

ASSEMBLY  
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Agenda item 10

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**Resolution A.1073(28)**

**Adopted on 4 December 2013  
(Agenda item 10)**

**RECOMMENDATION ON THE USE OF NATIONAL TONNAGE IN APPLYING  
INTERNATIONAL CONVENTIONS**

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 and the prevention and control of marine pollution from ships,

RECALLING ALSO that the International Convention on Tonnage Measurement of Ships, 1969 (1969 Tonnage Convention) introduced a new measurement system and that the tonnages measured under this system could be different from those measured under national tonnage rules,

RECALLING FURTHER that recommendation 2 of the International Conference on Tonnage Measurement of Ships, 1969 recommended the acceptance of the tonnages measured under this new system as the parameters referred to where those terms are used in conventions, laws, and regulations, while recognizing that transition to this new system should cause the least possible impact on the economics of merchant shipping and port operations,

NOTING that article 3(2)(d) of the 1969 Tonnage Convention provides for certain ships to retain their national tonnages for the purpose of applying relevant requirements under other existing international conventions, if they do not undergo alterations or modifications which the Administration deems to be a substantial variation in their existing gross tonnage,

NOTING ALSO that the Interim Schemes for Tonnage Measurement of resolutions A.494(XII), A.540(13) and A.541(13) effectively extended this use of national tonnages to certain other ships, for the purpose of applying relevant requirements, respectively, of the International Convention for the Safety of Life at Sea (SOLAS), 1974, as amended, the International Convention on Training, Certification and Watchkeeping for Seafarers (STCW), 1978, and the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto (MARPOL),

NOTING FURTHER that resolutions A.758(18) *Application of recommendation 2 of the International Conference on Tonnage Measurement of Ships, 1969* and A.791(19) *Application of the International Convention on Tonnage Measurement of Ships, 1969* to existing ships were adopted to address identification of national tonnages on International Tonnage Certificates (1969) and other pertinent certificates, including Ship Safety Certificates and International Oil Pollution Prevention Certificates,

BEING AWARE that amendments to the SOLAS, STCW and MARPOL Conventions made subsequent to the adoption of resolutions A.494(XII), A.540(13) and A.541(13) have led to misunderstandings over the use of national tonnage when applying newly established tonnage-based requirements for ships measured in accordance with the provisions of the 1969 Tonnage Convention and the Interim Schemes for Tonnage Measurement, highlighting the need for updated recommendations on this matter,

BEARING IN MIND the decisions of the Maritime Safety Committee to apply newly established tonnage-based requirements of the International Ship and Port Facility and Security (ISPS) and International Safety Management (ISM) Codes using a ship's tonnage as measured under the rules of the 1969 Tonnage Convention,

RECOGNIZING the necessity of uniform implementation of the 1969 Tonnage Convention with regard to national tonnages,

HAVING CONSIDERED the recommendations made by the Marine Environment Protection Committee at its sixty-fifth session and the Maritime Safety Committee at its ninety-second session,

1 ADOPTS the *Recommendation on the use of national tonnage in applying international conventions*, as set out in the annex to the present resolution;

2 AGREES that Governments which are Contracting Governments to the 1969 Tonnage Convention should use this Recommendation when applying the provisions of the 1969 Tonnage Convention and Interim Schemes for Tonnage Measurement;

3 REVOKES resolutions A.758(18) and A.791(19).

Annex

**RECOMMENDATION ON THE USE OF NATIONAL TONNAGE  
IN APPLYING INTERNATIONAL CONVENTIONS**

**General**

1 In order to ensure consistency when using national tonnage to apply relevant requirements under international conventions, in accordance with article 3(2)(d) of the International Convention on Tonnage Measurement of Ships, 1969 (1969 Tonnage Convention) (TM 69) and Interim Schemes for Tonnage Measurement, as set forth in the *Revised Interim Scheme for tonnage measurement for certain ships* (resolution A.494(XII) for SOLAS), and the *Interim Scheme for tonnage measurement for certain ships for the purposes of the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto* (resolution A.541(13)), Administrations are recommended to accept the following.

**National tonnage versus convention tonnage**

2 National tonnage refers to the tonnage measurement of a ship under the Administration's national tonnage rules that predated the adoption of the measurement rules of the 1969 Tonnage Convention. National gross tonnage is often expressed in terms of gross registered tons (GRT). In contrast, the unitless gross tonnage measurement under the rules of the 1969 Tonnage Convention is expressed in terms of gross tonnage (GT).

**Eligibility to use national tonnage**

3 The 1969 Tonnage Convention and the Interim Schemes for Tonnage Measurement provide for the use of national tonnage in applying relevant requirements under international conventions to certain ships with keel laid dates on or before 18 July 1994<sup>1</sup>. Further, a ship that undergoes an alteration or modification which the Administration deems to be a substantial variation in its "existing" tonnage, as described in article 3(2)(b) of the 1969 Tonnage Convention, is treated as if the date on which the alterations or modifications commenced was the keel laid date for this purpose. The following table lists the basis for use of national tonnages as a function of a ship's keel laid/substantial alteration date and its national gross tonnage.

<b>Basis for Using National Tonnage to Apply International Conventions*</b>			
<b>Ship's Keel Laid Date / Substantial Alteration Date</b>	<b>Ship's National Gross Tonnage</b>		
	<b>GRT &lt; 400</b>	<b>400 ≤ GRT &lt; 1600</b>	<b>GRT ≥ 1600</b>
Before 18 July 1982	TM69 Art.3(2)(d)	TM69 Art.3(2)(d)	TM69 Art.3(2)(d)
18 July 1982 - 31 December 1985	A.494(XII) / A.541(13)	A.494(XII)	A.494(XII)
1 January 1986 - 18 July 1994	A.494(XII) / A.541(13)	A.494(XII)	Not Eligible
After 18 July 1994	Not Eligible	Not Eligible	Not Eligible

\* Unless otherwise provided for in an International Convention or other instrument.

<sup>1</sup> The Interim Schemes for Tonnage Measurement do not apply to ships covered by article 3(2)(d) of the 1969 Tonnage Convention and may be applied to an eligible ship for the life of the ship under interpretations established at MSC 50 (MSC 50/27). A third Interim Scheme for Tonnage Measurement, resolution A.540(13) for the STCW Convention, is no longer applicable as a result of the 1995 amendments to the Convention.

### Relevant requirements under international conventions

4 The term "relevant requirements under" in article 3(2)(d) of the 1969 Tonnage Convention and throughout this Recommendation refers to tonnage-based requirements for which a tonnage threshold was in effect on or before 18 July 1994, the date when the 1969 Tonnage Convention came fully into force. As such, national tonnage may not be used when applying newer tonnage thresholds in international conventions, unless otherwise provided in an international convention or other instrument. For example, for eligible ships national tonnages may be used to apply the 500 gross tonnage cargo ship exemption threshold of regulation I/3 of SOLAS, which predates 18 July 1994. However, national tonnages may not similarly be used to apply the 500 gross tonnage threshold of SOLAS regulation XI-2/2.1.1.2, which came into effect after this date<sup>2</sup>.

### Remarks on International Tonnage Certificates (1969)

5 Notwithstanding the provisions of resolutions A.494(XII) and A.541(13), which state that gross tonnage measured under the national tonnage rules shall not be shown on the International Tonnage Certificate (1969) an entry may be made under "Remarks" on the International Tonnage Certificate (1969) to reflect the shipowner's decision to use national tonnages, as follows:

- .1 For ships covered by article 3(2)(d) of the 1969 Tonnage Convention,  
  
"The ship is remeasured according to article 3(2)(d) of the 1969 Tonnage Convention. The GROSS TONNAGE according to the measurement system previously in force to the measurement system of the International Convention on Tonnage Measurement of Ships, 1969 is: ... *(insert GRT tonnage)* ... RT, according to the regulations of ... *(insert country name)* ...."
  
- .2 For ships covered by resolution A.494(XII) and/or resolution A.541(13),  
  
"The ship is additionally measured according to resolution(s) ... *(insert A.494(XII) and/or A.541(13), as applicable)* ... The GROSS TONNAGE according to the measurement system previously in force to the measurement system of the International Convention on Tonnage Measurement of Ships, 1969 is: ... *(insert GRT tonnage)* ... RT, according to the regulations of ... *(insert country name)* ...."

### Remarks on other international certificates (1969)

6 For ships for which the International Tonnage Certificate (1969) includes a "Remarks" entry on national tonnage as described in paragraph 5 of this Recommendation, the appropriate box in the appropriate Ship Safety Certificate, the International Oil Pollution Prevention Certificate or other such official certificates issued by the Administration may show only that national gross tonnage with one of the following footnotes:

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<sup>2</sup> Refer for additional details to the Interim Scheme for compliance by certain cargo ships with the special measures to enhance maritime security (MSC/Circ.1157). The Interim Scheme for compliance by certain cargo ships and special purpose ships with the management for the safe operation of ships (MSC.1/Circ.1231) similarly addresses the use of national tonnages in applying the SOLAS ISM Code.

"The above gross tonnage has been determined by the tonnage authorities of the Administration in accordance with the national tonnage rules which were in force prior to the coming into force of the International Convention on Tonnage Measurement of Ships, 1969"; or

"See REMARKS column of the valid International Tonnage Certificate (1969)."

### **Removal of remarks**

7 Should a ship lose eligibility for using national tonnage to apply relevant requirements under international conventions by undergoing alterations or modifications which the Administration deems to be a substantial variation in its existing tonnage as described in article 3(2)(b) of the 1969 Tonnage Convention, the Administration should ensure associated certificates as described in paragraphs 5 and 6 of this Recommendation are reissued or otherwise amended to delete reference to the ship's national tonnage.

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