system of the country. This legislation could be in the form of laws, acts, codes, regulations and schedules. Therefore, the competent authority should liaise with the legal ministry or the state law office to decide how the legislation should be drafted.

3.1.3 Although it may be seen to be outside the ambit of these Guidelines, competent authorities are reminded of their obligations in terms of mandatory instruments³ with regard to fishing vessels.

3.2 Application

Furthermore, unless otherwise stated, the provisions of the Instruments are intended to apply to new fishing vessels. Nevertheless, even where not otherwise stated, the competent authority should as far as reasonable and practical give consideration to the application of these provisions to existing vessels, including vessels coming on to the register for a first time. They do not, however, apply to vessels used for sport and recreation fishing or to fish processing vessels.

3.3 Existing legislation

3.3.1 In the first instance, it is essential to identify provisions in the principal legislation be it in the Shipping Act and/or the Fisheries Act or other legislation, for example labour acts and regulations that need amendment and for that purpose propose necessary amendments, or draft new text where no legislation exists related to mandatory instruments to which the State is a Party. This review should also give consideration to the position of the competent authority regarding mandatory instruments concerning the safety of fishing vessels and their operations that are under study with a view to deciding whether or not to ratify.

3.3.2 In carrying out the review of principal legislation, due note should be taken of the assessments carried out under chapter 2, in particular, the outcome of discussions with the industry.

3.3.3 Thereafter, the competent authority should ensure that the provisions of the instruments are adapted to its specific requirements, having due regard to the size and type of vessels, their intended mode and area of operation, and climatic conditions. For this reason careful consideration should be given with regard to which of the provisions in the Instruments are either necessary or unnecessary, for example in the context of the domestic and high seas fisheries.

³ See annex [...].

3.3.4 Where there are existing standards* related to fishing vessel design, construction, equipment or manning, amendments should be drafted to comply with the instruments.

3.3.5 When the competent authority drafts a new set of rules, or amendments to existing standards, it is important for the competent authority to decide what responsibilities vessel builders and fishing vessel owners should have.

3.4 No legislation

3.4.1 If the competent authority has no existing legislation or regulations concerning fishing vessel safety, it could, on basis of the various FAO, ILO and IMO instruments and guidelines, draft and build such legislation. Firstly, there should be a primary act for the legislation and regulations to statute authority for the legislation. Furthermore, there should be a description of the responsibilities of the competent authority and vessel owners, related to design, construction, equipment, operation, manning and inspection of fishing vessels. Normally the primary objective will place the responsibility for compliance with the legislation on the fishing vessel owner or the skipper or a combination of both.

3.4.2 When the competent authority is drafting legislation, information could be provided by others, particularly where intra-regional cooperation exists. In addition to this; various organizations such as the FAO, ILO and IMO, would be able to provide information and assistance to the competent authority⁴.

3.4.3 The following scheme may be adopted for drafting at the national level, harmonized legislative provisions for setting requirements for construction of fishing vessels, registration and inspection:

- permission should be given by the fisheries authorities to contemplate registration/building before application is made to the competent authority;
- set out the main requirements for registration and inspection and, in particular, standards for the construction of vessels and restate that no vessel shall be put to sea or be qualified for a licence to fish to be issued in respect of such vessel unless the vessel is constructed in the required manner and is registered and complies with the requirements as set out in the regulations;
- state that the standards are not in derogation of standards required to be met under other applicable laws and conventions;
- set the scope of the application of the regulations in particular in respect to types/categories of vessels;
- set out basic definitions;
- set out standards that apply generally and standards that are specific to a class or type of vessel to be constructed or in use; and to the subject or activity (i.e. construction, survey, registration, safety equipment, etc.); or

* Standard means a regulation a schedule or code that gives effect to the instruments or principal legislation.

⁴ These Organizations provide for services under their regular programmes and in certain cases under the umbrella of Technical Co-operation Programmes.

- alternatively, most standards be set out in schedules under the regulations as rules or by reference to "guidelines, conventions, codes, standards", etc.;
- create offences and penalties for breach of standards (but that ultimate incentive for meeting standards would be the threat of non-registration and no licence to fish); and
- provide for exemption from application of prescribed standards/requirements relating to safety construction, safety equipment and qualifications for vessel/boat builders and fishermen until a specified date. All requests for exemptions should be carefully considered and only granted where compliance is not reasonable or practicable and in no way compromises the safety of the fishermen or vessel.

3.4.4 In the event that there is no requirement in legislation to register small fishing vessels, the requirement for inspection during construction and for seaworthiness should, nevertheless, be included in the regulations of the relevant Act and made a condition for the allocation of a licence to fish.

3.5 Register

3.5.1 The competent authority should keep a record of the vessels that fly its flag or have a register of the vessels and this should be incorporated in the legislation as a requirement. This record or register should be combined with a database of the vessels that are licensed to fish.

3.5.2 Depending on the size of the vessels, area and type of operation, a competent authority could have a requirement to group its fleet into different size categories providing that the standards are no less than given in the relevant instruments. Nevertheless, should the competent authorities chose to differentiate on size, it is important to take in account the international formulae for vessel dimensions and tonnage measurements, and the unified interpretations on how these formulae should be used.

3.6 Safety certificate

3.6.1 The competent authority should ensure that all vessels are inspected by an inspector or surveyor and found fit for intended service prior to the issue of a safety certificate.

3.6.2 Where a safety certificate is not required to be issued, the vessel should be inspected to demonstrate compliance with the standards.

3.6.3 The competent authority may also introduce a system of self-assessment of their vessel(s) by vessel owners that would involve the skipper and crew, in an inspection of a vessel. Such a self-assessment report, signed by an owner and the skipper, would be returned to the government office responsible for the survey/inspection of fishing vessels. Although such a system would remain under the supervision of the competent authority, it would have the added advantage of aiding owners and skippers to meet their responsibilities for compliance with the standards.

3.6.4 A licence to fish should not be issued to a vessel that is not safe.

3.6.5 Examples of a safety certificate and survey checklists are shown in annexes 2, 3 and 4.

3.7 Safety equipment

The competent authority should have in place a regime for the approval of safety equipment. This may include a domestic approval process, recognition of approval by other flag States and recognized organizations. The approval procedures, including the approved sources, should be available to fishing vessel owners who have the responsibility of only purchasing approved safety equipment.

3.8 Survey resources

It is recognized that many competent authorities may not have the resources or capacity to inspect all of the fishing vessels. An alternative could be that private entities including recognized organizations and nominated surveyors; on the behalf of the competent authority, carry out surveys and approvals of the vessel and equipment. These entities should be accredited by the competent authority. These entities have been delegated the authority to undertake this work on behalf of the competent authority. Furthermore the limits of the entities responsibilities and authority should be stated. The conditions of such an arrangement should be regulated by a written agreement between the competent authority and the entity.

3.9 Exemptions

The competent authority may exempt any vessel engaged solely in fishing near the coast of its country from any of the requirements of the instruments if it considers that the application is unreasonable and impracticable in view of the distance of the vessel's operating area from its base port in its own country, the type of vessel, the weather conditions and the absence of general navigational hazards, provided that it complies with safety requirements which, in the opinion of that competent authority, are adequate for the service for which it is intended and are such as to ensure the overall safety of the vessel and fishermen.

3.10 Special requirements for developing countries

3.10.1 Assistance may be required by developing countries to remove constraints to the development and implementation of the instruments.

3.10.2 It is also recognized that such assistance may extend beyond simply translating the requirement of the instruments into national languages to also include, *inter alia* technical and legal assistance.

3.10.3 Such assistance may be available through technical cooperation programmes and regional or sub-regional cooperative arrangements. Developing countries may seek advice from FAO, ILO, IMO or countries which have already established national laws, at least at the level of international standards, in relation to fishing vessel safety that incorporate the provisions of mandatory instruments and elements of the Instruments.

CHAPTER 4

CAPACITY-BUILDING

4.1 Manpower Development Programmes

4.1.1 Quite clearly, the size of a fishing fleet and the types and sizes of the vessels in the fleet would greatly influence manpower development in each of the sections such as, the fishing industry and the vessel and boat building sector and may go beyond the remit of maritime and fisheries administrations. Consideration could also be given to the number of foreign registered fishing vessels making use of the coastal State's ports; that may be subject to the port State control regime. It is, therefore, important to accept that cooperation between sections is essential and, that it may be prudent to look at the composition of a fleet in line with length or tonnage parameters as set out in other relevant instruments such as the Torremolinos Protocol, SOLAS and MARPOL.

4.1.2 Given the size and composition of a fleet of fishing vessels an assessment should be made of the capability of the competent authorities to discharge their administrative and technical responsibilities on a continuing basis and how their strengths may be enhanced and maintained through recruitment and training. In this regard, there would be a need for an understanding of available service facilities, education and training facilities, survey and design offices, as well as, for example, the role of the Coast Guard with regard to vessel inspection.

4.1.3 Whereas it is difficult to indicate a standard of qualification for all staff concerned, the fundamental requirement is that each grade should be capable of doing the job completely from time of appointment. Given the international nature of the fishing industry, this must involve comparison with similar appointments in the individual's own and other countries in the region and or where the fleet trades. With these points in mind it may be useful to consider qualification requirements for professional administrators, legal, and survey/technical staff.

4.2 Fleet composition

4.2.1 A complete understanding of the composition of the national fleet of fishing vessels would be composed of, together with the numbers of crew members:

- decked vessels of 24 m in length and over;
- decked vessel of 12 m in length and over but less than 24 m in length;
- decked vessels of less than 12 m in length;
- undecked, mechanically powered vessels, of any size; and
- undecked vessels of any size that are not mechanically powered.

4.2.2 In each case, the analysis should include the number of vessels in service, under construction as well as foreseen, the size groupings of vessel, vessel type, material of construction and fishing method as well as the degree of mechanization. The area of operation should be understood.

4.3 Numbers of crew members

Not all flag States have a requirement for crew members to be registered as such, particularly in artisanal and subsistence fisheries, the numbers, age profile and standard of training and education of the industry, however, it is desirable to have such a record.

4.4 Legal

Due to the complications that could arise due to a mixture of responsibilities assigned to those concerned with fisheries management, maritime matters and occupational safety and health, different specializations may have to be brought together to address legal issues and to ensure compatibility with requirements under, for example shipping and fisheries acts in relation to fishing vessels. It clearly requires the senior legal experts to be well qualified and likely to mean qualification in their own national law and in maritime and fisheries law to at least master's degree, together with qualifications in international law and have considerable experience.

4.5 Survey/inspection services

4.5.1 A requirement in law setting out standards for the design, construction, equipment and operation of fishing vessels, enforcement of the attendant regulations would call for a process of monitoring, control and certification. In this regard, the competent authority would set the requirements for the inspection of fishing vessels and the qualifications to be held by inspectors as well as the experience they should have. The competent authority should install an inspection system that would make use of appropriately qualified and experienced inspectors, and/or on a non-exclusive basis or even delegate surveys/inspections to recognized organizations, private entities or nominated surveyors. If a competent authority elects to have its own exclusive inspection service, the line of command should be clear and each "inspector" should be readily identifiable by post description. In this regard, it may be deemed to be desirable as a consequence of the analysis of the needs, to appoint inspectors with specialization in specific fields, for example, an inspector of hulls, an inspector of machinery or, more generally, a hull and machinery inspector. These are discussed in detail in annex 1, it should be understood that short-term inputs in relation to, for example, naval architecture, could be obtained under contract with a technical/educational institution or specialized individual. The same may be the case for marine engineering, particularly where a high level of expertise is required in the event of investigations into mishaps leading to loss of life and or property.

4.5.2 Where an inspection service already exists, a thorough review should be made of possible needs for in-service training and to identify whether or not there would be a need to introduce a "grandfather" clause in any new regulations to protect the interest of existing (mature) staff of longstanding.

4.6 Infrastructure

4.6.1 Service facilities for construction and repair of fishing vessels should be analysed in relation to their capability/capacity. In this connection, a survey should be made of the labour force employed in that sector to identify numbers of persons employed and to establish the levels of skills available and how these skills are achieved.

4.6.2 It should also be established whether or not an accreditation scheme for fishing vessel builders, particularly small fishing boat builders, is in place and if so, how it compares to other industries.

4.7 Survey and design offices

A list should be established of appropriate surveyors, naval architects and marine engineers who are accredited by recognized organizations, insurance underwriters and or the salvage association. This type of information would normally be available from a Lloyd's Agent, Chamber of Commerce or Association of Professional Engineers. Note should be made of the familiarity or otherwise of these persons with fishing vessels and the fishing industry both from a domestic and international perspective, as appropriate. It may be necessary, however, to extend the investigation to other countries in the sub-region.

4.8 Education and training

4.8.1 Local professional engineering bodies should be sourced to obtain information in relation to entry into the various grades of membership (fellow, member, associate member and associate) as well as the educational institutions that issue acceptable awards for entry into such professional bodies.

4.8.2 Information should be obtained from education, training institutions and fisheries extension services in relation to the types of courses that are available (both diploma and non-diploma courses) for each of the following relevant disciplines:

- marine engineering;
- naval architecture; and
- nautical science.

4.8.3 This is likely to be the most organized sector coping, as it does, with a broad range of maritime applications and would include institutional requirement in response to STCW and STCW-F. Thus, such a survey should include universities, technical colleges and fisheries academies.

4.9 Fishing vessel construction

It is likely that training and education would be at the level of polytechnic institutions, trades colleges and, in some cases, training centres sponsored by the industry in cooperation with the Government. In such cases, there would be a need to determine the "standing" of the qualifications given at completion of courses and to compare these with internationally accepted standards (see also annex 2). In certain areas where local designs are prevalent recognition should be given to inherited competencies in the construction of such vessels.

4.10 Fisheries science

The basic reason to look closely at this section is that safety is considered to be an integral part of fisheries management and to ensure that graduates have a clear understanding of how management decisions based on scientific recommendations might affect safety and health during fishing operations.

4.11 Fishing operations

4.11.1 The scope within this section is wide since it covers fishing vessels management as well as crew members. With regard to management, it is likely that the technical managers would have similar levels of education as required for surveyors and inspectors and in the larger companies, they would be considered as marine and engineer superintendents. Others might be considered in the manner as "works or production managers" in the case of the very large fishing vessels processing the catch on board and have their education and experience based on the food processing industry. In both cases, this is matter for the company owners to address on the basis of national legislation and should be addressed when developing a safety strategy for safety at sea.

4.11.2 With regard to crew members, there should be an inventory of all existing training/education institutions in the country and their capabilities in relation to current and future needs. In this regard, it is understandable that with regard to certificates of competence, as may be required by national law, examination is the responsibility of the competent authority. In the case of national planning, administration and curricula development, competent authorities and such training institutions are well served by and may draw on the FAO/ILO/IMO Document for Guidance on Training and Certification of Fishing Vessel Personnel. Of note, however, is the need for an integrated approach involving Government, fishing vessel owners, fishermen's organizations, educational and fisheries research institutions and with other bodies having an intimate knowledge of the vocational training of crew members, as well as those concerned with occupational safety and health. Furthermore, special attention would have to given to developing countries and the role of fisheries extension services.

4.12 Institution building

Every competent authority should have adequate capacity to implement the provisions of the instruments and, taking into account the technological and operational situations of the domestic fishing vessels, should consider introducing the pertinent provisions of the instruments into domestic regulations, in particular:

- approval of building of fishing vessels;
- approval of equipment;
- approval of plans and stability;
- issue of various kinds of certificates;
- establishment of construction, machinery and fire-fighting standards, etc.;
- registration/licensing of vessels;
- establishment of regime and enforcement of safety and hull survey standards;
- training of fishermen;
- certification of fishermen; and
- establishment of medical fitness standards.

CHAPTER 5

ENSURING COMPLIANCE WITH NATIONAL REQUIREMENTS

5.1 The competent authority should ensure that the fishing vessels are built maintained and manned in accordance with the national requirements. Competent authorities should put in place a regime that ensures that owners and skippers maintain the vessel in a seaworthy condition, during the period of validity of a safety certificate or between surveys.

5.2 Where practicable prior to the commencement of building, plans and stability calculations should be submitted to the competent authority for approval. The competent authority should refer to the size, length, area of operation, weather conditions, etc., that a vessel will operate in when deciding the degree of detail required in plans and/or stability calculations.

5.3 As appropriate the hull, machinery, equipment, and radio installations should be surveyed/inspected during construction, on completion and thereafter in such manner and at such intervals as the competent authority may consider necessary in order to ensure that their condition is in all respects satisfactory.

5.4 The surveys/inspections should be such as to ensure that the arrangements material, and scantlings of the structure, boilers, and other pressure vessels and appurtenances, main and auxiliary machinery, electrical installations as well as crew accommodation, other equipment levels and manning are in all respects satisfactory for the service for which the fishing vessel is intended.

5.5 As part of the survey/inspection process consideration should be given to the areas the vessel is allowed to operate in, giving attention to any radio equipment required for that area and the climatic conditions likely to be encountered.

5.6 On satisfactory completion of the survey/inspection, the fishing vessel should be issued with a safety certificate or documentation for a period determined by the competent authority. The competent authority should consider at what vessel length limit safety certificates are issued.

5.7 When the fisheries administration is considering an application for a vessel to be given permission to undertake fishing activities, part of the approval process should require proof that the vessel meets the requirements of the relevant safety legislation.

5.8 It is important that inspectors behave in a professional manner towards the fishermen and the fishing vessel owner and apply the standards in a uniform manner. The competent authority should develop a code of conduct for the inspectors. In this regard, the model given in annex 3 may be used as a guide.

5.9 The competent authority should have a procedure that describes how complaints and litigation are to be handled, and this procedure should be in accordance with the system for legal complaints and litigation in the country.

5.10 Wherein there is a requirement for the position of a fishing vessel to be monitored either by radio or through the use of satellite systems for fisheries monitoring, control, surveillance and enforcement purposes, inspectors of fishing vessels should be fully aware of the technology adopted by the competent authority and the need to address such instrumentation when inspections are carried out.*

* Refer to the FAO Technical Guidelines for Responsible Fisheries No.1, Fishing Operations and Supplement 1 Vessel Monitoring Systems.

CHAPTER 6

OPERATIONAL SAFETY

6.1 Onboard vessel safety management

6.1.1 Fishing varies from simple hand-line fishing to some very sophisticated trawling operations.

6.1.2 In all facets of its operation fishing is a very dangerous occupation. Not only is the environment in which fishermen work hostile, the operation itself is fraught with dangers that can only be guarded against by diligent awareness and safe practices.

6.2 Fishing vessel safety management regulations

6.2.1 Fishing vessel safety management regulations should introduce mandatory requirements for owners, managers and skippers that lay a legal basis for the introduction of a safety culture on board.

6.2.2 The regulations should cover, but not be limited to:

- definitions;
- application;
- duties of owners, managers safety officers and skippers;
- personal safety equipment to be provided;
- reporting and investigation of accidents;
- safe access;
- guarding of hatches and openings;
- lifting equipment;
- electrical equipment;
- lighting;
- safeguarding of machinery;
- safety officers;
- safety committees;
- record-keeping; and
- offences and penalties.

6.3 Safety codes

6.3.1 The purpose of a code of safe practices is to bring to the attention of all fishermen and those persons who are concerned with fishing as a means of making a livelihood, a set of standards and norms that should be used to create a safe working environment.

6.3.2 A code of safe practice can be introduced as a mandatory requirement by way of regulation.

6.3.3 A code of safe practices should not be written for the exclusive use of fishing vessel personnel. It is meant for any person who has a function to perform on board a fishing vessel and by those shore-based persons responsible for the management of fishing vessels. The language used in a code should be the everyday terminology used on board, so as to be easily understood, and not be written in legal terminology.

6.3.4 The code should be used as an educational tool. It deals with the fundamentals of safety for fishermen and provides safety principles that should become common knowledge and practice in the fishing industry.

6.3.5 The code should contain chapters covering:

- responsibilities of persons concerned with fishing;
- safety of the vessel, maintaining watertight integrity and stability;
- safety on deck, gangways, ladders, lighting, precautions against falling overboard, working with ropes and wires;
- safety during fishing operations, relative to the types of gear used;
- safety in machinery areas;
- personal safety;
- safety training and the maintenance of safety equipment;
- emergency training and procedures;
- fire precautions;
- lifting appliances;
- galley safety and food handling; and
- health and hygiene.

CHAPTER 7

COMMON UNDERSTANDING OF THE TECHNICAL PROVISIONS AND TERMINOLOGY OF THE INSTRUMENTS

7.1 Interpretation of terms and expressions

7.1.1 "Accepted by the competent authority" may be interpreted as vessel features or equipment which meets the technical requirements and operating experience of the competent authority.

7.1.2 "All reasonable steps" may be interpreted as measures not placing unmanageable constraints on the design, construction, operation or cost of the vessel.

7.1.3 "Alternative arrangements" may be interpreted as alternative vessel features or equipment which meets the technical requirements and operating experience of the competent authority.

7.1.4 "Alternatives acceptable to the competent authority" may be interpreted as vessel features or equipment which meets the technical requirements and operating experience of the competent authority.

7.1.5 "Approved by the competent authority" may be interpreted as vessel features or equipment which meet the technical requirements and operating experience of the competent authority.

7.1.6 "Equivalent measure of safety" may be interpreted as vessel features or equipment as required by the recommendations which meet the technical requirements and operating experience of the competent authority.

7.1.7 "Decked vessel" for the purpose of the instruments, a vessel is only considered to be decked if all of the following requirements are met:

- the deck covers the entire hull;
- the deck is of watertight construction;
- the flooding of any well or cockpit in the deck will not result in flooding of the vessel;
- if an enclosed superstructure covers a deck opening the superstructure should be of weathertight construction and have weathertight doors fitted to all access openings;
- doors leading to below deck spaces should have sills. For minimum heights refer to the appropriate instrument;
- hatches leading to below deck spaces should have coamings. For minimum heights refer to the appropriate instrument. Where a lower figure is used watertight hatch covers of a material other than wood should be fitted; and
- on vessels of design categories A, B and C the covers should be permanently attached and be capable of being closed or battened down.

7.1.8 Where a vessel does not meet all of these requirements it should be considered as undecked.

7.1.9 "Efficient" may be interpreted as suitable for the intended operation of the vessel.

7.1.10 "Exempt or exempting" may be interpreted as allowing a vessel to be exempt from a requirement of the Recommendations because they place unreasonable and impractical constraints on the design, construction, operation or cost of the vessel.

7.1.11 "Significant wave height" is the average wave height (trough to crest) of the one-third largest waves. It is possible that waves encountered at sea may be as much as twice the significant wave height.

7.1.12 "Simple construction" may be interpreted as construction making use of simple artisanal (craft based) materials and construction techniques. Examples may include:

- vessels formed from dug-out logs;
- vessels formed by the lashing or tying materials together; and
- simple construction methods not represented by the construction standards given in annexes II, III, IV and V of the Safety Recommendations.

7.1.13 "Operating experience has shown justification" may be interpreted as demonstrated and documented safe operation of a fishing vessel in the conditions encountered in the area administered by the competent authority. The documented period could be 5 years or more.

7.1.14 "Practicable" may be interpreted as not placing unreasonable and impractical constraints on the design, construction, operation or cost of the vessel.

7.1.15 "Proven historical design" may be interpreted as vessels with a long record of safe operation in the conditions encountered in the area administered by the competent authority.

7.1.16 "Satisfaction of the competent authority" may be interpreted as meeting the established technical requirements and proven operating experience of the administrators and surveyors employed by the competent authority. Competent authorities may wish to have their own interpretation of this term.

7.1.17 "Sufficient strength" may be interpreted as suitable for the intended operation of the vessel and weather/watertight to the required degree. This may given by the construction standards or be equivalent to the surrounding structure if no other guidance exists.

7.1.18 "Undecked vessel". Refer to "decked vessel".

7.1.19 "Watertight" means capable of preventing the passage of water through the structure in any direction under a head of water for which the surrounding structure is designed.

7.1.20 "Weathertight" means that in any sea conditions water will not penetrate into the vessel. Hatches, sidescuttles and windows should be equipped with weathertight closing devices. The same applies for doors and other openings on enclosed superstructures.

7.1.21 "Where appropriate" may be interpreted as measures not placing unreasonable and impractical constraints on the design, construction, operation or cost of the vessel.

CHAPTER 8

HUMAN ELEMENT ON BOARD

8.1 Human element – introduction

8.1.1 It is often said that over 80% of all accidents are caused by "human error". Human error is not always as a result solely of the actions of the fishermen alone, but may be as a result, in whole or in part, of poor design leading to excessive vibration, heat and noise levels, of poor ergonomic design, of inappropriate equipment, inappropriate working practices, lack of maintenance, fatigue and manning levels, of lack of appropriate training and preventive measures, of lack of awareness, etc. The competent authority should consider these factors when, setting standards in design, construction and equipment of fishing vessels, approving plans, setting manning levels, introducing codes of safe practice and occupational health and safety legislation, training standards and safety awareness campaigns.

8.1.2 Considered in its wider sense, the "human element" is addressed in international instruments adopted by the Food and Agriculture Organization of the United Nations (FAO), the International Labour Organization (ILO) and the International Maritime Organization (IMO), either in instruments adopted independently or through codes and other guidance jointly developed by the three Organizations.

8.1.3 Guidance for the implementation of certain "human element" issues addressed in Part B of the Code of Safety for Fishermen and Fishing Vessels; Voluntary Guidelines for the design construction and equipment of small fishing vessels; and the Safety Recommendations for decked fishing vessels of less than 12 metres in length and undecked fishing vessels.

8.1.4 The safety of the fishing vessel itself is perhaps the most important consideration for the safety and health of the crew. The greater part of Part B of the Code, of the Voluntary Guidelines and of the Safety Recommendations relate to the safety of the vessel, fire protection, fire-fighting and life-saving appliances and arrangements.

8.1.5 The three documents also provide guidance on such issues as protection of the crew and crew accommodation. These issues are also of great importance and require the attention of the competent authority, including fishing vessel inspectors.

8.2 Human factors/ergonomic design

8.2.1 The way in which fishing vessels are designed and built, and even equipped, depends on a variety of factors. The result can be the design and construction of a vessel that takes into account, to the greatest extent possible, the safety and comfort of the crew or, conversely, results in a vessel that may be less habitable and designed and equipped in a manner that unintentionally leads to fatigue, accidents and even illness (and may also lead to conditions that have a negative impact on recruitment and retention).

8.2.2 One of the most obvious considerations is the stability of the vessel. A vessel with poor stability may lead to capsize. On the other hand, a vessel that is unnecessarily "stiff" will be extremely uncomfortable. Another consideration is noise and vibration. Lack of attention to these issues in the design of the vessel and in the selection and installation of equipment can seriously interfere with sleep, thus leading to fatigue, musculo-skeletal problems, loss of hearing, and accidents.

8.2.3 Adequately sized accommodation space for sleeping, eating and rest are also important considerations. Part B of the Code, the Voluntary Guidelines and the Safety Recommendations provide guidance on these issues. The competent authority should also ensure that the vessel is built and equipped to the standards set out in the Work in Fishing Convention and Recommendation (see below and annex 4). If the vessel will fly the flag of a State that has ratified the Convention, these standards will be mandatory. Failure to take these standards into account may also make it difficult to re-register the vessel under other flags. The competent authority must ensure that all involved in vessel design and construction are provided with copies of these instruments.

8.2.4 Part B of the Code, the Voluntary Guidelines and the Safety Recommendations also provide guidance concerning the protection of the crew. This includes protection when working on deck and processing spaces. In addition to the guidance contained in these publications, and in the ILO Convention and Recommendation, the competent authority should seek to ensure that, to the extent possible, human factor and ergonomic principles are taken into account during the design, construction and equipping of vessels. These should be taken into account early enough in the design stage and should be revisited during vessel construction. A proactive approach would be to seek the views of fishermen on vessels that are similarly designed and equipped even before detailed plans are prepared for a new vessel.

8.2.5 The issues of how to make the best possible living spaces and how to make working spaces, operations and equipment safe and convenient should be addressed at an early stage in the design process by including all stakeholders in the consultation process.

8.2.6 Standards or guidance could be given to designers and builders at the earliest possible stage. Studies could be made of existing vessels to draw "lessons learned" for new buildings. The views of fishing vessel owners and fishermen on how the vessel could be improved to make it more habitable and ergonomic (and perhaps even more productive) could be obtained even before the first study or proposed design is initiated.

8.2.7 Often, competent authorities may not have "in-house" specialization on human factors and ergonomics. Such knowledge can be brought in by liaison with ergonomics experts in occupational safety and health authorities, in classifications societies and by reviewing work already carried out in other countries (see bibliography).

8.3 Decent working conditions

8.3.1 Initiatives to improve safety can often become quite narrowly focused and fail to take a broad look at factors that contribute to safety and health problems. The impact of living and working conditions can sometimes be unintentionally neglected when, for example, there is focus only on specific safety issues.

8.3.2 Though the present publication focuses on implementation of Part B of the Code, the Voluntary Guidelines and the Safety Recommendations, it is obvious that the role of the competent authority calls for it to take into account other aspects of the "human element". FAO, ILO and IMO have produced publications related to this matter, a list of these publications and a summary can be found in annex 5.

8.3.3 Further guidance on aspects involving the human element are provided in the FAO/ILO/IMO instruments:

Issue	The Code	The Voluntary Guidelines	The Safety Recommendations
Design	Part A, sections II and III Part B, chapters II, III, IV, VI and XI	Chapters II, III, IV, VI and XI	Chapters 2, 3, 4, 6 and 11
Fatigue	Part A, section I, appendix 2		Chapter 12
Manning			Chapter 12
Training	Part A, section I, chapter 3 Part B, chapter VIII	Chapter VIII	Chapters 8 and 12
Awareness	Part A, section I, chapter 3		
Health	Part A, section I, chapter 4		

8.3.4 The FAO is currently developing guidelines on "Best Practices for safety at sea in the Fisheries Sector", which intends to give an umbrella covering all aspects in safety at sea including, maritime and fisheries ministries, fisheries resource managers and safety professionals.

8.3.5 The IMO places considerable emphasis on the contribution of the human element to maritime accidents. In this regard, it has adopted the Human element vision, principles and goals for the Organization (resolution A.947(23)).

8.3.6 The "human element vision, principles and goals" in resolution A.947(23) should also be considered by the competent authority or authorities responsible for safety of fishing vessels and fishermen. Their vision, or aim, is "to significantly enhance maritime safety, security and the quality of the marine environment by addressing human element issues to improve performance in the fishing sector".

8.4 Fisheries management and its impact on vessel accommodation

Those involved in and concerned with the design of fishing vessels should inform those concerned with fisheries management about the impact of decisions (such as the decision to restrict a vessel to a certain length or gross tonnage) may have on conditions of the crew and even vessel safety. Consultations and coordination among all concerned may contribute to changing fisheries management decisions that lead to cramped space for crews, unstable vessels and other negative outcomes.

ANNEX 1

ASSESSMENT OF NEEDS FOR FISHING VESSEL SURVEY AND INSPECTION SERVICES

Introduction

1 This annex discusses some of the responsibilities of a flag State and offers suggestions concerning how inspections of fishing vessels may be arranged. In this regard, the need for a thorough analysis of the industry is stressed in order to have a clear perspective of the survey and inspection needs in both the short and long term. In particular, suggestions are made in relation to the qualifications and experienced that may be set as a requirement for the recruitment of inspectors of fishing vessels.

Part 1 Survey and Inspection of fishing vessels

2 One of the basic principles in relation to the building of a fishing vessel is that it should be constructed in a manner that would facilitate regular maintenance so ensuring that the vessel is at all times and in all respects, satisfactory for the intended service of the vessel. In order to ensure that the principle is followed, the competent authority should set requirements, for approval of plans prior to construction, for the inspection of a fishing vessel while it is under construction, refit and or modification as well as when it is in service.

3 The term "satisfactory" obviously includes safety, living and working conditions both from a construction and operational point of view and for a common understanding of the term, there has to be a set of standards below which a vessel would have to be classified unsatisfactory. In principle, therefore, satisfactory construction of a fishing vessel and its equipment as well as continued compliance with the rules and regulations should be a condition for entering or maintaining a fishing vessel on the register and/or the granting of an authorization to fish. That condition should apply equally to the flag State as well as the owner of a fishing vessel.

4 Since the safety of life and property at sea is paramount, it is evident that the responsibility level for setting regulations for the survey and inspection of fishing vessels is high. Similarly, the level of responsibility that would accrue to an individual inspector is unquestionably high. It should follow, that only a suitably qualified person, in all cases, should be allowed to carry out the actual survey or inspection and it must be done with the utmost integrity.

5 Whilst adhering to the above principles, it should also be noted that since surveys and inspections are required for such a variety of reasons, they do not always need the same level of technical knowledge or for that matter the same type of person to perform the work.

Fishing vessel survey and inspection services

6 In general, officers of the competent authority should carry out the survey and inspection of fishing vessels in relation to the enforcement of the regulations to the vessel shipping/fisheries act, and the granting of any exemptions. Nevertheless, the competent authority may, however, entrust the work either to surveyors or inspectors nominated for the purpose or to organizations (such as vessel classification societies) recognized by the competent authority.

7 In this regard, it is customary that should a nominated surveyor/inspector or recognized organization determine that the condition of a fishing vessel or its equipment does not correspond substantially with the particulars of the certificate or is such that the fishing vessel is not fit to proceed to sea without danger to the vessel, or persons on board, such surveyor/inspector or organization should immediately ensure that corrective action is taken and should in due course notify the competent authority. Where such corrective action is not taken by the owner the certificate should be withdrawn/suspended⁵ and the competent authority notified immediately. Inspectors in the employ of a competent authority should have the authority to prevent such vessels proceeding to sea.

Technical specifications and plans approval

8 Applications for permission to construct a fishing vessel or to substantially modify an existing fishing vessel should be accompanied by appropriate technical specifications and plans. The fishing vessel survey/inspection unit should be satisfied that the specifications and plans conform to acceptable standards and that they are complete enough for the purpose intended before giving approval.

Supervision of a vessel under construction or under refit

9 A programme of inspection should be agreed with the builder and the owner (and with a ship classification surveyor if the vessels is to be built to class) to allow the inspector to follow the construction and to carry out certain tests. Random checks may also be made on levels of humidity in materials and at the work site as the case may be (wood and GRP), evidence of wood decay and quality of welding.

10 It is important that the owner is informed of any recommendations made to the builder for any work in progress that does not meet with the specifications and or statutory regulations.⁶

11 The inspector should supervise the inclining test of the vessel and the rolling test and the results of these tests should be to the satisfaction of the inspector before sea trials are authorized. This implies that in the case of small fishing vessels, the inspector has a better than elementary knowledge of naval architecture, in relation to stability.

Vessel registration

12 On completion of all trials and inspections the inspector would measure the vessel in accordance with the requirements of the regulations and ensure that all documentation and certificates that are required for the register of a vessel are in order for submission to the Registrar of Ships or Fishing Vessels as the case may be. On allocation of an official number, the inspector oversees the carving of the number in the main beam⁷ and prepares the "Carving Note" (without which, the Registrar would not normally finalize the entry in the register).

13 Wherein there is no requirement in national legislation to register a fishing vessel, as may be that case with domestic fleets, particularly of small fishing vessels, there is invariably a requirement for such vessels to have an "authorization to fish"⁸ to which conditions and warranties would normally be attached.

⁵ In practice, such a situation could arise when a vessel is in a foreign port, in which case action to withdraw/suspend a certificate would be coordinated by the Consulate or other body designated by the flag State in that port.

⁶ Timely interventions are important for technical and cost reasons.

⁷ Different technique for material other than wood.

⁸ See Article 8 of the FAO Code on Conduct for Responsible Fisheries.

14 The inspector should ensure that appropriate documents are available on board the fishing vessel and that the owners and skipper(s) are aware of the schedule of inspections so required for a vessel in service.

Supervision of a vessel in service

15 When a vessel is in service, the vessel may be inspected at any time in relation to safety, crew accommodation and manning as well as at intervals laid down in the regulations for the revalidation of a safety certificate and other periodic inspections. After any inspection has been completed the inspector would file an appropriate report in the record of the vessel and ensure through subsequent surveys/inspections that no changes have been made in the structural arrangements, machinery, equipment, and radio installations as well as crew accommodation, covered by the survey that have not been approved by the competent authority. Such periodic inspections should include, *inter alia*:

- annual safety equipment inspections;
- propeller shaft survey/inspection;
- periodic survey/inspection of hull and machinery;
- special survey/inspection of hull and machinery; and
- periodic survey of crew accommodation.

Qualifications and experience

16 For the larger fishing vessels, inspectors should be qualified to degree standard in one of the three professional disciplines of marine engineering, naval architecture or nautical sciences. This should be coupled with service at sea, or in vessel yards, to gain several years' practical experience. Principal inspectors should have considerable experience in the field of survey or inspection and well proven ability. In this area the requirements of the STCW and STCW-F Conventions should be recognized. Many inspectors are likely to be drawn from such qualified seafarers and fishermen and as they will be inspecting and surveying the work of fishermen, should be qualified and have experience equal to or above the level of the most senior fishermen they will meet in the course of their duties.

17 However, given the wide range of fishing vessel types and sizes covered by the instruments, the range of specialization of inspectors will also be wide, particularly in relation to the smaller fishing vessels where the actual requirements would vary greatly in relation to materials of hull construction. Thus alternatively, inspectors may have qualifications from an institution recognized by the competent authority in a marine related field and have specialized training to ensure adequate competence and skill. Such persons may also be a qualified officer of the maritime/fisheries administration with an equivalent level of experience and training for performing surveys/inspections of the relevant operational requirements. It is understood, nevertheless, that in every case the inspector must have the competence to inspect safety equipment.

18 Whereas, the examples given below are for guidance, they are nevertheless, indicative of the type of structure that would be required for the establishment of a dedicated fishing vessel survey/inspection service, further guidance in relation to small vessels is given in part 2 below.

19 Flag State inspectors should have the following professional qualifications, wherever possible:

- a certificate issued under the relevant provisions of the STCW and STCW-F Convention, as amended, designating the holder as:

- .1 master, qualified to command a vessel of 1,600 gross tonnage or more meeting the provisions of the Radio Regulations or holding an appropriate certificate related to the GMDSS; or as
 - .2 chief engineer, qualified to be in charge of machinery installed in a vessel powered by main propulsion machinery of 3,000 kW or more;
- a university degree or diploma as a naval architect, mechanical engineer, electrotechnology engineer, or other type of engineer whose professional education relates to the maritime industry; or
 - not less than five years' service as an officer on board a vessel at sea, as a naval architect, or as an engineer in the maritime field; or
 - a relevant university degree or diploma, augmented by completion of the following IMO model courses: 3.03 (Machinery), 3.04 (Electrical Installations), 3.05 (Fire Appliances and Provisions), 3.06 (Life-Saving Appliances), 3.07 (Hull), and 3.08 (Navigation) and relevant sea service of not less than six months.

20 While the above qualifications are highly desirable, it is recognized that some countries may not have available a sufficient number of individuals so qualified. Competent inspectors may originate from other backgrounds, but all must be grounded in the same basic skills, taught in classrooms and subsequently reinforced in the field under the guidance of qualified inspector approved by the flag State. The maritime Administration should develop and oversee the curriculum taught and the follow-up training for every inspector. In addition to developing courses specializing in IMO and relevant ILO conventions and in national laws and regulations for shipping, the maritime Administration is responsible for developing a policy to assist its field inspectors.

21 The flag State should ensure that individual inspectors have working knowledge and practical experience in those subject areas pertaining to their normal duties. Additionally, to assist individual inspectors in the conduct of duties outside of their normal assignments, the flag State should ensure ready access to expertise in the following areas, as necessary:

- all aspects of the relevant FAO, ILO and IMO conventions and other binding instruments;
- all aspects of national laws and regulations of the flag State;
- hull fit-up and repair;
- all aspects of ship and boat building techniques including safety at work;
- non-destructive testing;
- vessel construction, subdivision, stability, watertight integrity;
- vessel electrical and machinery systems;
- load line and tonnage assignment;
- safety equipment systems, plans, and equipment items;

- fire protection construction methods;
- navigation and communications equipment;
- fishing vessel operations and deck machinery;
- safety management systems; and
- evaluation of the effects of the human element.

22 During the first six months of employment within the flag State, inspectors should perform tasks under the supervision of an experienced person, in accordance with an approved practical training programme.

23 When inspectors are to be employed for tasks other than those within their field of expertise and experience, they should receive the necessary training and guidance for the new tasks and should perform them for a period of not less than one month, as appropriate, under the supervision of a person with experience in that field.

24 When performing tasks on board vessel, inspectors should carry an identification document issued by the flag State. This document should indicate their authority to conduct specific tasks on behalf of the flag State, and likewise indicate any limitations on that authority.

Part 2 Survey and inspection of small decked fishing vessels of less than 15 m in length and undecked fishing vessels

General

25 It should be clearly understood that the actual requirements would vary greatly across the wide range of vessels below that 15 m in length. Indeed, there may be a need to set intermediate reference points in assessing the actual requirements for individual flag States. For this reason the fleet analysis is very important since the inspection needs would differ as would the qualifications and experience of the inspectors as already mentioned in part A.

26 For the purpose of this document, the reference to City and Guilds of London Institute (CIG) certificates given below serves as an example only. Alternatives exist but if these are to be considered, the levels for adoption should not be less than the standard required for the CIG certificates. Such alternatives may include certain correspondence courses that lead to an approved diploma in the survey of small vessels or the survey of fishing vessels. However, higher-level diplomas in marine surveying, that could be a desired qualification for senior officers, cannot be obtained through the City and Guilds of London Institute or the equivalent thereof. Other qualifications so mentioned are specific and are readily compared with the IMO International Convention on Standards of Training, Certification and Watchkeeping (STCW).

27 Therefore, although the examples given below are for guidance, they are nevertheless, indicative of the type of structure that would be required for the establishment of a dedicated "fishing vessel inspection unit".

Hull inspectors

Wooden construction of decked vessels of less than 12 m in length and undecked vessels

28 If the basic fleet consists of vessels of wooden construction and the vessels are less than 12 m Loa, the main qualifications and experience should be related to wooden boat construction and repair, with an understanding of other materials. Thus:

Minimum qualifications

Intermediate Certificate in Wooden Boat Building
Level 1 in GRP Boat building
Level 1 in Steel Boat Building

Minimum experience

4 years' Apprenticeship/Vocational College⁹
1 year Certificate of service under a Master Boat-builder, 1 year of which to be related to GRP and steel vessel construction or hull repairs

GRP construction and less than 12 m in length

29 If the basic fleet consists of vessels of GRP construction and the vessels are less than 12 m length, the main qualifications and experienced should be related to GRP vessel construction and repair with an understanding of other materials.

Minimum qualifications

Intermediate Certificate with bias towards GRP construction
Level 1 General construction methods (wood/steel)

Minimum experience

4 years' apprenticeship/vocational college
3 years with Certificate of Service under a Master Boat-builder in GRP construction and repair
1-year certificate of service under a master boat builder in the construction and repair of wooden and steel hulls

Steel construction of decked fishing vessels and less than 12 m length

30 If the basic fleet consists of vessels of steel construction and the vessels are less than 12 m length the main qualifications and experienced should be related to steel construction and repair. This could include general steel fabrication and repair. There should also be an understanding of other materials, particularly in relation to how other materials can be attached to steel.

⁹ There could be some flexibility in relation to the length of apprenticeship depending upon the structure of the apprenticeship scheme.

Minimum qualifications

Intermediate Certificate in Boat building with emphasis on steel construction
Intermediate Certificate in Welding
Level 1 in General Construction Methods (Wood/GRP)

Minimum experience

4 years' apprenticeship/vocational college in steel construction of which a minimum of 3 years to be spent in steel boat building
1 year experience under a Master Boat-builder in wooden and GRP construction or repair

Hull inspectors for decked fishing vessels of 12 m in length and over but less than 15 m in length

Fishing vessels of wooden construction

31 If the basic fleet consists of vessels of wooden construction and the vessels are less than 15 m in length, such fleets tend to be made of from many different types, often using a combination of construction materials. Therefore, although the main qualifications and experience should be related to wooden vessel construction and repair, familiarity, with the requirements of classification societies would be an asset.

Minimum qualifications

Final Certificate in Wooden Boat Building
Intermediate Certificate in GRP Boat building
Intermediate Certificate in Steel Boat Building

Minimum experience

4 years' Apprenticeship/Vocational College
5 years' Certificate of service under a Master Boat-builder, 2 years of which to be related to GRP and steel vessel construction or hull repairs

Fishing vessels of GRP construction

32 If the basic fleet consists of vessels of GRP construction and the vessels are less than 15 m in length the main qualifications and experienced should be related to GRP construction and repair. The inspector should also have knowledge of wooden hull construction and be familiar with the requirements of classification societies would be an asset.

Minimum qualifications

Final Certificate with bias towards GRP construction
Intermediate Certificate/General construction methods (wood/steel)

Minimum experience

4 years' Apprenticeship/vocational college
3 years' Certificate of Service under a Master Boat-builder in GRP construction and repair
2 years' certificate of service under a master boat builder in the construction or repair of wooden and steel hulls

Fishing vessels of steel construction

33 If the basic fleet consists of vessels of steel construction and the vessels are less than 15m in length, although the emphasis should be placed on knowledge of welding and metallurgy a fairly wide experience would be required in other materials, particularly wood. Familiarity with the requirements of classification societies would be an asset.

Minimum qualifications

Final Certificate in Boat building with emphasis on steel construction
Intermediate Certificate in Welding
Intermediate Certificate in General Construction Methods (Wood/GRP)

Minimum experience

4 years' apprenticeship/vocational college in steel construction of which a minimum of 3 years to be spent in steel vessel building
2 years' experience under a Master Boat-builder in wooden and GRP construction or repair

Machinery inspectors

Open vessels fitted with outboard engines

34 If the basic fleet is limited to open vessels fitted with outboard engines, the emphasis should be in relation to the different types of outboard engines and steering mechanisms. Practical experience in the "matching" of engine powers to hull forms should be a requirement.

Minimum qualifications

Final Certificate in Automotive Engineering
Level 1 Certificate in Welding
Intermediate Certificate in Automotive Electrics

Minimum experience

4 years' apprenticeship/vocational College
5 years' certificate of service as a service engineer and or with a service facility of which at least 3 years would have been spent on the installation and service of outboard engines (Diesel/Petrol)

Decked fishing vessels of less than 15m in length and undecked fishing vessels

35 Where the basic fleet consists of decked fishing vessels of less than 15 m in length and undecked fishing vessels that are fitted with inboard diesel engines the inspection requirements could be quite demanding. Thus, the inspector should have a strong background in marine engineering.

Minimum qualifications

Second Class Certificate of Competence (Motor ship)¹⁰ or Equivalent Certificate issued by the Navy/Coast Guard (by examination) that includes elementary Naval Architecture and Electro-technology
Appropriate intermediate certificate in welding

Minimum experience

4 years' apprenticeship/vocational college of which 2 years must meet the requirements for entry into the Merchant Marine/Navy/Coast Guard
Sea service as required for application for examination for the Second Class Certificate (Motor ship) or equivalent
Plus a further 3 years' experience in the outfitting, repair and maintenance of marine machinery, including deck machinery

Hull and machinery inspectors

36 Where there is a mix of vessel types, construction materials and complexity of design, the requirements for the recruitment of a hull and machinery inspector must be well balanced between boat building and engineering.

Minimum qualifications

Second Class Certificate of Competency (Combined) or equivalent level of certificate issued by the Navy/Coast Guard (by examination)¹¹ that includes Intermediate Naval Architecture and Electro technology
Intermediate Certificate in welding
Diploma in fishing vessel construction methods with credits in steel, wood and GRP construction

Minimum experience

4 years' apprenticeship coupled with off the job training in marine engineering and ship/boat construction and or design
5 years' service in the Merchant Marine/Navy/Coast Guard with not less than 2 years experience in rank as Second Engineer or equivalent
3 years' experience as a hull and or machinery inspector or similar experience with an approved company of ship surveyors or, as a surveyor of ships or small vessels for an insurance company

Senior hull and machinery inspectors for decked fishing vessels of less than 15 m in length and undecked fishing vessels

37 In the case of large fleets, the inspection service may have to include a mixture of dedicated hull inspectors, machinery inspectors and hull and machinery inspectors. In all probability, the service would have to be managed by a Senior Hull and Machinery Inspector. The knowledge and experience required must include maritime law, naval architecture, electro-technology and applied electronics.

¹⁰ A certificate of competency issued in accordance with the STCW convention would be considered to be appropriate. As and when the STCW-F Convention enters into force, a class 1-engineer certificate might be acceptable.

¹¹ Having held the substantive rank of Lt. M.E. for at least 3 years.

Minimum qualifications

First Class Certificate of Competency (Motor ship) or equivalent issued by the Navy/Coast Guard (by examination)¹²; and:
Diploma in Naval Architecture and Electro-technology; or:
Professional qualification in Ship Construction, Naval Architecture or Engineering accepted by a Classification Society or a Lloyd's Agent for accreditation as a surveyor of ships (Hull and Machinery)¹³

Desired qualifications

A recognized diploma in ship surveying

Minimum experience

Minimum of 4 years' apprenticeship in an industry accepted for pre-sea practical experience required for entry into the Merchant Marine/Navy/Coast Guard;
7 years' seagoing experience 3 of which should be at the rank of not less than Second Engineer Officer or equivalent; or
5 years' experience in the design, construction/repair of ships/fishing vessels following award of relevant qualifications; or
3 years' experience as a Marine or Assistant Marine Superintendent; and
3 years' experience in the inspection of fishing vessels (hull and machinery) or in the survey of ships (hull and machinery).

General

38 It should also be kept in mind that Inspectors of fishing vessels, no matter what their size, should have had at least an introduction to welding that should include:

- welding technology;
- arc welding inspection and quality control;
- fundamentals of visual inspection;
- liquid penetrants and magnetic particle inspection; and
- weldability of metals: ferrous and nonferrous.

¹² Having held the rank of Lt. ME for at least 3 years.

¹³ Chartered Engineer by examination is one example. Equivalents are set out in the requirements of National and Regional Federations of Engineering Institutions.

ANNEX 2

EXAMPLE OF A SAFETY CERTIFICATE

TV5/340 B

Port / Hawe No. _____

REPUBLIC OF SOUTH AFRICA
DEPARTMENT OF TRANSPORT



REPUBLIEK VAN SUID AFRIKA
DEPARTEMENT VAN VERVOER

LOCAL GENERAL SAFETY CERTIFICATE

(Including, in the case of a licenced small vessel, the Licence)

MERCHANT SHIPPING ACT, 1951 (NO 57 OF 1951) SECTIONS 68(1), 72a(2), 194(1)

PLAASLIKE ALGEMENE VEILIGHEIDCERTIFKAAT

(Insluitende in geval van 'n gelisensieerde klein vaartuig, die Lisensie.)

HANDELSKEEPVAARTWET, 1951 (NO 57 VAN 1951) ARTIKELS 68(1), 72a(2), 194(1)

NOTE: One copy of this Certificate shall be displayed in a conspicuous place on the vessel for the information of all on board.

LET WELL: Een afskrif van hierdie Sertifikaat moet vir die inligting van almal aan boord, op 'n opvallende plek op die vaartuig, vertoon word.

Certificate No: 16299

PARTICULARS OF VESSEL

Name of vessel: Naam van vaartuig:	Port of Registry or operation: Registrasie of bedryfshawe:	Category: Kategorie:
Name and address of owner: Naam en adres van eienaar:	Official number or registration number: Amptelike of registrasienommer:	Number of crew (including skipper): getal bemanningslede (skipper inbegrepe):
	Description of voyage or operations: Beskrywing van reis of bedrywigheid:	
Length: Lengte:		

I, the undersigned _____ Certify that the above mentioned vessel has been duly inspected in accordance with
Ek, die ondertekende _____ Sertifiseer dat bogenoemde vaartuig behoorlik ondersoek is ooreenkomstig die

- (a) the provisions of the Merchant Shipping (Small Vessel Safety) Regulations, 2002, and the Collision and Distress Regulations, 1996, as far as these provisions apply thereto. The inspections showed that the vessel is constructed and equipped in accordance with the relative Regulations.

bepalings van die Handelskeepvaart (Klein Vaartuig Veiligheid) Regulasies, 2002, en die Botsing en Noodseineregulasies, 1996, vir sover hierdie bepalings daarop van toepassing is. Die ondersoek het getoon dat die vaartuig gebou en toegerus is ooreenkomstig die betrokke Regulasies.

OR / OF

- (b) the provisions of the Regulations for the use of vessels of less than three metres in length.
die bepalings van die Regulasies vir die gebruik van vaartuie van minder as drie meter lank.

This certificate will remain in force until the
Hierdie sertifikaat bly van krag tot _____

Issued at _____ this _____ day of _____
Uitgereik _____ op hierdie _____ dag van _____ 20_____

Signature and designation
Handtekening en amptitel

ANNEX 3

EXAMPLES OF SURVEY CHECKLISTS

Engine survey of ships of up to 15 m in length overall

Periodical survey		Additional survey				Ship registration No.			
Name: _____				District		No.: _____			
Length overall: _____ m		Place of inspection: _____				Report No.: 001			
Date of survey: _____		Validity of survey: _____		Meter No.: _____					
No.	Item inspected	Remark	No.	Item inspected	Remark	No.	Item inspected	Remark	
2000	Engine	0 1 2 3	2350	Cool. water equip	0 1 2 3	2700	Aux. engine	0 1 2 3	
2010	Eng. accrd. ship reg		2360	Cool. water piping		2710	Auxiliary engine		
2020	Engine functional	is	2370	Seaw. piping to eng.		2720	Gauges		
2030	Water leaks		2380	Seawater intake		2730	Oil leaks		
2040	Oil leaks		2400	Seawater/bilges		2800	Electric equipment		
2050	Met.: Rpm/lub/heat		2410	Hand pumps qty:		2810	Gen. cond. el equip		
2060	Met:Exh.gas.pr.ge ar		2420	El. pumps qty:		2820	Gauges, fuse mark.		
2070	Engine controls		2430	Eng. pumps qty:		2830	Generator 1 chrg.		
2080	Propeller gear		2440	Bilge piping/valves		2840	Generator 2 chrg.		
2090	Engine fastenings		2450	Alarm seawater in engine		2850	Special survey demanded		
2100	Engine pads		2460	Bilge filters		2900	Engine room		
2110	Flexible junctions		2470	Seaw pump/deck		2910	El. illumination		
2120	U-joint		2480	Bottom valves		2920	Orderliness		
2130	Steering engine		2490	Seawater piping		2930	Floors/soles		
2200	Fuel equipment		2500	Fire/see equipm.		2940	Servicing arrangement		
2210	Fuel filters		2550	Exhaust piping		2950	Safety covers		
2220	Fuel piping		2560	Seawater cooling		2960	Side valves		
2230	Fuel separator		2570	Isolation		2990	Other		
2240	Oil tank valves		2580	Position					
2250	Quantity gauges		2600	Spares and tools					
2260	Glass valves		2610	Belts					
2270	Quick closing valve		2620	Hoses					
2300	Air ducts		2630	Lubrication filter					
2310	Air ducts to engine		2640	Fuel filter					
2320	Air duct closures		2650	Tools					
2330	Height and position								

Survey results				
<input type="checkbox"/> 0 No remarks	<input type="checkbox"/> 1 Rectification Corrective action within 30 days	<input type="checkbox"/> 2 To be surveyed again before: <input type="checkbox"/> 200	<input type="checkbox"/> 3 Detention	
Remarks _____ entered _____ into: _____				
Ship _____ Inspection book _____ - _____ 200 _____				
Book _____ of _____ remarks _____ - _____ 200 _____ surveyor No. _____				
Verification by customer that survey has taken place _____ Computer _____ - _____ 200 _____				

Equipment survey of ships of under 15 m in registered length

Periodical survey	Additional survey		Ship registration No. _____
Name: _____		District No. _____	
Registered length: _____ m		Place of survey: _____ Report No. _____	
Date of survey: _____		Validity of survey: _____ Meter No.: _____	

No.	Items	Date	Type	No.
3100	Remarks			
	Equipment			0 1 2 3
3513	Inflatable liferaft			
3513	Inflatable liferaft			
3519	Release mechanism for liferaft			
3510	Immersion suits			
3523	Floatation work suits			
3511	Lifejackets			

No.	Items	Date	Qty.	0	1	2	3	No.	Items	0	1	2	3
3101	Certificate of Measurement												
3202	Magnetic compass							3430	Torch light				
3206	Medicine chest							3401	Binoculars				
3204	Fire alarm							3413	National flag				
3108	Telecomm. equipment							3406	Almanac				
3501	Hand flares							3405	Charts				
3502	Rocket parachutes							3426	Nautical instruments				
3212	Fire extinguishers							3431	Fog signalling apparatus				
3205	Fire-extinguishing syst.							3419	Whistle and bell				
3302	Markings							3209	Inspection book				
3424	Navigation lights							3211	Stability information, date:				
3425	Fishing lights							3908	Instruction cards				
3515	Fixed painter for life rafts							3914	Ventilation				
3516	Inflatable liferaft handle							3904	Stove - fire prot. and fuse				
3303	Safety colour							3909	Lavatories				
3504	Lifebuoys							3706	Watertight door				
1390	Means for securing weathertightness							3524	Rescue quilt				
3718	Anchor-chain and rope							3990	Other				
3726	Drop anchor												
3702	Net winch safety equipment												
3715	Freeing ports												
3604	Emergency steering												
3712	Fixed rescue ladder												

Survey results			
0 No remarks	1 Rectification Corrective action within 30 days	2 To be surveyed again before: _____ 200__	3 Detention
Remarks		entered	into:
Ship		Inspection book	_____ - _____ 200__
Book	of	remarks	_____ - _____ 200__
Verification by customer that survey has taken place		Computer	_____ - _____ 200__
			surveyor No. _____

Hull survey of ships of up to 15 m in length

Periodical survey	Additional survey	Ship registration No.
-------------------	-------------------	-----------------------

Name: _____ District No.: _____
 Length overall: _____ m Place of inspection: _____ Report No.: 001
 Date of survey: _____ Validity of survey: _____ Meter No.: _____

Hull type:		Wood	Fibre	Aluminium	Steel					
No.	Item inspected	Remark			No.	Item inspected	Remark			
1000	Hull 0 1 2 3					1260	Deck crane			
1010	Outer shell/planking					1270	Emergency exit			
1020	Gel coat					1280	Sole			
1030	Stem					1290	Drain holes			
1040	Keel					1300	Deck			
1050	Bilge keel					1310	Hatches			
1060	Stem /wing					1320	Box covers			
1070	Hull weldings					1330	Freeing ports			
1080	Spikes/fastenings					1340	Deck frame and stanchions			
1090	Caulking					1350	Frames			
1100	Stern box/board					1360	Divisions/bulkheads			
1110	Rescue ladder					1370	Engine casing			
1120	Rudder					1380	Hatch cover and coaming			
1130	Rudder stop					1390	Means for securing weathertightness			
1140	Propeller					1400	Transom flaps			
1150	Axle and bearings					1410	Fastening device/bollards			
1160	Outboard drive					1420	Securing of fishing gear			
1170	Balance flaps					1430	Air pipes to tanks			
1180	Transducer					1440	Tank filling equipment			
1190	Load lines					1450	Corrosion			
1200	Superstructure					1460	Engine foundations			
1210	Bulwark					1990	Other			
1220	Bulwark planking									
1230	Guard rails/handles									
1240	Ladders									
1250	Mast, boom, goose neck									

Survey results

0 No remarks	1 Rectification Corrective action within 30 days	2 To be surveyed again before: _____ 200__	3 Detention
--------------	--	--	-------------

Remarks _____ entered _____ into: _____
 Inspection book _____ - _____ 200__
 Ship _____ of _____ remarks _____ - _____ 200__ surveyor
 Book _____ of _____ remarks _____ - _____ 200__ No. _____
 Verification by customer that survey has taken place _____ Computer _____ - _____ 200__

Explanatory Notes for survey report

Generally, there are four options in giving a remark when filling out the survey report of the Icelandic Maritime Administration, notably 0, 1, 2 or 3. Remarks are given by putting an "X" in the relevant column for a specific item number.

A shaded box for a certain item number means that a remark is not allowed with regard to that particular item number. E.g., for item number 3430, remarks 2 and 3 are not allowed.

No.	Items	0	1	2	3
3430	Torch light				

If a certain item number is not relevant, e.g., due to the type and use of the boat in question, it should be indicated by putting a "-" in the column for remark 0.

- Definition of remarks:

Remark	Definition	
0	The item in question is in good working condition, as required in accordance with the relevant regulation, does not require repair / renewal / rectification.	
1	The item in question is not fully functional, as required in accordance with the relevant regulation, requires repair / renewal / rectification – does not constitute a hazard for ship / crew.	Corrective action within 30 days by owner.
2	The item in question is not in good working condition or fully as required in accordance with the relevant regulation, requires repair / renewal / rectification - is not fully functional but in working order – does not constitute a hazard for ship / crew.	To be repaired, rectified and surveyed again after max 3 months.
3	The item in question is not in good working condition or as required in accordance with the relevant regulation, requires repair / renewal / rectification, is not functional or a limited functionality – is hazardous for ship / crew.	Detained.

ANNEX 4

EXAMPLE OF AN INSPECTION CHECKLIST

Example of inspection checklist with Explanatory Notes for vessels of design categories C & D of up to 7 m LOA

(Note: Numbering and annexes refer to the Safety Recommendations for decked fishing vessels of less than 12 metres length and undecked fishing vessels)

CHAPTER 1 – GENERAL PROVISIONS			Remarks/ Notes
1.1	Purpose and scope		
	Is the vessel covered by the scope of the recommendations?		
1.2.14	In which design category is the vessel assessed to be operating in?		
	Design category C	OR Design category D	

CHAPTER 2 – CONSTRUCTION, WATERTIGHT INTEGRITY AND EQUIPMENT			
Part 1	General		
	Are the general requirements met?		
2.2	Construction, material and structure		
	What is hull construction material?	Superstructure?	
2.2.1	Is the construction of the hull and other structures sufficient to withstand all conditions of intended service? Note: See Annexes II, III, IV and V.		
2.3	Inlets and discharges		
2.3.1	Are sea inlets fitted with valves?		
2.3.2	Are discharges passing through the hull fitted with non-return valves?		
2.3.6	Are penetrations prone to damage protected?		
2.4	Drainage of partial decks		
2.4.1	Are partial decks adequately drained?		
2.5	Securing of heavy items		
2.5.1	Are heavy items of equipment secured in position?		
2.6	Anchor and mooring equipment		
2.6.1	Is anchor and mooring equipment designed for quick and safe operation?		
	List size and weight of anchor and mooring equipment:		
	Is anchor and mooring equipment suitably sized?		
	Note: See Annex VI.		
Part 3	Decked vessels		
2.7	Construction		
	Are bulkheads fitted?	How many?	
	Is a collision bulkhead fitted?		
2.9	Weathertight doors		
2.9.1	Are openings in superstructures fitted with weathertight doors?		
2.9.2	Are sills in doorways and companionways at least 380 mm in height?		
2.9.3	Note: Heights may be reduced to 150 mm. And in design category D to 50 mm.		
2.10	Hatchways		
2.10.1	Are hatch coamings on the deck at least 300 mm in height?		
2.10.2	Note: Coamings may be reduced or omitted.		
2.10.3	Are covers fitted with clamping and gaskets? Note: Design category C only.		
	Note: See Annex VII.		

2.12	Other deck openings		
2.12.1	Note: If essential for fishing operations, flush deck covers may be fitted. These should be capable of being closed watertight.		
2.13	Ventilators		
2.13.1	Are coamings of ventilators at least 450 mm? Note: This may be reduced.		
2.14	Air pipes		
2.14.2	Is the height of air pipes at least 450 mm? Note: This may be reduced provided a non return arrangement is fitted.		
2.17	Freeing ports		
2.17.1	Are freeing ports fitted? Note: Closing devices should not be lockable.		
2.17.3	Are freeing ports sufficient to drain water from exposed deck?		
	Note: See Annex VIII.		
2.18.1	See 2.6.		

CHAPTER 3 – STABILITY AND ASSOCIATED SEAWORTHINESS			
3.1	General		
	Are the general requirements met?		
3.2, 3.3, 3.4	Stability criteria		
	Which stability criterion is to be applied to the vessel?		
	Does vessel meet the applicable stability criterion?		
	Note: See Annex XII.		
3.7	Particular fishing methods		
3.7.1	Is the vessel engaged in fishing methods where additional forces are imposed on during fishing operations?		
	Does the vessel meet the increased stability criterion?		
3.10	Inclining test for decked vessels		
	Is an inclining test required?		
3.11	Built-in buoyancy for undecked vessels		
3.11.1	Is vessel fitted with buoyancy compartments?		
	Are compartments filled with solid buoyancy material?		
	Is buoyancy demonstrated by a calculation and/or by a practical test?		
	Note: See Annex XIII.		
3.12	Stability information		
3.12.1	Is stability information available to the skipper?		
3.12.2	Is stability information posted on board?		

CHAPTER 4 – MACHINERY AND ELECTRICAL INSTALLATIONS				
4.1	General			
	Are the general requirements met?			
4.1.8	Are sufficient tools and parts carried as follows?			
Spare Parts		Motor:	Outboard	Inboard
Manual for engine and other major equipment			X	X
Parts for waterpump (impeller, gasket, etc.)			X	X
Sparkplug			X	
Shearpin for propeller			X	
Split pins for propeller nuts			X	
Starting rope			X	
Propeller			X	
Stern gland packing				X
Belts for alternators and pumps				X

Lub oil filter		X	
Fuel oil filter (or cartridge) and filter spanner		X	
Water repellent oil/spray	X	X	
Engine oil, gear oil and grease		X	
Bolts, nuts, washers, screws, hoses and clamps to suit	X	X	
Glues, electrical tape, electrical wire, electrical connectors	X	X	
Ropes and twine of varying types and diameters	X	X	
Bulbs and fuses for lights including navigation and torches	X	X	
Spare batteries for torches, radio equipment, etc.	X	X	
Parts for bilge pump(s).	X	X	
Tools	Motor:	Outboard	Inboard
Spanners		X	X
Socket set			X
Adjustable spanners			X
Spark plug spanner	X		
Pliers	X	X	
Screwdrivers	X	X	
Knife	X	X	
Multi tester			X
Hydrometer			X
Hammer			X
Wire cutters			X
Hacksaw and spare blades			X
Cold chisel			X
Pipe wrench			X
Torch	X	X	
Bailer	X	X	
4.2	Propulsion machinery and stern gear		
	How many engines are fitted?		
	What is installed power of engine(s)?		
	Is engine inboard or outboard?		
	Is engine petrol or diesel? Note: Diesel is recommended for inboards.		
4.2.5	Is there a means of securing the outboard engine to the transom?		
	For outboard engines over 15 kW is there a well draining overboard?		
	Is there an alternative means of propulsion such as oars, paddles or sails?		
4.3	Shaft and propeller		
4.3.2	Does the shaft diameter meet the requirements?		
4.4	Engine starting		
4.4.1	Is there a secondary means of engine starting? Note: Not required for engines with hand starting.		
4.6	Steering gear		
4.6.3	Does the vessel have an alternative means of steering? Note: This may be a steering oar.		
	Note: See Annex XV.		
4.7	Pumping and piping systems		
4.7.1	Is a level gauge fitted on the fuel tank(s)?		
	Are both filling and air pipes fitted on the fuel tank(s)?		
	Is a valve fitted on the fuel line? Note: This should be fitted on the tank and be closable from outside the engine-room.		
	Is the tank fitted with a drain valve?		
4.7.4	Is the portable petrol tank(s) for the outboard motor secured in place?		

4.7.5	How many cooling water inlets for machinery are there? Note: Preferred is one on either side of the hull or just one.	
	Is a strainer fitted after the sea inlet valve?	
	Are branch pipes fitted with isolating valves?	
4.7.6	Is a bilge pumping arrangement fitted? Note: Required for decked vessels.	
4.7.8	Where no pumps are fitted is there a means of manual bailing? Note: 1) Applies to undecked vessels. 2) This may be a bucket, bailer or hand pump?	
4.7.9	Is a hand bilge pump fitted? Note: Decked vessels require at least one hand bilge pump.	
4.7.15	Exhaust systems	
	See also Annex XVI	
	Are exhausts discharging through the hull fitted with a non-return device?	
	Is a part of exhaust pipes at least 350 mm above waterline?	
	Are exhaust outlets at least 100 mm above the load waterline?	
4.8	Ventilation of engine room	
4.8.1	Are engine air intakes of adequate size? Note: See manufacturer's specifications.	
4.10	Emergency source of electrical power	
4.10.1	Is an emergency battery fitted? Notes: Required – 1) To supply emergency lights, radio and navigation lights for at least three hours. 2) For vessels operating more than 20 nautical miles from a safe haven.	
4.12	Electrical systems	
4.12.7	Are batteries fitted in enclosed boxes with covers, and sufficient ventilation? Note: Batteries in accommodation should be sealed and ventilated to open air.	
4.12.8	Is battery or bank fitted with isolation switch?	
4.12.9	Is there a means of checking the charge of the batteries?	
4.12.10	Are batteries secured to avoid movement due to motion of the vessel?	
4.12.12	Are the batteries used for engine starting separate from the batteries used for other services? Note: Starter batteries should be capable of starting the engine at least six times without recharging.	
	Note: see annex XVII.	

CHAPTER 5 – FIRE PROTECTION AND FIRE FIGHTING				
Part 1	General			
	Are the general requirements met?			
5.7	Number of fire-fighting appliances – undecked vessels			
	Are the required fire-fighting appliances supplied/fitted?			
	Propulsion	No engine	Outboard	Inboard
	Fire Extinguisher	0	0	1 ^{c)}
	Fire Bucket or bailer	0 ^{a)}	1 ^{b)}	1 ^{b)}
	a) Not required where other water container (e.g., bailer) is carried. b) Not required where two or more extinguishers are carried. c) The smallest vessels may be exempt from this requirement.			
5.8	Number of fire-fighting appliances – decked vessels			
5.8.1	Are two fire extinguishers fitted? Note: 1) One should be located near the machinery space. 2) If two fire extinguishers are provided a bucket for fire-fighting should also be carried.			
5.8.2	Note: Vessels with outboard engines may have only one fire extinguisher.			

CHAPTER 6 – PROTECTION OF THE CREW			
6.1	General protective measures		
	Are the general requirements met?		
6.2	Deck openings and doors		
	Are the requirements met?		
6.3	Bulwarks, rails and guards		
6.3.1	Are bulwarks, guardrails or gunwales fitted? Note: these should be 1 m unless this would interfere with fishing operations.		
6.10	Medical services		
6.10.1	Are medical supplies, equipment and instructions provided?		
	Basic first aid kit	Essential	Recommended
	Bandage, Band aids, Sterile dressings	X	
	Sterile gauze, Adhesive tape	X	
	Scissors	X	
	Safety pins	X	
	Antiseptic cream	X	
	Tweezers	X	
	Liquid antiseptic		X
	Pain killing tablets		X
	Sunscreen		X
	Eyewash		X
	First Aid Book		X
6.10.2	Are medical guide and instructions provided?		
6.10.4	Are Instructions including medical contact details provided? Note: To enable the crew to consult with medical services ashore.		
6.11.10	Is a sun and weather shelter provided? Note: The shelter may also be used to collect rainwater or as an emergency sail.		

CHAPTER 7 – LIFE-SAVING APPLIANCES				
Part 1	General			
	Are the general requirements met?			
7.12	Recommendations for design categories			
	Are the required Life-saving appliances supplied/fitted?			
	Distance from safe haven:	≤ 5 nm	≤ 20 nm	≤ 100 nm
Liferaft				C [■] D [■]
Buoyant apparatus			C1 [*] D [♣]	
Lifejacket [♥]	C [♦] D ^{♦♣}	C [♦] D ^{♦♣}	C1 [♦] D ^{♦♣}	
Distress signals: 2 hand flares	C D	C D	C D	
Hand rails or capsized rope	C D	C D	C D	
Whistle, mirror and torch	C D	C D	C D	
Means of recovering persons from the water	C D	C D	C D	
Wheelhouse top painted in visible colour and with identification marks	C D	C D	C D	
[■] The liferaft may be substituted with a buoyant apparatus. [*] Recommended. [♥] For every person on board. [♦] Life jacket may be substituted with a personal floatation device.				
7.11.4	Is a handrail or capsized rope fitted? Note: To allow persons to hold on to capsized vessel?			

CHAPTER 9 – RADIO COMMUNICATIONS	
Part 1	General
	Are the general requirements met?
9.9	Equipment requirement for design categories C & D
	Is the required radio communications equipment supplied/fitted?
	VHF or handheld VHF
	Mobile (cellular) telephone. Note: In lieu of other requirements but only where local circumstances justify and for vessels exclusively within the coverage of a mobile telephone network.
	Radio receiver to receive weather forecasts.
	Note: See Annex XXVI.

CHAPTER 10 – NAVIGATIONAL EQUIPMENT	
10.1	Navigational equipment
10.1.1	Is a compass fitted? Note: this may be hand held.
10.1.5	Is a means for determining the depth of water fitted?
10.1.6	Is a radar reflector fitted?
	Note: See Annex XXIX.
10.3	Signalling equipment and Navigation lights
10.3.1	Does the vessel comply with the requirements of the International Regulations for Preventing Collisions at Sea?
	Note: See Annex XXX Rule 23 (d).
	What lights and equipment are fitted?
10.5.1	Does deck lighting impair the visibility of navigation and signal lights required in 10.3?

Notes/Recommendations

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Signature	Date of inspection	

ANNEX 5

VESSEL AND BOAT BUILDING SECTORS

Introduction

1 This annex addresses factors that often have an adverse effect on safety construction and quality in general and presents arguments for the need to have a common approach to accreditation of boat builders. It also considers contractual arrangements between a buyer and a builder as well as the obligations of a builder. In particular, proposals are made for the assessment of training needs within the boat building sector.

Builders

2 The larger steel hulled vessels are usually constructed in reasonable to excellent vessel building facilities and in most cases national rules and regulations draw on the construction standards developed by vessel classification societies. Furthermore, many of these larger fishing vessels are built to classification standards and enter into class. Consequently, in order for the vessel builders to comply with the standards so set, these vessel builders have to put in place related standards of training of the workforce.

3 Unfortunately, the same cannot be said for the small fishing vessels where the building facilities vary greatly from beach and backyard sites to well appointed workshops, likewise, the standards of construction vary. A common issue is that there are few, if any, associations of boat builders that require or encourage the membership to follow recognized business practices and to meet acceptable technical standards for the design and construction of small fishing vessels. In addition, few if any of the small fishing vessel builders are members of professional engineering institutions or for that matter, members of Chambers of Commerce. As a consequence, there are, in many instances, no formal contracts between the builder and the buyer and no drawings or specifications are available for scrutiny by fishing vessel inspection services. Thus, when a request for registration is received on completion of a vessel it is a case of "*fait accompli*". This would not be the case if a fishing vessel were to be built under the supervision of a vessel classification society whether or not it is the intention for the vessel to enter into class on completion.

4 There is also no requirement in national legislation in many developing countries for a boat builder or boat building company to be accredited by a government body or a Government-approved non-governmental institution. Furthermore, there is no common approach to the approval of a boat builder by a competent authority and the instructions to fisheries officers and maritime authorities, as the case may be, are often too vague.

5 A more reasoned approach is obviously required if standards of safety construction of fishing vessels are to be improved through the application of the provisions of the instruments developed by FAO/ILO/IMO. Boat builders must also meet acceptable standards and that means a structured approach to training, better business practices, more informed government officers and compliance by the industry as a whole.

Contractual arrangements

6 Safety construction may also be improved through a more formal agreement between the buyer and a builder. Such contracts should reflect the requirements in regulations to the shipping/fisheries act, as the case may be, in relation to the procedures to be followed by both parties to the contract. A key point being that no construction should commence prior to the approval of the competent authority. In relation to the construction

and final presentation of the complete vessel for registration, the interests of the buyer should be assured through a commitment by the builder to performance control by inspectors of the competent authority and any surveyor who may be appointed by the buyer.

Assessment

7 If standards of construction are to be improved and if there is to be an obligation in law for fishing vessels builders to comply, a system of technical education and training has to be in place. To do this, however, a complete assessment of the long-term needs must be carried out nationally and the results collated and analysed, possibly with the needs of a sub-region in mind. The influence of vessel classification societies should also be assessed since they place demands on vessel and boat builders to meet levels of skills that a society requires of the trades involved. Some classification societies actually test individuals, usually on site, and issue clearance for the individuals to carry out certain tasks.

8 However, even if a vessel is not built to class or maintained in class, an inspector may rule that a boat builder or repairer does not have the expertise to carry out certain types of work and in an extreme case, the boat builder may have to look elsewhere, even abroad, for assistance.

9 It is fairly clear that the scope of the assessment procedure would be quite wide and although the tendency may be to investigate forms of institutional training, it should be borne in mind that traditional forms of training, such as apprenticeship schemes must not be discounted.

Training*

10 Traditionally, vessel and boat builders have adopted apprenticeship schemes, often coupled with "off the job" classroom instruction leading to diploma and degree levels. This is common in the so called shipbuilding sector that also builds reasonably large fishing vessels and the products of the training schemes often lead to persons that have the experience and qualifications looked for by the ship classification societies and competent authorities in relation to meeting their needs for fishing vessel inspectors, as indicated in annex 1.

11 However, this is not always the case in the small scale fisheries sector where skills are often passed on through family members and formal instruction is less common. Furthermore, although wooden hulls may remain the backbone of the small fishing vessel sector, other materials, such as GRP, aluminium and the use of other composite materials is now wide spread, all placing additional calls for training within the sector and being able to retain the title of accredited boat builder.

12 Therefore, if they are expected to meet better standards of construction and equipment (including servicing) it is reasonably clear that in the long term, training would have to be more structured and the needs determined when developing the safety strategy, as set out in chapter 2. In general, however, instruction should be available in:

* The European Federation of National Engineering Associations (FEANI) maintains an Index of courses at higher education institutions in its member countries. These courses are recognized by FEANI as fulfilling the education requirements for the EUR ING title. The Index also contains brief descriptions of the education systems of these countries. The Index contains approximately 14,000 engineering courses, each of which details its title, award and duration and can be viewed on the FEANI website (www.feani.org).

- wood working skills, including knowledge of suitable boat building timbers¹⁴, their treatment and storage;
- GRP construction including building conditions and storage and safe disposal of materials¹⁵;
- steel construction skills, material selection, welding and testing¹⁶; and
- aluminium construction skills, material composition, welding and inspection/testing¹⁷.

13 Due to varied materials and the latest developments of materials used in vessel construction special attention should be given to training. Nevertheless, the objective should be to ensure that the needs of the competent authority and the boat building industry are satisfied. In particular, training Programmes should cover, *inter alia*:

- welding*, steel and aluminium;
- GRP and FRP; and
- timber.

14 At the technical level, the training should be designed to provide for those involved in overseeing welding operations/quality control (and fishing vessel inspectors) who need a practical working knowledge of welding.

15 Courses should be available to provide either a generalized background – or to target specific areas related to welding.

16 European Federation of National Engineering Associations (FEANI) maintains an Index of courses at higher education institutions in its member countries.

Curriculum development

17 In order to assess whether or not training can be obtained nationally or within a region or sub-region, an understanding of the kind of training that is needed for each of the trades may require an exercise to be carried out in relation to curriculum development once the training needs mentioned above have been determined.

Accreditation

18 Some of the reasons for the lack of a formal approach to the accreditation of boat builders, as opposed to large vessel builders, are mentioned in the background above. For example, if as mentioned earlier, a vessel were to be built under the supervision of a ship classification society, a certain seal of approval may be seen to accrue to the builder.

¹⁴ All boat builders should have a thorough knowledge of boat building timbers available both within their own country and within the region; given that particular timbers may have to be imported. See part 4 of annex II of the instrument Safety recommendations for decked fishing vessels of less than 12 m in length and undecked fishing vessels.

¹⁵ See part II of annex III of the Safety recommendations for decked fishing vessels of less than 12 m in length and undecked fishing vessels.

¹⁶ See part 1 of annex IV of the instrument Safety recommendations for decked fishing vessels of less than 12 m in length and undecked fishing vessels.

¹⁷ See part I of annex V of the Safety recommendations for decked fishing vessels of less than 12 m in length and undecked fishing vessels.

* www.welding.org.

In much the same way, when a request for approval to build a fishing vessel or significantly modify an existing vessel is submitted to a competent authority and where the proposed builder is so mentioned, subsequent approval for the work to be carried out may imply that the builder is competent.

19 One approach would be for competent authorities to maintain a record of boat builders that have been "approved" by the process mentioned above. Thereafter, the assessment of an inspection carried out whether for new construction or refit and modification would be entered in the record. The information contained in the record of "approved" boat builders may also be shared within a sub-region.

20 Given the introduction of standards for the construction and survey of small fishing vessels, there should be no need for a "grandfather clause" since any boat builder involved in carrying out work on a fishing vessel to which the standards apply would have to be "approved" through the inspection process or otherwise rejected.

21 Recalling that any standards of construction so adopted would also apply to vessels imported, there could be an argument to partition the record to list the builders of imported vessel, but not to assign a seal of "approval" as such to the builder. It would, however, imply that the vessel met with the prescribed standards.

22 It should also be kept in mind that the approach to accreditation could be linked to requirements for inspectors of fishing vessels and, in particular, small fishing vessels since the assessment, as required for inspectors, would overlap with the assessment for boat builders since the former may be drawn from the ranks of the latter.

23 The purpose of Welding Skill Training should be to teach the welding techniques and manipulative skills required for each major welding process. Technique should be stressed since the trainees must be able to meet the welding performance required by the competent authority. Consequently, less time would be allocated to theory.

ANNEX 6

CODE FOR THE CONDUCT OF AN INSPECTOR OF SMALL FISHING VESSELS

Introduction

1 This annex gives guidance in relation to the conduct of a person authorized to carry out an inspection of a fishing vessel of less than 24 metres in length. It offers a set of basic principles that could be given legal substance as and when a fishing vessel inspection service is determined to be necessary.

Due diligence

2 With regard to all stakeholders, there must be a clear understanding that diligence has to be exercised by the owner and or managers of a fishing vessel in relation to its maintenance and manning and to ensure that it is in a seaworthy condition when it puts to sea. A repairer, employed by the owner must also exercise due diligence and, notwithstanding pressure by the owner, to carry out repairs in a sound and proper manner. A person authorized to inspect fishing vessels on the other hand has to be diligent at all times in the discharge of their duties in order to ensure that they would not be held negligent.

3 Whereas this proposed code of conduct is intended to give guidance to inspectors of small fishing vessels of less than 24 metres in length, the general principles can be applied to the inspection of larger fishing vessels.

Basic principles

4 No local fishing vessel should be used for fishing or related activities unless there is in existence a valid certificate of seaworthiness issued in respect of that vessel.

5 The competent authority may at any time and without notice cause any fishing vessel to be inspected for the purpose of determining whether the vessel is seaworthy and fit for the purpose of fishing.

6 Any person authorized by the competent authority to inspect a small fishing vessel for seaworthiness should have appropriate qualifications and experience.

7 No person authorized by the competent authority to inspect a small fishing vessel should discriminate in form or in fact against classes of fishing vessels, ports of operation or builders of fishing vessels.

Ethics

8 Such persons so authorized by the competent authority to survey/inspect a fishing vessel for seaworthiness should demonstrate a high level of personal and professional integrity.

9 In the exercise of professional skills, such persons so authorized by the competent authority to inspect a small fishing vessel must recognize that meeting the demands of the fishing industry requires ability and commitment often without regard for personal convenience. They must be diligent in the performance of their work on behalf of the competent authority.

Purpose of the Code of Conduct for the Inspection of a Small Fishing Vessel

10 That all fishing vessels are built maintained and operated in accordance with minimum acceptable standards.

11 That the survey/inspection of a fishing vessel is conducted in a professional manner, consistent with high standards of integrity and fairness.

Conduct of inspections

12 It is recommended that a "fishing vessel inspector" be issued with a document of authority to inspect a fishing vessel.

13 Any inspection of an existing fishing vessel should be carried out in the presence of the skipper and or owner.

14 In the case of a fishing vessel under construction, the inspection should be carried out in the presence of the builder. The buyer should be advised when an inspection is planned in order that he or she may also be present.

15 In scheduling inspections the "fishing vessel inspector" should take care to ensure that satisfaction and or dissatisfaction is expressed at key stages of construction. In particular, dissatisfaction should be expressed as soon as the fishing vessel inspector has any doubt to avoid the builder continuing with work that might have to be undone at a later stage and to avoid dispute between builder and buyer.

16 When a "fishing vessel inspector" lacks the required expertise for a particular inspection he or she can be assisted by any person with the required expertise acceptable to the competent authority.

17 The "fishing vessel inspector" and any person assisting should have no commercial interest in the vessels under inspection.

18 In the event that "fishing vessel inspectors" attend the technical trials of a vessel and or an inclining experiment or any other test, they should not assume command of the vessel.

19 Where a "fishing vessel inspector" is not totally satisfied with the state of a fishing vessel that is otherwise seaworthy, conditions may be entered in the record of the fishing vessel requiring the owners to take action within a limited time scale but not later than the next scheduled periodic survey.

20 Wherein a fishing vessel is deficient and the deficiency cannot be put right at the place of inspection a "fishing vessel inspector", having considered prevailing weather conditions, may allow the fishing vessel to proceed, providing the deficiency is not clearly hazardous to the safety of the vessel, its crew and the environment, to another place where the deficiency can be rectified subject to any appropriate conditions determined by him or her as a consequence of the inspection.

21 Where, following any inspection the vessel is found to be not seaworthy or is not fit for the purpose of fishing, the "fishing vessel inspector", without delay, should recommend that the certificate of seaworthiness issued in respect of that vessel should be withdrawn and the vessel prevented from going to sea.

Issue of certificates

22 A "fishing vessel inspector" should make a report of all inspections made and should give his or her signature in recommending that a certificate may be issued. Likewise his or her signature should be given and the reasons so stated if the issue of a certificate is not recommended.

23 A fishing vessel inspector may be called upon to investigate the loss or destruction of a vessel, or its decommissioning as a fishing vessel and may be required to recover the certificate of registration issued in respect of that vessel.

The "inspector" giving advice

24 A fishing vessel inspector may be consulted from time to time by boat builders, boat repairers, fishermen and or owners of fishing vessels and may give technical advice in this respect with regard to an Act, its regulations and schedules. Due diligence must be exercised and the limitations of the fishing vessel inspector should be recognized and where doubt exists, the request should be referred to a more competent person.

25 Where advice is given in relation to types of vessels, machinery and equipment, the "fishing vessel inspector" should not have a financial interest in the business of the manufacturer(s) so recommended.

26 A fishing vessel inspector should not give technical advice that is inconsistent with the approved safety construction standards and safety equipment standards, set out in the regulations and or schedules to the appropriate Act.¹⁸

Litigation

27 Unless there are provisions in national law stating otherwise, a fishing vessel inspector may be called as a "Witness of Fact" or as an "Expert Witness"¹⁹. Since oral examination is the only means by which the testimony and the bona fides of the witness can be challenged without resorting to endless correspondence²⁰, the fishing vessel inspector must demonstrate:

- knowledge;
- integrity;
- rationality;
- communicability; and
- decisiveness.

¹⁸ The inspector must be well versed with the contents of relevant Acts and Regulations and in particular the provisions therein for equivalence and exemptions.

¹⁹ Calling of "expert witnesses" may vary according to the legal system and whereas these witnesses are usually independent experts not engaged in the subject matters, a party may call as an "Expert Witness" an expert engaged in the subject matters.

²⁰ This process of interrogation would soon expose a person lacking proper qualification and experience.

28 A witness may be required to submit written reports. The fishing vessel inspector must be able to prepare such reports in a concise and accurate manner and should not use terms that may convey more than one meaning. Similarly, photographic evidence must be composed in such a manner that it is aligned with and clearly illustrates the point or points so stressed in the report.²¹

29 Where national law provides for the "Doctrine of Privilege" and in the event that legal proceedings could arise or be imminent, a fishing vessel inspector so concerned in the matter may submit a report to legal counsel (to the agency responsible for inspections of fishing vessels) for the purpose of receiving legal advice.²²

²¹ To the extent possible a report should be so written that no sketches or photographs would be required. However, where and when it would enhance a report sketches and photographs should carry the date, time and place to which the evidence refers together with the signature of the Inspector. Originals and negatives should be saved. Photographs that can be edited, such as taken by a digital camera should be avoided. If taken by Digital cameras, they are unlikely to be admissible in court.

²² Any such report should include the following statement, "confidential report for the information of the administration's legal counsel prepared for the purpose of obtaining legal advice on proceedings pending, threatened or anticipated".

ANNEX 7

EXAMPLES OF RELEVANT INTERNATIONAL AGREEMENTS, BOTH BINDING AND VOLUNTARY

1 The following examples of international conventions and other legal instruments, agreements or arrangements having a bearing on those engaged in fishing and the design and construction of vessels as well as their operations, are also supported by many resolutions and recommendations.

Standard specifications for the marking and identification of fishing vessels (FAO, 1989) (voluntary)

2 The purpose is to provide an aid to fisheries management and safety at sea through the marking of fishing vessels for their identification on the basis of the International Radio Call Signs (IRCS) system. The said marks should be visible on both sides of a vessel (hull or sail as the case may be) and on a horizontal surface. The word "vessel" in the specifications refers to any vessel intending to fish or engaged in fishing or ancillary activities operating, or likely to operate, in waters of States other than those of the flag State.

Code of Conduct for Responsible Fisheries (FAO, 1995) (voluntary)

3 One of the objectives of the Code is to ensure the long-term sustainability of living marine resources so that these can be harvested by generations to come, thus making a substantial contribution to world food security and employment opportunities. Article 8 of the Code of Conduct (see annex 1) further develops the provision regarding fishing operations.

Convention on the International Regulations for Preventing Collisions at Sea (COLREGs), 1972

4 The Convention establishes principles and rules concerning lights and shapes to be displayed by vessels as well as establishing traffic rules at sea.

International Convention for the Safety of Life at Sea (SOLAS), 1974, as amended, and Protocols

5 The Convention promotes safety at sea by establishing a common agreement, uniform principles and rules. Whereas the regulations do not apply to fishing vessels, unless expressly provided otherwise, chapter V (Safety of navigation) has to be addressed in the case of fishing vessels (except for those navigating the Great Lakes of North America and their connecting and tributary waters as far east as the lower exit of the St Lambert Lock at Montreal in the Province of Quebec, Canada).

International Convention on Maritime Search and Rescue, 1979

6 The Convention establishes an international maritime search and rescue (SAR) plan covering the needs for vessel reporting systems, SAR services and the rescue of persons in distress at sea.

Torremolinos International Convention on the Safety of Fishing Vessels, 1977 and the Torremolinos Protocol of 1993 relating thereto (not in force)

7 These provide uniform principles and rules concerning construction, equipment, stability, radio communications and other safety aspects of fishing vessels.

Code of Safety for Fishermen and Fishing Vessels, Part A (as revised) (voluntary)

8 The purpose of Part A of the Code is to provide information with a view to promoting the safety and health of crew members on board fishing vessels. It may also serve as a guide for those concerned with framing measures for the improvement of safety and health on board fishing vessels but it is not a substitute for national laws and regulations. It addresses decked and undecked fishing vessels of all sizes and recognizes the important role of fisheries management in relation to fishing vessel and crew safety. Part A of the Code is amply supported by 20 relevant appendixes with regard to operational safety and health.

International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel (STCW-F), 1995 (not in force)

9 In establishing, by common agreement, international standards of training, certification and watchkeeping for personnel on board fishing vessels, the Convention desires to help promote the safety of life at sea and the protection of the marine environment. It makes provisions for personnel serving on fishing vessels of 24 m in length and above for skippers and officers in charge of a navigational watch and for chief and second engineer officers where the main propulsion machinery of a fishing vessel is 750 kW or more.

10 The International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel (1995) complements the Torremolinos Protocol by setting the regulatory framework for the training and certification of fishing vessel personnel.

11 The STCW-F Convention addresses training and certification standards for skippers and watchkeepers on fishing vessels of more than 24 m, for engineers on vessels of more than 750 kW and for crew in charge of radio communication. Importantly, it also requires basic (pre-sea) safety training for all fishing vessel personnel.

12 The Convention embraces the concept of competency-based training but does not deal with manning levels. While the Convention specifically relates to large fishing vessels, the IMO encourages national competent authorities to address the training and certification standards for crews of smaller vessels through relevant domestic laws.

13 Training is an obvious essential factor for improving safety. Training includes not only training that should take place before the fishermen steps aboard the vessel, but also awareness training, life-saving and fire drills, and training focused on the particular equipment and operations on a specific vessel. As noted above, the basic international standard for the training of fishermen is the IMO's International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel, 1995, provides international standards for such training.

Document for Guidance on Training and Certification of Fishing Vessel Personnel (voluntary)

14 This makes provisions for training for personnel serving on fishing vessels of all sizes.

15 The FAO, ILO and IMO have also prepared the Document for Guidance on Training and Certification of Fishing Vessel Personnel, which covers training and certification of crew members on small and large fishing vessels and fishing on an industrial scale. It is intended to provide guidance for those developing, establishing or reviewing national training schemes for training and certification programmes for crew members. The IMO has also developed several "model courses" to assist in the implementation of the STCW-F Convention.

International Convention for the Prevention of Pollution from Vessels (MARPOL 73/78)

16 Detailed regulations covering the various sources of pollution are contained in five annexes to the Convention. Annex V (Prevention of pollution by garbage from vessels) has a bearing on safety at sea whether or not the garbage comes from a vessel or a fishing vessel. In the case of fishing vessels, accidentally lost, discarded and otherwise abandoned fishing gear may be a hazard to the safety of navigation.

International Convention on Tonnage Measurement of Ships, 1969

17 Applicable to vessels of 24 m and over.

18 The Convention provides for gross and net tonnages, both of which are calculated independently. The rules apply to all ships built on or after 18 July 1982 – the date of entry into force – while ships built before that date were allowed to retain their existing tonnage for 12 years after entry into force, or until 18 July 1994.

19 Gross tonnage forms the basis for manning regulations, safety rules and registration fees.

20 Both gross and net tonnages are used to calculate port dues.

Work in Fishing Convention No. 188 and Recommendation No. 199

21 The Work in Fishing Convention (No. 188) addresses living and working conditions on board fishing vessels. The Convention is flexible, so that it is relevant to all types of commercial fishing and can be implemented by Governments around the world, whatever their particular circumstances. Convention No. 188 has the objective to ensure that fishermen have decent conditions of work on board fishing vessels with regard to minimum requirements for work on board; conditions of service; accommodation and food; occupational safety and health protection; medical care and social security.

22 The Convention addresses the following subject areas:

- the responsibilities of fishing vessel owners and skippers for the safety of the fishermen on board and the safety of the vessels;
- minimum age for work on board fishing vessels and for assignment to certain types of activities;
- medical examination and certification required for work on fishing vessels, with the possibility of exceptions for smaller vessels or those at sea for short periods;
- manning and hours of rest;
- crew lists;

- fishermen's work agreements;
- repatriation;
- recruitment and placement of fishermen, and use of private employment agencies;
- payment of fishermen;
- onboard accommodation and food;
- medical care at sea;
- occupational safety and health;
- social security; and
- protection in the case of work-related sickness, injury or death.

23 The Convention is supplemented by the Work in Fishing Recommendation, 2007 (No. 199), which provides additional guidance.

24 Those involved in the design and construction of fishing vessels (including fishing vessel owners) should in particular be familiar with Part V of the Convention (Articles 24 to 28), which concerns Accommodation and Food, and the related (mandatory) Annex III. Annex III provides, *inter alia*, in the section entitled "Planning and control". That the competent authority shall satisfy itself that, on every occasion when a vessel is newly constructed or the crew accommodation of a vessel has been reconstructed, such vessel complies with the requirements of the Annex (which contains Design and construction standards concerning: headroom; noise and vibration; ventilation; heating and air conditioning; lighting; sleeping rooms (size, equipment); persons per sleeping room; mess rooms; tubs, showers, toilets and washbasins; facilities for sick and injured fishers; recreational facilities; galley and food storage facilities; food and potable water; and clean and habitable conditions). The competent authority is also, to the extent practicable, require compliance, crew accommodation of a vessel is substantially altered and, for a vessel that changes the flag it flies to the flag of the Member State. For vessels of 24 metres in length and over, detailed plans and information concerning accommodation shall be required to be submitted for approval to the competent authority, or an entity authorized by it. Furthermore, for vessels of 24 metres in length and over, the competent authority is to inspect the accommodation for compliance with the requirements of the Convention on every occasion when the crew accommodation of the fishing vessel has been reconstructed or substantially altered, and when the vessel changes the flag it flies to the flag of the State. The competent authority may carry out additional inspections of crew accommodation at its discretion.

25 Other parts of the Convention, for example, those provisions concerning medical care on board, also will have an impact on the equipping of vessels (e.g., with medical supplies, communications equipment, etc.).

26 Even if a State has not ratified the Convention, it should be taken into account in order to ensure vessels have no difficulty operating in foreign waters, visiting foreign ports or being, at some future date, sold abroad and/or registered in other States.

ANNEX 8

ANNOTATED LIST OF PERTINENT PUBLICATIONS

FAO²³ (www.fao.org)

FAO Technical Guidelines for Responsible Fisheries – Fishing Operations

The technical guidelines are given in support of the implementation of the Code of Conduct for Responsible Fisheries in relation to fishing operations. They are addressed to States, international organizations, fisheries management bodies, owners, managers and charterers of vessels, and Fishermen and their organizations.

FAO Safety at sea as an integral part of fisheries management

This document provides a comprehensive overview of sea safety issues, and concludes that safety at sea should be integrated into fisheries management.

Report of the FAO/SPC regional expert consultation on sea safety in small vessels. Suva, Fiji, 9 to 13 February 2004

The Consultation was held in Suva from 9 to 13 February 2004. Discussions focused in particular on the significance of good sea accident data, mandatory requirements for vessel registration, vessel inspection and crew certification, enforcement of regulations in remote locations and training requirements for improving safety in small fishing vessels. This report lists a number of recommendations together with considerations relating to their implementation.

Aspects of sea safety in the fisheries of Pacific Island countries

This publication is the report of a survey of fisheries-related sea safety in the Pacific Islands region undertaken by FAO in 2003. It is intended to assist in sensitizing fisheries managers that sea safety is a legitimate and important objective of fisheries management, focus more attention on small vessel safety and lead to improved systems for recording/analysing sea accident data and making use of the results. It will also serve as a discussion document at a meeting which is to be attended by motivated people from several relevant disciplines, focused on challenging issues, oriented to small vessels, having the objective of producing results with a positive effect on regional and national sea safety programmes.

Sub-Regional Workshop on Artisanal Safety at Sea, Banjul, the Gambia, 26 to 28 September 1994

A sub-regional workshop organized by the IDAF on safety at sea was held in Banjul, the Gambia from 26 to 28 September 1994. The objectives of the workshop were: to review the results of the national accidents survey; to identify the fundamental problems and examine information on the status of safety at sea activities in the different countries and to prepare a draft proposal for a sub-regional project on safety at sea.

²³ FAO Caribbean project.

Safety Guide for Small Fishing Boats

The purpose of this safety guide is to present simple measures to ensure that new boats will satisfy internationally accepted safety standards. The guide deals mainly with small boats of less than 15 metres in length; which from experience are most prone to accidents.

Final report of project TCP/RLA/0069-Development of standards for the construction and inspection of small fishing vessels

ILO (www.ilo.org)

The majority of the publications mentioned below are available on the ILO website, in particular at <http://www.ilo.org/public/english/protection/safework/index.htm>.

Guidelines on occupational safety and health management systems (ILO-OSH 2001)

The Guidelines aim to contribute to the protection of workers from hazards and to the elimination of work-related injuries, ill-health, diseases, incidents and deaths. They provide guidance for the national and enterprise level, and can be used to establish the framework for occupational safety and health management systems.

Risks and dangers in small-scale fisheries: An overview. By M. Ben-Yami. Working paper

The working paper provides a comprehensive overview of the risks and dangers in small-scale and artisanal fisheries including working conditions, safety approaches in developed and developing countries, accidents associated with the marine environment, navigation and fishing operations, problems associated with boat design and construction as well as other risks and dangers.

Other ILO codes of practice of possible interest to the fishing sector:

Safety and health in ports, 2005

Ambient factors in the workplace, 2001

HIV/AIDS and the world of work, 2001

Technical and ethical guidelines for workers' health surveillance, 1998

Recording and notification of occupational accidents and diseases, 1996

Safety in the use of chemicals at work, 1993

Safety in the use of asbestos, 1984

Protection of workers against noise and vibration in the working environment, 1977

Safety and health in vessel building and vessel repairing, 1974

SafeWork training manuals

ILO's SafeWork has prepared a number of documents that could be used as teaching manuals and/or as teachers' guides for occupational safety and health courses organized by employers, workers' organizations or educational institutions. Though not specifically aimed at the fishing sector, these documents may be very useful for addressing such issues as noise and vibration, ergonomics, controlling hazards and AIDS.

Ergonomic checkpoints

A collection of practical, easy-to-use ergonomic solutions for improving working conditions. This fully illustrated easy-to-use manual is an extremely useful tool for everyone who wants to improve their working conditions for better safety, health and efficiency. Each of the 128 checkpoints has been developed to help the user look at various workplaces and identify practical solutions which can be made applicable under local conditions. Developed jointly with the International Ergonomics Association, 1996.

International Hazard Datasheets on Occupation, Diver, indigenous fishers

An International Hazard Datasheets on Occupations is a multipurpose information resource containing information on the hazards, risks and notions of prevention related to a specific occupation. These datasheets are intended for those professionally concerned with health and safety at work including: occupational physicians and nurses, safety engineers, hygienists, education and information specialists, inspectors, employers' representatives, workers' representatives, safety officers and other competent persons.

WHO (www.who.int/en/org)

International Medical Guide for Vessels

Guide to vessel sanitation, (as amended)

Others

European Union Council Directive 92/29/EEC on minimum safety and health requirements for improved medical treatment on board vessels

IEC Publication 60079

Nordic Boat Standard, 1991 (www.sigling.is)

Possible Framework for a Model Maritime Administration. Hubbard and Hope

Maritime Occupational Safety Regulations, 1994. Chapters I & IV. (www.samsa.org.za)

Code of Safe Working Practice for Fishing Vessel. (www.samsa.org.za)

ANNEX 2

JUSTIFICATION FOR A NEW OUTPUT ON "DEVELOPMENT OF PROVISIONS TO ENSURE THE INTEGRITY AND UNIFORM IMPLEMENTATION OF THE 1969 TM CONVENTION"

Scope of the proposal

1 Under this proposal, the SLF Sub-Committee is tasked with updating, expanding and strengthening the interpretations contained in the Interpretations of the provisions of the International Convention on Tonnage Measurement of Ships, 1969 (TM.5/Circ.5) to ensure the integrity and uniform implementation of the gross tonnage and net tonnage parameters. This work includes a review of the treatment of semi-open spaces such as those within open-top containerships, and other interpretations related to deck cargo. In conjunction with this work, the SLF Sub-Committee is to identify any changes to the 1969 Tonnage Measurement (TM) Convention that are considered necessary to ensure the integrity and uniform implementation of the gross tonnage and net tonnage parameters, along with associated recommended approaches to amending the Convention.

Compelling need

2 The need for this new unplanned output stems from work performed by the SLF Sub-Committee between 2006 and 2011 under the work programme item "Development of Options to Improve the Design and Safety of the 1969 TM Convention", which was assigned a high-priority by the Maritime Safety Committee (MSC 81/25, paragraphs 23.52 and 23.53). The Sub-Committee developed this new proposed programme item as the best option, and identified a number of specific issues for which there were a need to establish or update interpretations of the TM Convention rules (SLF 53/5, annex 4). These issues include the disparate treatment of open-top containerships designs as opposed to conventional designs of similar cargo capacity, which underlies the original work programme item, and related issues associated with deck cargo loads. There is a compelling need for this new output, because of the widespread use of the gross and net tonnage parameters in applying important safety and other regulatory breakpoints and assessing taxes and other fees, coupled with gaps in interpretations created by the continuing evolution of ship designs since updated interpretations were last published in TM.5/Circ.5 in 1994.

Analysis of the issues involved, having regard to the costs to the maritime industry and global legislative and administrative burdens

3 Under this proposal, the interpretations of TM.5/Circ.5, which are recommendatory in nature, will be updated. As such, it will be up to each Administration as to the extent that these interpretations will be made binding, for current and future ships, and it is likely that most, if not all, of the recommended changes to the interpretations will not be retroactive, unless requested by the ship's owner and agreed to by the Administration. Should this unplanned output lead to the eventual implementation of amendments to the TM Convention that impose additional binding requirements, the cost of administrative or legal burden will be the same as for any implementation of amendments to IMO instruments.

Benefits which would accrue from the proposal

4 Benefits include the following:

- .1 **consistency of application:** As indicated in its preamble, the aim of the TM Convention is to "establish uniform principles and rules with respect to the determination of tonnage of ships engaged on international voyages". This work will further that aim, through the updating of non-binding interpretations, and identification of gaps where changes to existing requirements may be needed through amendment to the Convention. Consistent application of the Convention will help facilitate international commerce, avoiding uncertainties in tonnage assignments when ships change flag, and providing for more consistent port State control actions;
- .2 **improved ship design:** Development of alternative approaches to existing interpretations may provide designers with greater flexibility in meeting the tonnage rules, resulting in less impact on ship design (e.g., reducing or eliminating tonnage disincentives for open-top containerships);
- .3 **improved ship safety:** Many international standards related to ship safety (of which crew accommodation, security and environmental protection standards are considered a part in this context) are applied based on parameters determined under the Convention, including a ship's gross tonnage. Maintaining the integrity of these, and related, parameters by closing potential loopholes in the rules will ensure ships conform to the appropriate size-based standards, thereby positively affecting ship safety. Safety improvements may also result from development and adoption of acceptable alternate measurement approaches that permit design features which enhance ship safety; and
- .4 **systematic approach to identifying amendments:** A comprehensive review of the rules of the TM Convention has not been undertaken since it entered into force in 1969. This effort provides an opportunity for such review. It also establishes a mechanism to systematically identify gaps for which amendments of the Convention may be deemed necessary, and evaluate approaches to make associated changes to the Convention.

Priority and target completion date

5 This proposal is in pursuit of "measures aimed at improving the safety and health of ship's crews or personnel" and "measures to correct significant inadequacies identified in existing instruments". The unplanned output should, therefore, be accorded high-priority within the terms of paragraph 2.11 of the Guidelines on the organization and method of work (MSC-MEPC.1/Circ.2).

6 To ensure the most timely completion date, this item should be referred to the SLF Sub-Committee at its next session, scheduled for January 2012. Completion will require three sessions, with a target completion year of 2014.

Specific indication of action required

7 The specific actions under this unplanned output are as follows:

- .1 **identify areas for improvement:** Conduct a comprehensive review of the rules and requirements of the TM Convention, associated interpretations of TM.5/Circ.5, and other interpretations or practice. Identify areas where the TM Convention, as interpreted by TM.5/Circ.5, does not ensure uniform application of the tonnage measurement rules and/or unnecessarily affects ship design or safety (including crew accommodation) when alternate approaches under the rules of the TM Convention could yield a better outcome. This includes treatment of semi-open spaces such as those within open-top containerships, and treatment of enclosed spaces that are associated with deck cargo;
- .2 **update and revise interpretations:** Update, expand and strengthen the interpretations of TM.5/Circ.5 to address to the maximum extent possible those concerns identified in subparagraph .1 above. Consider and incorporate as appropriate changes to the TM.5/Circ.5 format and content, with the view toward replacing it with an updated version; and
- .3 **make recommendations on amendments:** Make recommendations, as appropriate, to the MSC on amendments to the TM Convention to ensure the integrity and uniform implementation of the existing measurement system of the Convention, and/or would provide for improved safety or design (including crew accommodation) under this measurement system. Include recommendations on possible approaches to implementing such amendments (e.g., protocol vs. unanimous acceptance).

Remarks on the criteria for general acceptance

8 The subject of the proposal is within the scope of IMO's objectives, and the benefits justify the proposed action. The proposal is in pursuit of "measures aimed at improving the safety and health of ship's crews or personnel" and "measures to correct significant inadequacies identified in existing instruments" within the terms of paragraph 2.11 of the Guidelines on the organization and method of work (MSC-MEPC.1/Circ.2).

Identification of which subsidiary bodies are essential to complete the work

9 The work should be accomplished by the SLF Sub-Committee in cooperation with the DE and STW Sub-Committees, as necessary and if requested by the SLF Sub-Committee.

ANNEX 3

DRAFT INTERPRETATIONS TO SOLAS REGULATION II-2/21 (SAFE RETURN TO PORT AND SAFE AREAS) UNDER THE PURVIEW OF THE SUB-COMMITTEE

Regulation	Interpretations
II-2/21.4 Safe Return to Port/Fire Casualty	All pipes and vent ducts passing through (not serving) a compartment affected by a flooding casualty are considered to remain operational provided they, together with relevant fittings, are capable of withstanding the head of water expected at their location.
II-2/21.4.4 Systems for fill, transfer and service of fuel oil	Systems for internal fill, transfer and service of: a) fuel; b) other flammable hydrocarbons; or c) any fluid that may be flammable or dangerous if heated to a very high temperature (both within the pipe and on going through pumps, orifices or other equipment), should be established as being capable of remaining operational when crossing flooded watertight compartments, considering in particular consequences of low sea water temperature on liquids behaviour.
II-2/21.4 Safe Return to Port/Flooding casualty	Electrical cables complying with standard IEC 60092-359 may be considered to remain operational in a space affected by a flooding casualty, provided they have no connections, no joints, no equipment connected to them, etc., within such space or such connections, joints and devices have a degree of protection IPX8 in accordance with standard IEC 60529 (head of water expected at their location for a period not inferior to that estimated for the safe return to port).

ANNEX 4

DRAFT AMENDMENT TO SOLAS REGULATION II-1/8-1

Regulation 8-1 – System capabilities and operational information after a flooding casualty on passenger ships

A new paragraph 3 is added after the existing paragraph 2, as follows:

"3 Operational information after a flooding casualty

For the purpose of providing operational information to the Master for safe return to port after a flooding casualty, passenger ships constructed on or after [1 January 2014] shall have:

- .1 onboard stability computer; or
- .2 shore-based support,

in accordance with guidelines developed by the Organization*."

* Refer to the Guidelines on operational information for Masters of Passenger ships for safe return to port by own power or under tow (MSC.1/Circ.[...]).

ANNEX 5

DRAFT MSC CIRCULAR

GUIDELINES ON OPERATIONAL INFORMATION FOR MASTERS OF PASSENGER SHIPS FOR SAFE RETURN TO PORT BY OWN POWER OR UNDER TOW

1 The Maritime Safety Committee, at its [eighty-ninth session (11 to 20 May 2011)], having considered a proposal by the Sub-Committee on Stability and Load Lines and on Fishing Vessels Safety, at its fifty-third session, approved the Guidelines on operational information for master of passenger ships for safe return to port by own power or under tow, set out in the annex, aiming at providing additional guidance for the uniform implementation of SOLAS regulation II-1/8-1, which was adopted by resolution MSC.216(82) and entered into force on 1 July 2010.

2 Member Governments are invited to bring the annexed Guidelines to the attention of owners of passenger ships, operators and all other parties concerned.

ANNEX

GUIDELINES ON OPERATIONAL INFORMATION FOR MASTERS OF PASSENGER SHIPS FOR SAFE RETURN TO PORT BY OWN POWER OR UNDER TOW

General

- 1 Stability information provided to the Master should be sourced from an approved stability computer situated on board the vessel or from a shore-based system and should be capable of providing information at any time.
- 2 The output format and units of the information supplied should be consistent with the format and units of the stability booklet in order to facilitate easy comparison.
- 3 Accuracy of programs using hull form with its subdivision models as their basis for stability calculations should have tolerances in accordance with the Guidelines for the approval of stability instruments (MSC.1/Circ.1229), when compared with the approved stability information; this applies equally to onboard and shore-based systems.

Onboard stability computers

- 4 At least two independent stability computers capable of processing the data and providing the necessary information should be installed.
- 5 Onboard stability computers should have an uninterruptible power supply (UPS) connected to both main and emergency switchboards.
- 6 The output should be within the tolerances specified in the Guidelines for the approval of stability instruments (MSC.1/Circ.1229).
- 7 Details of the loading condition of the ship at each departure should be input to the stability computer in order to encourage familiarity with the operation of the system and to save time on data input in the event of a casualty.
- 8 At least two crew members should be competent in the operation of the stability computer and capable of interpretation of the output in order to provide the required information.
- 9 An operation manual should be provided for the stability computer software. The manual should be printed in a language in which the operators are fully conversant.

Shore-based support

- 10 Owners or operators of passenger ships should ensure that their ships have prearranged, prompt access to computerized, shore-based damage stability and residual structural strength calculation programs. The output should be within the tolerances specified in the Guidelines for the approval of stability instruments (MSC.1/Circ.1229). Access to the shore-based calculation program should be available 24 h a day. The computer model of the ship and its subdivision arrangements should be input at the commencement of the contract.
- 11 There should be a contract for the supply of shore-based support at all times during the validity of ship certification.

12 Shore-based support should be operational within one hour; whereby operational means the ability to input details of the conditions of the ship as instructed.

13 Shore-based support should be manned by adequately qualified persons with regard to stability and ship strength; no less than two qualified persons should be available to be on call at all times.

14 At least two independent computers capable of carrying out stability and global strength calculations should be available at all times.

15 The ship should be fitted with sufficiently reliable equipment to allow for communication with the supplier of shore-based support for all intended areas of operation.

Minimum stability and additional information requirements

16 Taking into account the most recent known loading and flooded condition of the ship and taking into account any measures that may be proposed to improve or affect the survivability of the ship, the following information should be provided:

- .1 GM transverse in any loading condition;
- .2 GZ and range;
- .3 area under the GZ curve;
- .4 maximum and actual values of free surface moments of all tanks and spaces below the bulkhead deck;
- .5 location of flooding level indicators within tanks;
- .6 draughts forward, midships and aft;
- .7 angles of heel and trim;
- .8 the effect of flooding and heel and trim angles on:
 - .1 operation of essential equipment;
 - .2 escape routes and evacuation times; and
 - .3 effective deployment of life saving appliances;
- .9 profile areas of the ship both above and below the waterline, and means to establish their centres, in order to estimate the effects of wind pressure;
- .10 currently applied global bending moment and shear force;
- .11 fuel consumption data accounting for estimates of increased resistance due to flooding; and
- .12 ship specific particulars relating to the Guidelines for damage control plans and information to the master (MSC.1/Circ.1245).

ANNEX 6

JUSTIFICATION FOR EXPANDING THE SCOPE OF THE PLANNED OUTPUT ON "REVIEW OF DAMAGE STABILITY REGULATIONS FOR RO-RO PASSENGER SHIPS"

Scope of the proposal

The scope of this planned output should be expanded to include potential damage stability deficiencies of ro-ro passenger ships, other than those related to water on deck only, as follows:

- .1 some ro-ro passenger ships, whilst fully compliant with the requirements of SOLAS 2009 amendments to chapter II-1, could suffer from insufficient reserve buoyancy;
- .2 the lack of watertight closures for ramps leading to long lower holds (LLH) could lead to insufficient stability in a damage case; and
- .3 the closure requirement, as set out in SOLAS regulation II-1/17-1, paragraph 1.2, for vehicle ramps leading to spaces below the bulkhead deck (weathertight), which may be in contradiction with the requirement for other openings penetrating the bulkhead deck to be watertight or have a sill height of 2.5 m.

Compelling need

An expansion of the planned output is necessary to enable the Sub-Committee to review the potential damage stability deficiencies of ro-ro passenger ships, other than those related to water on deck, in order to ensure adequate level of safety and consistent implementation of the relevant IMO instruments.

Analysis of the issues involved, having regard to the costs to the maritime industry and global legislative and administrative burdens

No cost or administrative or legal burdens are expected.

Benefits

There are several benefits to reviewing the specific ship stability regulations for ro-ro passenger ships, other than those related to water on deck only. It would provide clarity and reassurance to the industry; address fundamental concerns identified in terms of safety, particularly present for ro-ro passenger ships; and allow the unhindered commercial optimization of such ships, a concept inherent in SOLAS 2009 amendments to chapter II-1 to be fully realized.

Priority and target completion year

This matter should have a high-priority, as had the original planned output, and it is expected that two sessions would be needed to properly deal with this matter in the SLF Sub-Committee.

Specific indication of action required

The SLF Sub-Committee should consider the possibilities of revising SOLAS regulation II-1/8 and the calculation of the factor s_i in the SOLAS regulation II-1/7-2 to satisfactorily address the issue of water on deck for ro-ro passenger ships, and review the potential damage stability deficiencies of ro-ro passenger ships, other than those related to water on deck.

Remarks on the criteria for general acceptance

The subject of the proposal is within the scope of IMO's objectives; the item is within the relevant provisions of the Strategic Plan for the Organization and the High-level Action Plan; and it is believed that the benefits do justify the proposed action.

Identification of which subsidiary bodies are essential to complete the work

The work should be accomplished by the SLF Sub-Committee.

ANNEX 7

DRAFT AGREEMENT ON THE IMPLEMENTATION OF THE 1993 PROTOCOL RELATING TO THE 1977 TORREMOLINOS CONVENTION ON THE SAFETY OF FISHING VESSELS

The Parties to this Agreement,

RECOGNIZING the significant contribution to maritime safety in general and that of fishing vessels which can be made by the Torremolinos Protocol of 1993 relating to the Torremolinos International Convention for the Safety of Fishing Vessels, 1977 (hereinafter referred to as "the 1993 Torremolinos Protocol"),

ACKNOWLEDGING, HOWEVER, that certain provisions of the 1993 Torremolinos Protocol have given rise to difficulties in their implementation by a number of States having substantial fishing fleets under their flags and that this has prevented the entry into force of the 1993 Torremolinos Protocol and, consequently, the implementation of the regulations contained therein,

DESIRING to establish by common agreement the highest practicable standards for the safety of fishing vessels that can be implemented by all the States concerned,

CONSIDERING that this objective may best be achieved by the conclusion of an Agreement relating to the implementation of the 1993 Torremolinos Protocol,

HAVE AGREED as follows:

Article 1 General obligations

- (1) The Parties to the present Agreement shall give effect to the provisions of:
 - (a) the articles of the present Agreement; and
 - (b) the regulations contained in the annex to the 1993 Torremolinos Protocol, subject to the modifications set out in the annex to the present Agreement.
- (2) The articles of the present Agreement and the regulations of the annex to the 1993 Torremolinos Protocol shall, subject to the modifications set out in the annex to the present Agreement, be read and interpreted as a single instrument.
- (3) The annex to the present Agreement shall constitute an integral part of the Agreement and a reference to the present Agreement shall constitute at the same time a reference to the annex thereto.
- (4) In the event of any inconsistency between the present Agreement and the 1993 Torremolinos Protocol, the provisions of the present Agreement shall prevail.

Article 2
Application of the 1993 Torremolinos Protocol

Articles 2 to 8 inclusive and articles 11 to 14 inclusive of the 1993 Torremolinos Protocol shall apply to the present Agreement as they apply to the 1993 Torremolinos Protocol.

Article 3
Signature and establishment of consent to be bound by the present Agreement

(1) The present Agreement shall remain open for signature at the Headquarters of the Organization from ... to ... and shall thereafter remain open for accession.

(2) All States may become Parties to the present Agreement by expressing their consent to be bound by the Agreement.

(3) States shall express their consent to be bound by the present Agreement by:

- (a) Signature without reservation as to ratification, acceptance or approval; or
- (b) Signature subject to ratification, acceptance or approval followed by ratification, acceptance or approval; or
- (c) Signature subject to the procedure set out in paragraph (5) of this Article; or
- (d) Accession.

(4) Ratification, acceptance, approval or accession shall be effected by the deposit of an instrument to that effect with the Secretary-General.

(5) A State which has deposited before the date of the adoption of the present Agreement an instrument of ratification, acceptance, approval or accession to the 1993 Protocol and which has signed the present Agreement in accordance with paragraph (3)(c) of this Article shall be deemed to have expressed its consent to be bound by the present Agreement [12] months after the date of the adoption of the present Agreement unless that State notifies the depositary in writing before that date that it is not availing itself of the simplified procedure set out in this paragraph.

Article 4
Entry into force

(1) The present Agreement shall enter into force 12 months after the date on which not less than [15][20][30] States [the aggregate number of whose fishing vessels of 24 metres in length and over is not less than [3,000][1,800]] have expressed their consent to be bound in accordance with Article 3 of the present Agreement.

(2) For a State which deposits an instrument of ratification, acceptance, approval or accession in respect of the present Agreement after the requirements for entry into force thereof have been met but prior to the date of entry into force, the ratification, acceptance, approval or accession shall take effect on the date of entry into force of the present Agreement or three months after the date of deposit of the instrument, whichever is the later date.

(3) For a State which deposits an instrument of ratification, acceptance, approval or accession in respect of the present Agreement after the date on which it enters into force, the present Agreement shall become effective [three] months after the date of deposit of the instrument.

(4) After the date on which an amendment to the present Agreement is deemed to have been accepted under article 11 of the 1993 Torremolinos Protocol, any instrument of ratification, acceptance, approval or accession deposited shall apply to the present Agreement as amended.

IN WITNESS WHEREOF the undersigned, being duly authorized by their respective Governments for that purpose, have signed the present Agreement.

DONE AT this day of two thousand and

Annex

(amendments to the 1993 Torremolinos Protocol)

ANNEX 8

DRAFT ASSEMBLY RESOLUTION

**IMPLEMENTATION OF THE 1993 PROTOCOL RELATING TO
THE 1977 TORREMOLINOS CONVENTION ON THE
SAFETY OF FISHING VESSELS**

THE ASSEMBLY,

RECALLING Article 15(j) of the Convention on the International Maritime Organization concerning the functions of the Assembly in relation to regulations and guidelines concerning maritime safety,

NOTING that the Torremolinos Protocol of 1993 relating to the Torremolinos International Convention for the Safety of Fishing Vessels, 1977 (hereinafter referred to as the Torremolinos Protocol) shall enter into force 12 months after the date on which not less than 15 States have become Party to the Protocol, the aggregate number of whose fishing vessels of 24 metres in length and over is not less than 14,000,

BEING DEEPLY CONCERNED that the conditions for the entry into force of the Torremolinos Protocol have, eighteen years after its adoption, still not been met owing to the fact that the aggregate number of fishing vessels of 24 metres in length and over of Parties has not reached 14,000,

RECALLING ALSO resolution A.1003(25) on "Entry into force and implementation of the 1993 Torremolinos Protocol" by means of which it urged Governments to consider accepting the Torremolinos Protocol at the earliest opportunity; endorsed the decision of the Maritime Safety Committee to explore the options recommended by the second session of the Joint FAO/IMO *Ad Hoc* Working Group on Illegal, Unregulated and Unreported Fishing and Related Matters to facilitate and expedite the earliest possible entry into force of the Torremolinos Protocol; and requested the Maritime Safety Committee to review the situation concerning entry into force of the Torremolinos Protocol and, in the light of such review, to take action as it deems appropriate,

WELCOMING the outcome of the Seminar on the Implementation of the Torremolinos Protocol, held in Beijing, People's Republic of China, in September 2004, which identified technical, legal and administrative difficulties encountered in relation to the implementation of the Protocol, the Regional Seminar on the Implementation of the 1993 Torremolinos Protocol held in Guayaquil, Ecuador, in April 2005, and the outcome of the Sub-regional seminar/workshop on the Implementation of the 1993 Torremolinos Protocol took place in Bali, Indonesia, in October 2009, which, having considered key technical and legal issues that were raised in the Beijing Seminar and included in the questionnaire sent by the IMO Secretariat to States, having more than 500 fishing vessels of 24 metres in length and over, recommended solutions to address them,

RECOGNIZING that a number of Member Governments, who have not yet accepted the Torremolinos Protocol, have expressed the view that they will face problems in complying with such provisions in the Protocol if they accept the Protocol in its present form,

ACKNOWLEDGING that these provisions need to be amended to assist the entry into force of the Torremolinos Protocol, while maintaining the level of safety of fishing vessels,

BEING CONVINCED that the continuing and alarmingly high number of fishermen's lives and of fishing vessels reportedly lost every year could be substantially reduced by the global, uniform and effective implementation of the Torremolinos Protocol, the entry into force of which would make a significant contribution to maritime safety in general and that of fishing vessels,

NOTING ALSO that the text of amendments to the annex to the Torremolinos Protocol (MSC [89/...], annex ...) was approved by the Maritime Safety Committee at its [eighty-ninth] session,

1. AGREES to request the Secretary-General to circulate the text of amendments to the annex of the Torremolinos Protocol, as set out in the annex, to all Members of the Organization and to all Parties to the Torremolinos Protocol which are not Members of the Organization after conditions for entry into force of the Torremolinos Protocol have been met, with a view to future adoption upon the entry into force of the Torremolinos Protocol in existing form in accordance with article 11 of the Torremolinos Protocol;
2. RESOLVES that the Parties to the Torremolinos Protocol should implement, immediately after entry into force of the Torremolinos Protocol, the provisions of the Torremolinos Protocol with amendments, as set out in the annex, with a view to avoiding the creation of a dual treaty regime between the existing and the revised Torremolinos Protocol;
3. URGES States, which have not yet accepted the Torremolinos Protocol, to do so as soon as possible with the understanding that the provisions of the Torremolinos Protocol with amendments, as set out in the annex, will be implemented immediately upon the entry into force of the Torremolinos Protocol.

Annex

(amendments to the 1993 Torremolinos Protocol)

(Explanatory Notes:

1. The draft amendments to the annex of the Torremolinos Protocol, approved by MSC [89], will be annexed to this Assembly resolution.
2. When the Protocol enters into force after the adoption of this Assembly resolution, it is expected that the 1993 Torremolinos Protocol with amendments (to be adopted) would be implemented.
3. After the entry into force of the Protocol, the Protocol will be amended formally at a Conference or the Maritime Safety Committee, as appropriate.)

ANNEX 9

DRAFT AMENDMENTS TO THE 1993 TORREMOLINOS PROTOCOL

CHAPTER I GENERAL PROVISIONS

Regulation 1 – Application

1 The existing text of regulation 1 is replaced by the following:

"(1) Unless expressly provided otherwise, the provisions of this annex shall apply to new vessels.

(2) For the purpose of this Protocol, the Administration may decide to use the following gross tonnage in place of length (L) as the basis for measurement for all chapters:

- (a) a gross tonnage of 300 GT shall be considered equivalent to a length (L) of 24 metres;
- (b) a gross tonnage of 950 GT shall be considered equivalent to a length (L) of 45 metres;
- (c) a gross tonnage of 2,000 GT shall be considered equivalent to a length (L) of 60 metres; and
- (d) a gross tonnage of 3,000 GT shall be considered equivalent to a length (L) of 75 metres.

(3) Each Party, which avails itself of the possibility afforded in paragraph (2), shall communicate to the Organization the reasons for that decision.

(4) Where it is not immediately possible for a Party to implement all of the measures provided for in this Protocol owing to special problems of a substantial nature in the light of insufficiently developed infrastructure or institutions, the Party may, in accordance with a plan, progressively implement the provisions of chapter IX of the Annex to the Protocol.

(5) Each Party which avails itself of the possibility afforded in paragraph (4) shall in its first communication to the Organization:

- (a) indicate the provisions of the Protocol to be progressively implemented;
- (b) explain the reasons for the decision taken under paragraph (4);
- (c) describe the plan for progressive implementation, which shall not be scheduled for more than 10 years; and
- (d) in subsequent communications on the application of this Protocol, describe measures taken with a view to giving effect to the provisions of the Protocol and progress made in line with the timeframe established.

(6) The Administration may exempt a vessel from annual surveys, as specified in regulations 7(1)(d) and 9(1)(d), if it considers that the application is unreasonable and impracticable in view of the vessel's operating area and the type of vessel."

Regulation 2 – Definitions

2 After paragraph (22), new paragraphs (23) to (25) are added as follows:

"(23) Gross tonnage means the gross tonnage calculated in accordance with the tonnage measurement regulations contained in Annex I to the International Convention on Tonnage Measurement of Ships, 1969, or any instrument amending or replacing it.

(24) Anniversary date means the day and the month of each year which will correspond to the date of expiry of the relevant certificate.

(25) A *common fishing zone* means a zone which may be established within waters under the jurisdiction of neighbouring countries by means of a legal agreement that defines a sea area within which vessels of the parties may fish owing to the situation that there are species distributed over the defined sea area. The agreement would also set such conditions as may be required to properly manage the fisheries resources in a sustainable manner that may include, *inter alia*, setting catch quotas, closure periods, regulations concerning allowable fishing gear, protection of the marine habitat, the role of each party in relation to monitoring, control and surveillance and the safety of human life as well as search and rescue. Furthermore, the agreement would promote joint activities on fisheries scientific studies and research. It should be understood that the defined sea area shall not extend beyond the limits of the EEZ (exclusive economic zone) of any of the parties and such a zone may not be established on the high seas."

Regulation 3 – Exemptions

3 The existing paragraphs (3) and (4) are replaced by the following:

"(3) The Administration may exempt any vessel entitled to fly its flag from any of the requirements of this annex if it considers that the application is unreasonable and impracticable in view of the type of vessel, the weather conditions and the absence of general navigational hazards, provided:

- .1 the vessel complies with safety requirements which, in the opinion of that Administration, are adequate for the service for which it is intended and are such as to ensure the overall safety of the vessel and persons on board;
- .2 the vessel is engaged solely in fishing in (a) a common fishing zone or (b) the exclusive economic zone of the State of the flag it is entitled to fly, or, if that State has not established such a zone, in an area beyond and adjacent to the territorial sea of that State determined by that State in accordance with international law and extending not more than 200 nautical miles from the baselines from which the breadth of its territorial sea is measured;
- .3 the vessel is not engaged in fishing more than 200 nautical miles from the baselines^[*] of the State of the flag it is entitled to fly;

- .4 the vessel is not engaged in fishing within waters which are subject to the jurisdiction of another State unless authorized pursuant to an agreement relating to a common fishing zone referred to in subparagraph .2; and
- .5 the Administration notifies the Secretary-General of the terms and conditions on which the exemption is granted under this paragraph.

[* Refer to UNCLOS (not the baseline defined in regulation 2(14) in the Protocol).]

(4) The Administration which allows any exemption under this regulation, except for exemptions granted under paragraph (3), shall communicate to the Organization particulars of the same to the extent necessary to confirm that the level of safety is adequately maintained and the Organization shall circulate such particulars to the Parties for their information."

4 The existing regulations 6 to 11 are replaced by the following new regulations 6 to 17:

"Regulation 6 – Inspection and survey

(1) The inspection and survey of vessels, so far as regards the enforcement of the provisions of the present regulations and the granting of exemptions therefrom, shall be carried out by officers of the Administration. The Administration may, however, entrust the inspections and surveys either to surveyors nominated for the purpose or to organizations recognized by it.

(2) An Administration nominating surveyors or recognizing organizations to conduct inspections and surveys as set forth in paragraph (1) shall as a minimum empower any nominated surveyor or recognized organization to:

- (a) require repairs to a vessel; and
- (b) carry out inspections and surveys if requested by the appropriate authorities of a port State.

The Administration shall notify the Organization of the specific responsibilities and conditions of the authority delegated to nominated surveyors or recognized organizations.

(3) When a nominated surveyor or recognized organization determines that the condition of the vessel or its equipment does not correspond substantially with the particulars of the certificate or is such that the vessel is not fit to proceed to sea without danger to the vessel, or persons on board, such surveyor or organization shall immediately ensure that corrective action is taken and shall in due course notify the Administration. If such corrective action is not taken the relevant certificate should be withdrawn and the Administration shall be notified immediately; and, if the vessel is in the port of another Party, the appropriate authorities of the port State shall also be notified immediately. When an officer of the Administration, a nominated surveyor or a recognized organization has notified the appropriate authorities of the port State, the Government of the port State concerned shall give such officer, surveyor or organization any necessary assistance to carry out their obligations under this regulation. When applicable, the Government of the port

State concerned shall ensure that the vessel shall not sail until it can proceed to sea, or leave port for the purpose of proceeding to the appropriate repair yard, without danger to the vessel or persons on board.

(4) In every case, the Administration shall fully guarantee the completeness and efficiency of the inspection and survey, and shall undertake to ensure the necessary arrangements to satisfy this obligation.

Regulation 7 – Surveys of life-saving appliances and other equipment

(1) The life-saving appliances and other equipment as referred to in paragraph (2)(a) shall be subject to the surveys specified below:

- (a) an initial survey before the vessel is put in service;
- (b) a renewal survey at intervals specified by the Administration but not exceeding 5 years, except where regulation 13(2), (5), and (6) is applicable;
- (c) a periodical survey within three months before or after the second anniversary date or within three months before or after the third anniversary date of the International Fishing Vessel Safety Certificate which shall take the place of one of the annual surveys specified in paragraph (1)(d). Alternatively, the Administration may decide that the periodical survey shall be carried out within three months before the second anniversary date and three months after the third anniversary date of the International Fishing Vessel Safety Certificate;
- (d) an annual survey within three months before or after each anniversary date of the International Fishing Vessel Safety Certificate; and
- (e) an additional survey either general or partial, according to the circumstances, shall be made after a repair resulting from investigations prescribed in regulation 10, or whenever any important repairs or renewals are made. The survey shall be such as to ensure that the necessary repairs or renewals have been effectively made, that the material and workmanship of such repairs or renewals are in all respects satisfactory, and that the vessel complies in all respects with the provisions of the present regulations and of the International Regulations for Preventing Collisions at Sea in force, and of the laws, decrees, orders and regulations promulgated as a result thereof by the Administration.

(2) The surveys referred to in paragraph (1) shall be carried out as follows:

- (a) the initial survey shall include a complete inspection of the fire safety systems and appliances, life-saving appliances and arrangements except radio installations, the shipborne navigational equipment, pilot transfer arrangements and other equipment to which chapters II, III, IV, V, VI, VII, VIII and X apply to ensure that they comply with the requirements of the present regulations, are in satisfactory condition and are fit for the service

for which the vessel is intended. The fire control plans, nautical publications, lights, shapes, means of making sound signals and distress signals shall also be subject to the above-mentioned survey for the purpose of ensuring that they comply with the requirements of the present regulations and, where applicable, the International Regulations for Preventing Collisions at Sea in force;

- (b) the renewal and periodical surveys shall include an inspection of the equipment referred to in paragraph (2)(a) to ensure that it complies with the relevant requirements of the present regulations and the International Regulations for Preventing Collisions at Sea in force, is in satisfactory condition and is fit for the service for which the vessel is intended; and
- (c) the annual survey shall include a general inspection of the equipment referred to in paragraph (2)(a) to ensure that it has been maintained in accordance with regulation 10(1) and that it remains satisfactory for the service for which the vessel is intended.

(3) The periodical and annual surveys referred to in paragraphs (1)(c) and (1)(d) shall be endorsed on the International Fishing Vessel Safety Certificate.

Regulation 8 – Surveys of radio installations

(1) The radio installations, including those used in life-saving appliances, of vessels to which chapters VII and IX apply shall be subject to the surveys specified below:

- (a) an initial survey before the vessel is put in service;
- (b) a renewal survey at intervals specified by the Administration but not exceeding five years, except where regulations 13(2), (5) and (6) are applicable;
- (c) a periodical survey within three months before or after each anniversary date of the International Fishing Vessel Safety Certificate; or a periodical survey within three months before or after the second anniversary date or within three months before or after the third anniversary date of the International Fishing Vessel Safety Certificate; Alternatively, the Administration may decide that the periodical survey shall be carried out within three months before the second anniversary date and three months after the third anniversary date of the International Fishing Vessel Safety Certificate; and
- (d) an additional survey either general or partial, according to the circumstances, shall be made after a repair resulting from investigations prescribed in regulation 10, or whenever any important repairs or renewals are made. The survey shall be such as to ensure that the necessary repairs or renewals have been effectively made, that the material and workmanship of such repairs or renewals are in all respects satisfactory, and that the vessel complies in all respects with the provisions of the present regulations and of the International Regulations for Preventing

Collisions at Sea in force, and of the laws, decrees, orders and regulations promulgated as a result thereof by the Administration.

- (2) The surveys referred to in paragraph (1) shall be carried out as follows:
- (a) the initial survey shall include a complete inspection of the radio installations, including those used in life-saving appliances, to ensure that they comply with the requirements of the present regulations; and
 - (b) the renewal and periodical surveys shall include an inspection of the radio installations, including those used in life-saving appliances, to ensure that they comply with the requirements of the present regulations.
- (3) The periodical surveys referred to in paragraph (1)(c) shall be endorsed on the International Fishing Vessel Safety Certificate.

Regulation 9 – Surveys of structure, machinery and equipment

- (1) The structure, machinery and equipment (other than items in respect of regulations 7 and 8) as referred to in paragraph (2)(a) shall be subject to the surveys and inspections specified below:
- (a) an initial survey including an inspection of the outside of the vessel's bottom before the vessel is put in service;
 - (b) a renewal survey at intervals specified by the Administration but not exceeding 5 years, except where regulation 13(2), (5), and (6) is applicable;
 - (c) an intermediate survey within three months before or after the second anniversary date or within three months before or after the third anniversary date of the International Fishing Vessel Safety Certificate, which shall take the place of one of the annual surveys specified in paragraph (1)(d); Alternatively, the Administration may decide that the intermediate survey shall be carried out within three months before the second anniversary date and three months after the third anniversary date of the International Fishing Vessel Safety Certificate;
 - (d) an annual survey within three months before or after each anniversary date of the International Fishing Vessel Safety Certificate;
 - (e) a minimum of two inspections of the outside of the vessel's bottom during any five-year period, except where regulation 13(5) is applicable. Where regulation 13(5) is applicable, this five-year period may be extended to coincide with the extended period of validity of the certificate. In all cases the interval between any two such inspections shall not exceed 36 months; and

- (f) an additional survey either general or partial, according to the circumstances, shall be made after a repair resulting from investigations prescribed in regulation 11, or whenever any important repairs or renewals are made. The survey shall be such as to ensure that the necessary repairs or renewals have been effectively made, that the material and workmanship of such repairs or renewals are in all respects satisfactory, and that the vessel complies in all respects with the provisions of the present regulations and of the International Regulations for Preventing Collisions at Sea in force, and of the laws, decrees, orders and regulations promulgated as a result thereof by the Administration.

(2) The surveys and inspections referred to in paragraph (1) shall be carried out as follows:

- (a) the initial survey shall include a complete inspection of the structure, machinery and equipment. This survey shall be such as to ensure that the arrangements, materials, scantlings and workmanship of the structure, boilers and other pressure vessels, their appurtenances, main and auxiliary machinery including steering gear and associated control systems, electrical installation and other equipment comply with the requirements of the present regulations, are in satisfactory condition and are fit for the service for which the vessel is intended and that the required stability information is provided;
- (b) the renewal survey shall include an inspection of the structure, machinery and equipment as referred to in paragraph (2)(a) to ensure that they comply with the requirements of the present regulations, are in satisfactory condition and are fit for the service for which the vessel is intended;
- (c) the intermediate survey shall include an inspection of the structure, boilers and other pressure vessels, machinery and equipment, the steering gear and the associated control systems and electrical installations to ensure that they remain satisfactory for the service for which the vessel is intended;
- (d) the annual survey shall include a general inspection of the structure, machinery and equipment referred to in paragraph (2)(a), to ensure that they have been maintained in accordance with regulation 10(1) and that they remain satisfactory for the service for which the vessel is intended; and
- (e) the inspection of the outside of the vessel's bottom and the survey of related items inspected at the same time shall be such as to ensure that they remain satisfactory for the service for which the vessel is intended.

(3) The intermediate and annual surveys and the inspections of the outside of the vessel's bottom referred to in paragraphs (1)(c), (1)(d) and (1)(e) shall be endorsed on the International Fishing Vessel Safety Certificate.

Regulation 10 – Maintenance of conditions after survey

(1) The condition of the vessel and its equipment shall be maintained to conform with the provisions of the present regulations to ensure that the vessel in all respects will remain fit to proceed to sea without danger to the vessel or persons on board.

(2) After any survey of the vessel under regulation 7, 8, or 9 has been completed, no change shall be made in the structural arrangements, machinery, equipment and other items covered by the survey, without the sanction of the Administration.

(3) Whenever an accident occurs to a vessel or a defect is discovered, either of which affects the safety of the vessel or the efficiency or completeness of its life-saving appliances or other equipment, the master or owner of the vessel shall report at the earliest opportunity to the Administration, the nominated surveyor or recognized organization responsible for issuing the relevant certificate, who shall cause investigations to be initiated to determine whether a survey, as required by regulation 7, 8, or 9, is necessary. If the vessel is in a port of another Party, the skipper or owner shall also report immediately to the appropriate authorities of the port State and the nominated surveyor or recognized organization shall ascertain that such a report has been made.

Regulation 11 – Issue or endorsement of certificates

- (1) (a) a certificate called an International Fishing Vessel Safety Certificate shall be issued, except for vessels exempted under paragraph (3) of regulation 3, after an initial or renewal survey to a fishing vessel which complies with the relevant requirements of chapters II, III, IV, V, VI, VII, VIII, IX and X and any other relevant requirements of the present regulations;
- (b) the International Fishing Vessel Safety Certificate, referred to in subparagraph (a), shall be supplemented by a Record of Equipment;
- (c) when an exemption is granted to a vessel under and in accordance with the provisions of the present regulations, except for vessels exempted under paragraph (3) of regulation 3, a certificate called an International Fishing Vessel Exemption Certificate shall be issued in addition to the certificate prescribed in this paragraph; and
- (d) the certificates referred to in this regulation shall be issued or endorsed either by the Administration or by any person or organization authorized by it. In every case, that Administration assumes full responsibility for the certificates.

Regulation 12 – Issue or endorsement of certificates by another Party

A Party may, at the request of the Administration, cause a vessel to be surveyed and, if satisfied that the requirements of the present regulations are complied with, shall issue or authorize the issue of certificates to the vessel and, where appropriate, endorse or authorize the endorsement of certificates on the vessel in

accordance with the present regulations. Any certificate so issued shall contain a statement to the effect that it has been issued at the request of the Government of the State the flag of which the vessel is entitled to fly, and it shall have the same force and receive the same recognition as a certificate issued under regulation 11.

Regulation 13 – Duration and validity of certificates

(1) An International Fishing Vessel Safety Certificate shall be issued for a period specified by the Administration which shall not exceed five years. An International Fishing Vessel Exemption Certificate shall not be valid for longer than the period of the certificate to which it refers.

(2) (a) notwithstanding the requirements of paragraph (1), when the renewal survey is completed within three months before the expiry date of the existing certificate, the new certificate shall be valid from the date of completion of the renewal survey to a date not exceeding five years from the date of expiry of the existing certificate;

(b) when the renewal survey is completed after the expiry date of the existing certificate, the new certificate shall be valid from the date of completion of the renewal survey to a date not exceeding five years from the date of expiry of the existing certificate; and

(c) when the renewal survey is completed more than three months before the expiry date of the existing certificate, the new certificate shall be valid from the date of completion of the renewal survey to a date not exceeding five years from the date of completion of the renewal survey.

(3) If a certificate is issued for a period of less than five years, the Administration may extend the validity of the certificate beyond the expiry date to the maximum period specified in paragraph (1), provided that the surveys referred to in regulations 7, 8 and 9 applicable when a certificate is issued for a period of 5 years are carried out as appropriate.

(4) If a renewal survey has been completed and a new certificate cannot be issued or placed on board the vessel before the expiry date of the existing certificate, the person or organization authorized by the Administration may endorse the existing certificate and such a certificate shall be accepted as valid for a further period which shall not exceed 5 months from the expiry date.

(5) If a vessel at the time when a certificate expires is not in a port in which it is to be surveyed, the Administration may extend the period of validity of the certificate but this extension shall be granted only for the purpose of allowing the vessel to complete its voyage to the port in which it is to be surveyed, and then only in cases where it appears proper and reasonable to do so. No certificate shall be extended for a period longer than three months, and a vessel to which an extension is granted shall not, on its arrival in the port in which it is to be surveyed, be entitled by virtue of such extension to leave that port without having a new certificate. When the renewal survey is completed, the new certificate shall be valid to a date not exceeding 5 years from the date of expiry of the existing certificate before the extension was granted.

(6) In special circumstances, as determined by the Administration, a new certificate need not be dated from the date of expiry of the existing certificate as required by paragraph (2)(b) or (5). In these special circumstances, the new certificate shall be valid to a date not exceeding five years from the date of completion of the renewal survey.

(7) If an annual, intermediate or periodical survey is completed before the period specified in the relevant regulations then:

- (a) the anniversary date shown on the relevant certificate shall be amended by endorsement to a date which shall not be more than three months later than the date on which the survey was completed;
- (b) the subsequent annual, intermediate or periodical survey required by the relevant regulations shall be completed at the intervals prescribed by these regulations using the new anniversary date; and
- (c) the expiry date may remain unchanged provided one or more annual, intermediate or periodical surveys, as appropriate, are carried out so that the maximum intervals between the surveys prescribed by the relevant regulations are not exceeded.

(8) A certificate issued under regulation 11 or 12 shall cease to be valid in any of the following cases:

- (a) if the relevant surveys and inspections are not completed within the periods specified under regulations 7(1), 8(1) and 9(1);
- (b) if the certificate is not endorsed in accordance with the present regulations; and
- (c) upon transfer of the vessel to the flag of another State. A new certificate shall only be issued when the Government issuing the new certificate is fully satisfied that the vessel is in compliance with the requirements of regulations 10(1) and (2). In the case of a transfer between Parties, if requested within three months after the transfer has taken place, the Government of the State whose flag the vessel was formerly entitled to fly shall, as soon as possible, transmit to the Administration copies of the certificates carried by the vessel before a transfer and, if available, copies of the relevant survey reports.

Regulation 14 – Forms of certificates and records of equipment

The certificates and records of equipment shall be drawn up in the form corresponding to the models given in the appendix to the annex to the present Protocol. If the language used is neither English nor French, the text shall include a translation into one of these languages.*

* Refer to resolution A.561(14) on translation of the text of certificates.

Regulation 15 – Availability of certificates

The certificates issued under regulations 11 and 12 shall be readily available on board for examination at all times.

Regulation 16 – Acceptance of certificates

Certificates issued under the authority of a Party shall be accepted by the other Party for all purposes covered by the present Protocol. They shall be regarded by the other Party as having the same force as certificates issued by them.

Regulation 17 – Privileges

The privileges of the present Protocol may not be claimed in favour of any vessel unless it holds appropriate valid certificates."

Chapter V

FIRE PROTECTION, FIRE DETECTION, FIRE EXTINCTION AND FIRE FIGHTING

PART A – GENERAL

Regulation 1 – General

The existing text of regulation 1 is replaced by the following:

"(1) Unless expressly provided otherwise, this chapter shall apply to new vessels of 45 metres in length and over.

(2) One of the following methods of protection shall be adopted in accommodation and service spaces:

- (a) Method IF – The construction of all internal divisional bulkheads of non-combustible "B" or "C" Class divisions generally without the installation of a detection or sprinkler system in the accommodation and services spaces; or
- (b) Method IIF – The fitting of an automatic sprinkler and fire alarm system for the detection and extinction of fire in all spaces in which fire might be expected to originate, generally with no restrictions on the type of internal divisional bulkheads; or
- (c) Method IIIF – The fitting of an automatic fire alarm and detection system in all spaces in which a fire might be expected to originate, generally with no restriction on the type of internal divisional bulkheads, except that in no case shall the area of any accommodation space or spaces bounded by an "A" or "B" Class division exceed 50 square metres. However, the Administration may increase this area for public spaces.

The requirements for use of non-combustible materials in construction and insulation of the boundary bulkheads of machinery spaces, control stations, etc., and the protection of stairway enclosures and corridors shall be common to all three methods."

Chapter VII

LIFE-SAVING APPLIANCES AND ARRANGEMENTS

PART B – VESSEL REQUIREMENTS

Regulation 5 – Number and types of survival craft and rescue boats

After the existing paragraph (4), new paragraphs (5) and (6) are inserted as follows:

"(5) Where the arrangement required in paragraph (3)(a) would interfere with the normal operation of the vessel, the Administration may decide, in lieu of meeting the requirements, that vessels carry survival craft capable of being launched from only one side of the vessel. These survival craft shall be of sufficient aggregate capacity to accommodate at least twice the total number of persons on board, provided that the survival craft of sufficient capacity to accommodate the total number of persons on board can be easily transferred to the other side of the vessel, where they can be launched safely and rapidly.

(6) Where the arrangement required in paragraph (3)(b) would interfere with the normal operation of the vessel, the Administration may decide, in lieu of meeting the requirements, that vessels carry other equivalent appliances for rescuing persons from the water, taking into account the vessel's navigational area and operational condition."

The existing paragraphs (5) and (6) are subsequently renumbered as (7) and (8).

Chapter IX

RADIOCOMMUNICATIONS

PART A – APPLICATION AND DEFINITIONS

Regulation 1 – Application

At the end of the existing paragraph (2), the following new sentence is added:

"Notwithstanding the provisions of paragraph (1), the Administration may permit the existing radiocommunication system to be continued to be used on board existing fishing vessels, providing the Administration is satisfied that it is equivalent to the requirements of this chapter."

The existing text of the Appendix is replaced by the following:

"Appendix

CERTIFICATES AND RECORD OF EQUIPMENT

1 Form of Safety Certificate for Fishing Vessels

INTERNATIONAL FISHING VESSEL SAFETY CERTIFICATE

This Certificate shall be supplemented by a
Record of Equipment

(Official seal)

(State)

Issued under the provisions of the Torremolinos Protocol of 1993 relating to the Torremolinos
International Convention for the Safety of Fishing Vessels, 1977

under the authority of the Government of

(name of the State)

by

(person or organization authorized)

Particulars of vessel⁽¹⁾

Name of vessel

Distinctive number or letters

Port of registry

Length (L) (regulation I/2(5))/
Gross tonnage (regulation I/2(23))⁽²⁾

Sea areas in which vessel is certified to operate (regulation IX/2)

Date of building or major conversion contract

Date on which keel was laid or vessel was at a similar stage of construction in accordance with
regulation I/2(1)(c)(ii) or (1)(c)(iii)

Date of delivery or completion of major conversion

(1) Alternatively, the particulars of the vessel may be placed horizontally in boxes.

(2) Delete as appropriate.

THIS IS TO CERTIFY:

- 1.1 That the vessel has been surveyed in accordance with the requirements of regulations I/7, I/8 and I/9 of the Protocol.
- 1.2 That the vessel is/is not⁽²⁾ subject to annual surveys required in regulations I/7(1)(d) and I/9(1)(d) of the Protocol.
- 2 That the survey showed that:
 - 2.1 the condition of the structure, machinery and equipment as defined in regulation I/9 was satisfactory and the vessel complied with the relevant requirements of chapters II, III, IV, V and VI of the Protocol (other than those relating to fire safety systems and appliances and fire control plans);
 - 2.2 the last two inspections of the outside of the vessel's bottom took place on
..... and
(dates)
 - 2.3 the vessel complied with the requirements of the Protocol as regards fire safety systems and appliances and fire control plans;
 - 2.4 the life-saving appliances and the equipment of the lifeboats, liferafts and rescue boats were provided in accordance with the requirements of the Protocol;
 - 2.5 the vessel was provided with a line-throwing appliance and radio installations used in life-saving appliances in accordance with the requirements of the Protocol;
 - 2.6 the vessel complied with the requirements of the Protocol as regards radio installations;
 - 2.7 the functioning of the radio installations used in life-saving appliances complied with the requirements of the Protocol;
 - 2.8 the vessel complied with the requirements of the Protocol as regards shipborne navigational equipment, means of pilot transfer arrangements and nautical publications;
 - 2.9 the vessel was provided with lights, shapes, means of making sound signals and distress signals in accordance with the requirements of the Protocol and the International Regulations for Preventing Collisions at Sea in force;
 - 2.10 in all other respects the vessel complied with the relevant requirements of the Protocol.
- 3 That an International Fishing Vessel Exemption Certificate has/has not⁽²⁾ been issued.

⁽²⁾ Delete as appropriate.

This certificate is valid until⁽³⁾ subject to the annual, intermediate and periodical surveys and inspections of the outside of the vessel's bottom in accordance with regulations I/7, I/8 and I/9 of the Protocol.

Issued at
(Place of issue of certificate)

.....
(Date of issue)

.....
(Signature of authorized official issuing the certificate)

(Seal or stamp of the issuing authority, as appropriate)

⁽³⁾ Insert the date of expiry as specified by the Administration in accordance with regulation I/13(1) of the Protocol. The day and the month of this date correspond to the anniversary date as defined in regulation I/2[...] of the Protocol, unless amended in accordance with regulation I/13(7).

Endorsement for annual and intermediate surveys relating to structure, machinery and equipment referred to in paragraph 2.1 of this certificate

THIS IS TO CERTIFY that, at a survey required by regulation I/9 of the Protocol, the vessel was found to comply with the relevant requirements of the Protocol.

Annual survey: Signed:
(Signature of authorized official)
Place:
Date:

(Seal or stamp of the authority, as appropriate)

Annual/Intermediate⁽²⁾ survey: Signed:
(Signature of authorized official)
Place:
Date:

(Seal or stamp of the authority, as appropriate)

Annual/Intermediate⁽²⁾ survey: Signed:
(Signature of authorized official)
Place:
Date:

(Seal or stamp of the authority, as appropriate)

Annual survey: Signed:
(Signature of authorized official)
Place:
Date:

(Seal or stamp of the authority, as appropriate)

Annual/intermediate survey in accordance with regulation I/13(7)(c)

THIS IS TO CERTIFY that, at an annual/intermediate⁽²⁾ survey in accordance with regulations I/9 and I/13(7)(c) of the Protocol, the vessel was found to comply with the relevant requirements of the Protocol.

Signed:
(Signature of authorized official)
Place:
Date:

(Seal or stamp of the authority, as appropriate)

⁽²⁾ Delete as appropriate.

Endorsement for inspections of the outside of the vessel's bottom⁽⁴⁾

THIS IS TO CERTIFY that, at an inspection required by regulation I/9 of the Protocol, the vessel was found to comply with the relevant requirements of the Protocol.

First inspection: Signed:
(Signature of authorized official)
Place:
Date:

(Seal or stamp of the authority, as appropriate)

Second inspection: Signed:
(Signature of authorized official)
Place:
Date:

(Seal or stamp of the authority, as appropriate)

Endorsement for annual and periodical surveys relating to life-saving appliances and other equipment referred to in paragraphs 2.3, 2.4, 2.5, 2.8 and 2.9 of this certificate

THIS IS TO CERTIFY that, at a survey required by regulation I/7 of the Protocol, the vessel was found to comply with the relevant requirements of the Protocol.

Annual survey: Signed:
(Signature of authorized official)
Place:
Date:

(Seal or stamp of the authority, as appropriate)

Annual/Periodical⁽²⁾ survey: Signed:
(Signature of authorized official)
Place:
Date:

(Seal or stamp of the authority, as appropriate)

Annual/Periodical⁽²⁾ survey: Signed:
(Signature of authorized official)
Place:
Date:

(Seal or stamp of the authority, as appropriate)

Annual survey: Signed:
(Signature of authorized official)
Place:
Date:

(Seal or stamp of the authority, as appropriate)

⁽⁴⁾ Provision may be made for additional inspections.
⁽²⁾ Delete as appropriate.

Annual/periodical survey in accordance with regulation I/13(7)(c)

THIS IS TO CERTIFY that, at an annual/periodical⁽²⁾ survey in accordance with regulations I/7 and I/13(7)(c) of the Protocol, the vessel was found to comply with the relevant requirements of the Protocol.

Signed:
(Signature of authorized official)
Place:
Date:

(Seal or stamp of the authority, as appropriate)

Endorsement for periodical surveys relating to radio installations referred to in paragraphs 2.6 and 2.7 of this certificate

THIS IS TO CERTIFY that, at a survey required by regulation I/8 of the Protocol, the vessel was found to comply with the relevant requirements of the Protocol.

Periodical survey: Signed:
(Signature of authorized official)
Place:
Date:

(Seal or stamp of the authority, as appropriate)

Periodical survey: Signed:
(Signature of authorized official)
Place:
Date:

(Seal or stamp of the authority, as appropriate)

Periodical survey: Signed:
(Signature of authorized official)
Place:
Date:

(Seal or stamp of the authority, as appropriate)

Periodical survey: Signed:
(Signature of authorized official)
Place:
Date:

(Seal or stamp of the authority, as appropriate)

⁽²⁾ Delete as appropriate.

Periodical survey in accordance with regulation I/13(7)(c)

THIS IS TO CERTIFY that, at a periodical survey in accordance with regulations I/8 and I/13(7)(c) of the Protocol, the vessel was found to comply with the relevant requirements of the Protocol.

Signed:
(Signature of authorized official)
Place:
Date:

(Seal or stamp of the authority, as appropriate)

Endorsement to extend the certificate if valid for less than 5 years where regulation I/13(3) applies

The vessel complies with the relevant requirements of the Protocol, and this certificate shall, in accordance with regulation I/13(3) of the Protocol, be accepted as valid until

Signed:
(Signature of authorized official)
Place:
Date:

(Seal or stamp of the authority, as appropriate)

Endorsement where the renewal survey has been completed and regulation I/13(4) applies

The vessel complies with the relevant requirements of the Protocol, and this certificate shall, in accordance with regulation I/13(4) of the Protocol, be accepted as valid until

Signed:
(Signature of authorized official)
Place:
Date:

(Seal or stamp of the authority, as appropriate)

Endorsement to extend the validity of the certificate until reaching the port of survey or for a period of grace where regulation I/13(5) applies

The certificate shall, in accordance with regulation I/13(5) of the Protocol, be accepted as valid until

Signed:
(Signature of authorized official)
Place:
Date:

(Seal or stamp of the authority, as appropriate)

Endorsement for advancement of anniversary date where regulation I/13(7) applies

In accordance with regulation I/13(7) of the Protocol, the new anniversary date is

Signed:
(Signature of authorized official)
Place:
Date:

(Seal or stamp of the authority, as appropriate)

In accordance with regulation I/13(7) of the Protocol, the new anniversary date is

Signed:
(Signature of authorized official)
Place:
Date:

(Seal or stamp of the authority, as appropriate)

2 Form of exemption certificate

INTERNATIONAL FISHING VESSEL EXEMPTION CERTIFICATE

(Official seal)

(State)

Issued under the provisions of the
Torremolinos Protocol of 1993 relating to the
Torremolinos International Convention for the Safety of Fishing Vessels, 1977

under the authority of the Government of

.....

(name of the State)

by

.....

(person or organization authorized)

Particulars of vessel⁽¹⁾

Name of vessel

Distinctive number or letters

Port of registry

Length (L)/ Gross tonnage⁽²⁾

THIS IS TO CERTIFY:

That the vessel is, under the authority conferred by regulation
exempted from the requirements of

Conditions, if any, on which the Exemption Certificate is granted:

.....
.....

This certificate is valid until subject
to the International Fishing Vessel Safety Certificate, to which this certificate is attached,
remaining valid.

Issued at

(Place of issue of certificate)

.....
(Date of issue)

.....
(Signature of authorized official
issuing the certificate)

(Seal or stamp of the issuing authority, as appropriate)

(1) Alternatively, the particulars of the ship may be placed horizontally in boxes.

(2) Delete as appropriate.

Endorsement to extend the certificate if valid for less than 5 years where regulation I/13(3) applies

This certificate shall, in accordance with regulation I/13(3) of the Protocol, be accepted as valid until subject to the International Fishing Vessel Safety Certificate, to which this certificate is attached, remaining valid.

Signed:
(Signature of authorized official)
Place:
Date:

(Seal or stamp of the authority, as appropriate)

Endorsement where the renewal survey has been completed and regulation I/13(4) applies

This certificate shall, in accordance with regulation I/13(4) of the Protocol, be accepted as valid until subject to the International Fishing Vessel Safety Certificate, to which this certificate is attached, remaining valid.

Signed:
(Signature of authorized official)
Place:
Date:

(Seal or stamp of the authority, as appropriate)

Endorsement to extend the validity of the certificate until reaching the port of survey or for a period of grace where regulation I/13(5) applies

The certificate shall, in accordance with regulation I/13(5) of the Protocol, be accepted as valid until subject to the
. Certificate, to which this certificate is attached, remaining valid.

Signed:
(Signature of authorized official)
Place:
Date:

(Seal or stamp of the authority, as appropriate)

3 Form of supplement to the International Fishing Vessel Safety Certificate

**RECORD OF EQUIPMENT FOR THE
INTERNATIONAL FISHING VESSEL SAFETY CERTIFICATE**

This Record shall be permanently attached to the
International Fishing Vessel Safety Certificate

RECORD OF EQUIPMENT FOR COMPLIANCE WITH THE TORREMOLINOS
PROTOCOL OF 1993 RELATING TO THE TORREMOLINOS
INTERNATIONAL CONVENTION FOR THE SAFETY
OF FISHING VESSELS, 1977

1 Particulars of vessel

Name of vessel

Distinctive number or letters

Port of registry

Length (L)/ Gross tonnage⁽¹⁾

2 Details of life-saving appliances

1	Total number of persons for whom life-saving appliances are provided	.....
		Port side	Starboard side
2	Total number of lifeboats	.....	.....
2.1	Total number of persons accommodated by them	.....	.....
2.2	Number of partially enclosed lifeboats (regulation VII/18)	.....	.....
2.3	Number of totally enclosed lifeboats (regulation VII/19)	.....	.....

(1) Delete as appropriate.

3	Number of rescue boats	.....
3.1	Number of boats which are included in the total lifeboats shown above	.....
4	Liferafts	.....
4.1	Those for which approved launching appliances are required	.....
4.1.1	Number of liferafts	.....
4.1.2	Number of persons accommodated by them	.....
4.2	Those for which approved launching appliances are not required	.....
4.2.1	Number of liferafts	.....
4.2.2	Number of persons accommodated by them	.....
5	Number of lifebuoys	.....
6	Number of lifejackets	.....
7	Immersion suits	.....
7.1	Total number	.....
7.2	Number of suits complying with the requirements for lifejackets	.....
8	Number of thermal protective aids ⁽²⁾
9	Radio installations used in life-saving appliances	.....
9.1	Number of radar transponders	.....
9.2	Number of two-way VHF radiotelephone apparatus	.....

⁽²⁾ Excluding those required by regulations VII/17(8)(xxxi), VII/20(5)(a)(xxiv) and VII/23(2)(b)(xiii).

3 Details of radio facilities

	Item	Actual provision
1	Primary systems	
1.1	VHF radio installation:	
1.1.1	DSC encoder	.....
1.1.2	DSC watch receiver	.....
1.1.3	Radiotelephony	.....
1.2	MF radio installation:	
1.2.1	DSC encoder	.....
1.2.2	DSC watch receiver	.....
1.2.3	Radiotelephony	.....
1.3	MF/HF radio installation:	
1.3.1	DSC encoder	.....
1.3.2	DSC watch receiver	.....
1.3.3	Radiotelephony	.....
1.3.4	Direct-printing radiotelegraphy	.....
1.4	INMARSAT ship earth station	.....
2	Secondary means of alerting	.....
3	Facilities for reception of maritime safety information	
3.1	NAVTEX receiver	.....
3.2	EGC receiver	.....
3.3	HF direct-printing radiotelegraph receiver	.....
4	Satellite EPIRB	
4.1	COSPAS-SARSAT	.....
4.2	INMARSAT	.....
5	VHF EPIRB	.....
6	Vessel's radar transponder	.....

- 4 Methods used to ensure availability of radio facilities (regulation IX/14)
- 4.1 Duplication of equipment
- 4.2 Shore-based maintenance
- 4.3 At-sea maintenance capability

THIS IS TO CERTIFY that this Record is correct in all respects

Issued at
(Place of issue of the Record)

.....
(Date of issue)

.....
(Signature of duly authorized
official issuing the Record)

(Seal or stamp of the issuing authority, as appropriate)"

ANNEX 10

**DRAFT ASSEMBLY RESOLUTION
Adopted on [... December 2013]**

**ADOPTION OF AMENDMENTS TO THE INTERNATIONAL CONVENTION
ON LOAD LINES, 1966**

THE ASSEMBLY,

RECALLING Article 15(j) of the Convention on the International Maritime Organization concerning the functions of the Assembly in relation to regulations and guidelines concerning maritime safety,

NOTING proposed amendments to shift the Winter Seasonal Zone off the southern tip of Africa further southward by 50 miles,

NOTING ALSO that the Maritime Safety Committee, at its [ninetieth session], adopted the proposed amendments in accordance with article 29(3)(a) of the International Convention on Load Lines, 1966 (1966 LL Convention),

HAVING CONSIDERED the proposed amendments to regulation 47 of the 1966 LL Convention,

1. ADOPTS, in accordance with article 29(3)(b) of the 1966 LL Convention, the amendments to regulation 47, set out in the annex to the present resolution;
2. REQUESTS the Secretary-General, in accordance with article 29(3)(b) of the 1966 LL Convention, to transmit certified copies of the present resolution and its annex to all Contracting Governments to the said Convention, for consideration and acceptance, and also to transmit copies to all Members of the Organization;
3. URGES all Governments concerned to accept the amendments at the earliest possible date;
4. RESOLVES that, should entry into force of the aforementioned amendments take place following their unanimous acceptance in accordance with article 29(2) of the 1966 LL Convention, prior to entry into force based on their acceptance as requested by this resolution, this resolution shall become invalid.

ANNEX

AMENDMENTS TO THE INTERNATIONAL CONVENTION ON LOAD LINES, 1966

ANNEX II
Zones, areas and seasonal periods

Regulation 47 – Southern Winter Seasonal Zone

The existing text of regulation 47 is replaced by the following:

"The northern boundary of the Southern Winter Seasonal Zone is

the rhumb line from the east coast of the American continent at Cape Tres Puntas to the point latitude 34° S, longitude 50° W, thence the parallel of latitude 34° S to longitude 16° E, thence the rhumb line to the point latitude 36° S, longitude 20° E, thence the rhumb line to the point latitude 34° S, longitude 30° E, thence along the rhumb line to the point latitude 35° 30' S, longitude 118° E, and thence the rhumb line to Cape Grim on the north-west coast of Tasmania; thence along the north and east coasts of Tasmania to the southernmost point of Bruny Island, thence the rhumb line to Black Rock Point on Stewart Island, thence the rhumb line to the point latitude 47° S, longitude 170° E, thence along the rhumb line to the point latitude 33° S, longitude 170° W, and thence the parallel of latitude 33° S to the west coast of the American continent.

Seasonal periods:

WINTER: 16 April to 15 October
SUMMER: 16 October to 15 April".

ANNEX 11

**DRAFT AMENDMENTS TO THE PROTOCOL OF 1988 RELATING TO THE
INTERNATIONAL CONVENTION ON LOAD LINES, 1966**

**ANNEX II
Zones, areas and seasonal periods**

Regulation 47 – Southern Winter Seasonal Zone

The existing text of regulation 47 is replaced by the following:

"The northern boundary of the Southern Winter Seasonal Zone is

the rhumb line from the east coast of the American continent at Cape Tres Puntas to the point latitude 34° S, longitude 50° W, thence the parallel of latitude 34° S to longitude 16° E, thence the rhumb line to the point latitude 36° S, longitude 20° E, thence the rhumb line to the point latitude 34° S, longitude 30° E, thence along the rhumb line to the point latitude 35° 30' S, longitude 118° E, and thence the rhumb line to Cape Grim on the north-west coast of Tasmania; thence along the north and east coasts of Tasmania to the southernmost point of Bruny Island, thence the rhumb line to Black Rock Point on Stewart Island, thence the rhumb line to the point latitude 47° S, longitude 170° E, thence along the rhumb line to the point latitude 33° S, longitude 170° W, and thence the parallel of latitude 33° S to the west coast of the American continent.

Seasonal periods:

WINTER: 16 April to 15 October
SUMMER: 16 October to 15 April".

ANNEX 12

BIENNIAL AGENDA OF THE SUB-COMMITTEE FOR THE 2012-2013 BIENNIUM IN SMART TERMS AND THE OUTPUTS TO BE PLACED ON THE COMMITTEE'S POST-BIENNIAL AGENDA WHICH ARE UNDER THE PURVIEW OF THE SUB-COMMITTEE*

SUB-COMMITTEE ON STABILITY AND LOAD LINES AND ON FISHING VESSELS SAFETY (SLF)					
PLANNED OUTPUTS 2012-2013 (resolution A.[...](27))		Parent organ(s)	Coordinating organ(s)	Involved organ(s)	Target completion year
Number	Description				
1.1.2.2	Consideration of IACS unified interpretations	MSC		SLF	Ongoing
2.0.1.4 5.2.1.20	Development of guidelines for verification of damage stability requirements for tankers and bulk carriers	MSC	SLF	DE STW	2012
2.0.1.4** 5.2.1.20	Development of guidelines for verification of damage stability requirements for bulk carriers	MSC	SLF	DE STW	2013
2.0.1.8	Guidelines to improve the effect of the 1969 TM Convention on ship design and safety	MSC	SLF	STW	2011
2.0.1**	Development of provisions to ensure the integrity and uniform implementation of the 1969 TM Convention	MSC	SLF	DE STW	2013
5.1.1.2	Stability and sea-keeping characteristics of damaged passenger ships in a seaway when returning to port by own power or under tow	MSC	SLF	FP	2011
5.1.1.3	Development of performance standards on time-dependent survivability of passenger ships in damaged condition	MSC	SLF		2011 2013

* Items printed in bold have been selected for the draft provisional agenda for SLF 54, as shown in annex 2. Struck-out text indicates proposed deletions and shaded text indicates proposed changes. Deleted outputs will be maintained in the report on the status of planned outputs.

** Subject to the decision of MSC 89.

SUB-COMMITTEE ON STABILITY AND LOAD LINES AND ON FISHING VESSELS SAFETY (SLF)					
PLANNED OUTPUTS 2012-2013 (resolution A.[...](27))		Parent organ(s)	Coordinating organ(s)	Involved organ(s)	Target completion year
Number	Description				
5.1.1.5	Revision of the Review of damage stability regulations for ro-ro passenger ships	MSC	SLF		2011 2013
5.1.1.7	Safety provisions applicable to tenders operating from passenger ships	MSG	DE	FP, COMSAR, NAV, SLF, and STW	2011
5.2.1.16	Development of new second generation intact stability criteria	MSC	SLF		2012
5.2.1.17	Revision of SOLAS chapter II-1 subdivision and damage stability regulations	MSC	SLF		2012
5.2.1.18	Development of amendments to SOLAS chapter II-1 subdivision standards for cargo ships	MSC	SLF		2011 2012
5.2.1.21	Guidelines to enhance the Safety of small fishing vessels	MSG	SLF		2011
5.2.1.30	Legal and technical options to facilitate and expedite the earliest possible entry into force of the 1993 Torremolinos Protocol	MSC	SLF		2011
5.2.4.2	Amendments to the 1966 LL Convention and the 1988 LL Protocol related to seasonal zone	MSC	SLF	NAV	2011
5.2.1 ²⁴	Development of amendments to Part B of the 2008 IS Code on towing and anchor handling operations	MSC	SLF		2013

²⁴ Unplanned output subject to endorsement by the Council. A new output number will be assigned by the Council, as appropriate.

ITEMS TO BE PLACED ON THE COMMITTEE'S POST-BIENNIAL AGENDA THAT FALL UNDER THE PURVIEW OF THE SUB-COMMITTEE

MARITIME SAFETY COMMITTEE								
ACCEPTED POST-BIENNIAL OUTPUTS				Parent organ(s)	Coordinating organ(s)	Associated organ(s)	Timescale (sessions)	References
No.	Reference to Strategic Directions	Reference to High-level Actions	Description					
1	2.0.1		Finalization of provisions to ensure the integrity and uniform implementation of the 1969 TM Convention*	MSC	SLF		2014	SLF 53/19, paragraph 5.6
2	5.2.1		Finalization of amendments to Part B of the 2008 IS Code on towing and anchor handling operations	MSC	SLF		2014	MSC 88/26, paragraph 23.36

* Subject to the decision of MSC 89.

ANNEX 13

DRAFT PROVISIONAL AGENDA FOR SLF 54

- Opening of the session
- 1 Adoption of the agenda
 - 2 Decisions of other IMO bodies
 - 3 Development of second generation intact stability criteria
 - 4 Development of performance standards on time-dependent survivability of passenger ships in damaged condition
 - 5 Development of guidelines for verification of damage stability requirements for tankers
 - 6 Revision of the damage stability regulations for ro-ro passenger ships
 - 7 Development of amendments to SOLAS chapter II-1 subdivision standards for cargo ships
 - 8 Revision of SOLAS chapter II-1 subdivision and damage stability regulations
 - 9 Development of provisions to ensure the integrity and uniform implementation of the 1969 TM Convention*
 - 10 Development of amendments to part B of the 2008 IS Code on towing and anchor handling operations
 - 11 Consideration of IACS unified interpretations
 - 12 Biennial agenda and provisional agenda for SLF 55
 - 13 Election of Chairman and Vice-Chairman for 2013
 - 14 Any other business
 - 15 Report to the Maritime Safety Committee

* Subject to the decision of MSC 89.

ANNEX 14

REPORT ON THE STATUS OF PLANNED OUTPUTS FOR THE SLF SUB-COMMITTEE FOR THE 2010-2011 BIENNIUM

Planned output number in the High-level Action Plan for 2010-2011	Description	Target completion year	Parent organ(s)	Coordinating organ(s)	Associated organ(s)	Status of output for Year 1	Status of output for Year 2	References
1.1.2.2	Consideration of IACS unified interpretations	Continuous	MSC		SLF	Ongoing	Ongoing	MSC 78/26, paragraph 22.12; SLF 53/19, section 15
2.0.1.4 5.2.1.20	Guidelines for verification of damage stability requirements for tankers and bulk carriers	2012	MSC	SLF	DE, STW	In progress	In progress	MSC 83/28, paragraphs 25.50 to 25.52; SLF 53/19, section 8
2.0.1.5	Guidance on the impact of open watertight doors on existing and new ship survivability	2010 (for SLF) 2010 (for MSC)	MSC	SLF	DE	Completed	Completed	MSC 82/24, paragraph 21.56; SLF 52/19, section 7
2.0.1.8	Guidelines to improve the effect of the 1969 TM Convention on ship design and safety	2011 (for SLF) 2011 (for MSC)	MSC	SLF	STW	In progress	Completed	MSC 81/25, paragraph 23.53; SLF 53/19, section 5
5.1.1.2	Stability and sea-keeping characteristics of damaged passenger ships in a seaway when returning to port under own power or under tow	2011 (for SLF) 2011 (for MSC)	MSC	SLF	FP	In progress	Completed	MSC 82/24, paragraph 21.57; SLF 53/19, section 7
5.1.1.3	Standards on time-dependent survivability of passenger ships in damaged condition	2011 2013	MSC	SLF		In progress	In progress	MSC 81/25, paragraph 23.54; SLF 53/19, section 6

Planned output number in the High-level Action Plan for 2010-2011	Description	Target completion year	Parent organ(s)	Coordinating organ(s)	Associated organ(s)	Status of output for Year 1	Status of output for Year 2	References
5.1.1.5	Review of damage stability regulations for ro-ro passenger ships	2011 2013	MSC	SLF		In progress	In progress	MSC 84/24, paragraph 22.59; SLF 53/19, section 10
5.1.1.7	Safety provisions applicable to tenders operating from passenger ships	2011 (for SLF) 2011 (for DE)	MSC	DE	SLF	In progress	Completed	MSC 84/24, paragraph 22.57; SLF 53/19, section 9
5.2.1.16	Development of new generation intact stability criteria	2012	MSC	SLF		In progress	In progress	MSC 85/26, paragraph 12.7; SLF 53/19, section 3
5.2.1.17	Revision of SOLAS chapter II-1 subdivision and damage stability regulations	2012	MSC	SLF			In progress	MSC 85/26, paragraph 23.35; SLF 53/19, section 14
5.2.1.18	Amendments to SOLAS chapter II-1 subdivision standards for cargo ships	2011 2012	MSC	SLF		In progress	In progress	MSC 85/26, paragraph 23.32; SLF 53/19, section 12
5.2.1.21	Safety of small fishing vessels	2011 (for SLF) 2011 (for MSC)	MSC	SLF	DE, COMSAR, FP, NAV and STW	In progress	Completed	MSC 79/23, paragraph 20.32; MSC 83/28, paragraph 25.53; SLF 53/19, section 4
5.2.1.30	Legal and technical options to facilitate and expedite the earliest possible entry into force of the 1993 Torremolinos Protocol	2011 (for SLF) 2011 (for MSC)	MSC	SLF	appropriate sub-committees, as necessary	In progress	Completed	MSC 84/24, paragraph 22.62; SLF 53/19, section 11

Planned output number in the High-level Action Plan for 2010-2011	Description	Target completion year	Parent organ(s)	Coordinating organ(s)	Associated organ(s)	Status of output for Year 1	Status of output for Year 2	References
5.2.4.2	Amendments to the 1966 LL Convention and the 1988 LL Protocol related to seasonal zones	2010 (for NAV) 2011 (for SLF) 2011 (for MSC)	MSC	SLF	NAV	In progress	Completed Completed	MSC 86/26, paragraph 23.44; SLF 53/19, section 13

Notes:

- a When individual outputs contain multiple deliverables, the format should report on each individual deliverable.
- b The target completion date should be specified as a year, or indicate that the item is continuous. This should not indicate a number of sessions.
- c The entries under the "Status of output" columns are to be classified as follows:
 - "completed" signifies that the outputs in question have been duly finalized;
 - "in progress" signifies that work on the related outputs has been progressed, often with interim outputs (for example, draft amendments or guidelines) which are expected to be approved later in the same biennium;
 - "ongoing" signifies that the outputs relate to work of the respective IMO organs that is a permanent or continuous task; and
 - "postponed" signifies that the respective IMO organ has decided to defer the production of relevant outputs to another time (for example, until the receipt of corresponding submissions).
- d If the output consists of the adoption/approval of an instrument (e.g., resolution, circular, etc.), that instrument should be clearly referenced in this column.