



SUB-COMMITTEE ON STABILITY AND
LOAD LINES AND ON FISHING VESSELS
SAFETY
53rd session
Agenda item 5

SLF 53/5/1
18 November 2010
Original: ENGLISH

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

Comment on the report of the correspondence group

Submitted by Norway and the United States

SUMMARY

Executive summary: This document comments on the correspondence group's report on the work to further develop and finalize options to improve the effect on ship design and safety of the 1969 TM Convention

Strategic direction: 2

High-level action: 2.1.1

Planned output: 2.1.1.2

Action to be taken: Paragraph 7

Related documents: SLF 48/12; SLF 50/19, SLF 50/6/1; SLF 51/17, section 6, SLF 51/6, SLF 51/6/1; MSC 85/23/6 and Corr.1; STW 40/13/1, STW 40/14; STW 41/7/11, STW 41/16; SLF 52/5, SLF 52/5/1, SLF 52/5/2, SLF 52/5/3, SLF 52/19, section 5; MSC 87/12; and SLF 53/5

INTRODUCTION

1 This document comments on document SLF 53/5 and is submitted in accordance with the provisions of paragraph 4.10.5 of the Guidelines on the organization and method of work (MSC-MEPC.1/Circ.2).

BACKGROUND

2 In 2006, MSC 81 approved a new work programme item "Development of options to improve effect on ship design and safety of the 1969 TM Convention". This item tasked the SLF Sub-Committee to examine the adverse impact on ship design related to favourable treatment of deck cargo under the convention, particularly in the case of containerships, and improve its uniform implementation, with a target completion date of 2008. The Sub-Committee was instructed to take into account comments offered on the work programme item proposal, including the need to address associated potential adverse impacts on crew accommodation spaces. MSC 85 extended the target completion date for this item to 2011.

3 During work conducted over the period from 2006 to 2010, the Sub-Committee identified four options for consideration at SLF 53, along with two variants of the Maritime Real Estate option (option D) as documented in the report of the correspondence group that was re-established by SLF 52 (SLF 53/5). This report invited the Sub-Committee to endorse the conclusions of the group that option A (ensure the integrity and uniform implementation of the existing gross tonnage and net tonnage parameters) is the single option that warrants implementation, and to determine an approach to implementing option A (e.g., a new work programme item vs. extension of the target completion year).

COMMENTS

4 The co-sponsors fully support the conclusion of the correspondence group that option A is the best option to improve the effect of the TM Convention on ship design and safety, and urge that this option be implemented as expeditiously as possible. The TM Convention has served the international community well for nearly 30 years, and provides a sound basis for applying a wide range of critically important international safety, security, environmental, and crew accommodation standards. However, there is a pressing need to update the interpretations associated with this convention, both to help ensure uniformity of its application and to keep pace with developments in ship design. This is evidenced by the list of 29 issues that the correspondence group identified in annex 4 to document SLF 53/5, which will likely be expanded if this option is implemented – as well as the overwhelming support for option A as described in document SLF 53/5.

5 The co-sponsors recognize that implementing option A at best only partially addresses concerns over the potential for the TM Convention's gross tonnage parameter to adversely impact ship design by favouring carriage of cargo on deck and disfavouring the fitting of larger crew accommodation spaces. While the co-sponsors do not deny that this potential exists, quantifying this potential has proven elusive. Evidence accumulated during the Sub-Committee's work is largely anecdotal in nature, and/or does not support the contention that tonnage-based fees are adversely affecting designs to a substantial degree (e.g., refer to *Tonnage Measurement Study MTCP Work Package 2, Quality and Efficiency*, November 2006 and document SLF 52/5/3). In addition, no options have been identified during the Sub-Committee's work that would mitigate this potential impact without the likelihood of introducing more problems than they would solve, with the one exception being possible solutions for treatment of semi-open deck cargo spaces on open-top containerhips that would be pursued under option A (Issue 9 of annex 4 to document SLF 53/5).

6 With this information in mind, the co-sponsors recommend that the Sub-Committee develop a proposal for a new work programme item along the lines of annex 3 to document SLF 53/5 to implement option A, and invite the Maritime Safety Committee to include this item in the planned outputs for the next biennium. The co-sponsors do not favour the alternate approach identified in document SLF 53/5 of extending the existing work programme item for this purpose, unless the scope of the work programme item is restricted to implementing option A only. In the opinion of the co-sponsors, the Sub-Committee has diligently completed its tasking under this planned output through the work of dedicated correspondence groups, drafting groups, and extensive discussion and debate in plenary, and that continued work to identify and/or further develop additional options or approaches is unnecessary and would be counterproductive.

ACTION REQUESTED OF THE SUB-COMMITTEE

- 7 The Sub-Committee is invited to:
- .1 endorse option A as the single option that warrants implementation; and
 - .2 with the assistance of a drafting group at SLF 53, develop a new planned output proposal along the lines of annex 3 to document SLF 53/5 to implement option A, for inclusion in its final report for the Maritime Safety Committee.
-