

MARITIME SAFETY COMMITTEE  
97th session  
Agenda item 9

MSC 97/9  
16 August 2016  
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## IMPLEMENTATION OF IMO INSTRUMENTS

### Report of the third session of the Sub-Committee

#### Note by the Secretariat

#### SUMMARY

<i>Executive summary:</i>	The Committee is invited to take action on matters emanating from III 3
<i>Strategic direction:</i>	As specified in documents considered by III 3
<i>High-level action:</i>	As specified in documents considered by III 3
<i>Output:</i>	As specified in documents considered by III 3
<i>Action to be taken:</i>	Paragraphs 2 and 3
<i>Related document:</i>	III 3/14

#### General

1 The Sub-Committee on Implementation of IMO Instruments (III) held its third session from 18 to 22 July 2016 and its report on that session has been circulated under the symbol III 3/14\*.

#### Action requested of the Committee

- 2 The Committee is invited to:
- .1 endorse, subject to concurrent decision by the MEPC, the issuance of III.3/Circ.4 on *Casualty Analysis and Statistics*, containing observations on the quality of reports of investigation into casualties (paragraph 4.16);
  - .2 endorse, subject to concurrent decision by the MEPC, the agreed methodology for developing Guidelines on port State control (paragraph 5.15);

\* References are to paragraphs of, and annexes to, the report of III 3 (III 3/14).

- .3 concur with the decision that the collection and consideration of CIC-related information from PSC regimes do not require guidance such as the one contained in III.2/Circ.1 on *Revised process for putting forward recommendations to the relevant IMO bodies resulting from the reports of Concentrated Inspection Campaigns (CICs)* and to inform the MEPC accordingly (paragraph 5.26);
- .4 consider the recommendations by the Working Group on Measures to harmonize port State control activities and procedures worldwide and the Drafting Group on the Survey Guidelines under the HSSC and the Non-exhaustive List of Obligations under Instruments relevant to the IMO Instruments Implementation Code (III Code) on early implementation of amendments to SOLAS (paragraphs 5.41, 5.42, 8.33 and 8.34);
- .5 refer the current outcome of the consideration of the draft Guidelines for port State control officers on certification of seafarers, hours of rest and manning to HTW 4, and the final outcome of the work of HTW 4 to III 4 in order to finalize the draft Assembly resolution on Procedures for PSC to be considered by A 30 for adoption (paragraph 5.47);
- .6 endorse, subject to concurrent decision by the MEPC, the five identified main areas of recurrent findings, which lack effectiveness in implementation and enforcement of mandatory IMO instruments and the Code for the Implementation of Mandatory IMO Instruments and their detailed specific related issues (paragraph 7.19.1);
- .7 endorse, subject to concurrent decision by the MEPC, the identified highest numbers of non-conformities recorded against specific provisions of the mandatory instruments, which demonstrate the lack of effective implementation (paragraph 7.19.2);
- .8 endorse, subject to concurrent decision by the MEPC, the four main areas of root causes identified that led to a majority of shortcomings (paragraph 7.21);
- .9 endorse, subject to concurrent decision by the MEPC, the identified areas that are in need of additional assistance to Member States and forward them to the Technical Cooperation Committee for consideration in terms of technical assistance to Member States (paragraph 7.27 and annex 2);
- .10 agree, subject to concurrent decision by the MEPC, that the specific requirements of the relevant IMO instruments identified should be reviewed in terms of their appropriateness and effectiveness for implementation (paragraph 7.28 and annex 3);
- .11 approve the draft Polar Code-related amendments to the Survey Guidelines, and decide on the vehicle for promulgating the amendments either as an MSC resolution (option 1) or as an MSC-MEPC.5 circular (option 2) and take action, as appropriate, subject to concurrent decision by the MEPC, taking into account that the amendments should be incorporated in the draft Assembly resolution on the Survey Guidelines under the HSSC to be considered by A 30 for adoption (paragraph 8.27 and annexes 4 and 5);

- .12 approve the draft MSC-MEPC.5 circular on Unified Interpretation on the expiry date of statutory certificates, subject to concurrent decision by the MEPC (paragraph 8.28 and annex 6);
- .13 authorize the Sub-Committee, subject to concurrent decision by the MEPC, to report the outcome of its work on matters that would require the adoption of draft Assembly resolutions to A 30 directly (paragraph 11.7);
- .14 with respect to the inclusion of insurance certificates under the 2010 HNS Convention in the list of certificates and documents required to be carried on board ships recommend to the Legal Committee to consider the implications of including a certificate required by a convention that had not yet entered into force (paragraph 13.4);
- .15 approve the consolidated draft FAL.2-MEPC.1-MS.C.1 circular on *List of certificates and documents required to be carried on board ships*, subject to concurrent decision by the MEPC, and taking into account the need to involve the Facilitation and Legal Committees, as a joint FAL, MSC, MEPC and LEG circular (paragraph 13.9 and annex 9); and
- .16 approve the report in general.

#### **Biennial agenda and provisional agenda for III 4**

3 The Committee is also invited to approve, subject to concurrent decision by the MEPC, the biennial status report of the Sub-Committee (paragraph 11.2 and annex 7) and the proposed provisional agenda for III 4 (paragraph 11.3 and annex 8), under agenda item 19 (Work programme).

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