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NOVEL TYPES OF CRAFT UNDER REGULATION 1(3)

Information submitted by the United States

The Secretary-General has the honour to transmit herewith a communication received from the Government of the United States regarding novel craft determination for offshore supply vessels with high bulwarks and similar enclosing structures under the provisions of regulation 1(3) of the International Convention on Tonnage Measurement of Ships, 1969.

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of Transportation

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INTERNATIONAL CONVENTION ON TONNAGE MEASUREMENT OF SHIPS, 1969

Novel Types of Craft under Regulation 1(3)

Submitted by the United States

1. In accordance with Regulation 1(3) of the International Convention on Tonnage Measurement of Ships, 1969, this notice informs the Organization that this Administration is treating offshore supply vessels (OSV's) fitted with high structures bounding the cargo deck area as novel craft and is not including the volume of *uncovered cargo deck spaces* in the total volume of all enclosed spaces. In this context, *uncovered cargo deck spaces* are those spaces above the after cargo decks of OSV's that are bounded by high bulwarks, partitions, personnel protection tunnels, and/or similar structures.
2. The imprecise wording in the definition for *enclosed spaces* in Regulation 2(4) combined with incomplete interpretations in TM.5/Circ.5 have led to considerable difficulty in the uniform application of tonnage measurement to all vessel types. Regulation 2(4) mentions *partitions* and *bulkheads*, but does not address *bulwarks*.
3. This Administration has held that an uncovered space bounded by bulkheads or partitions on at least three sides constitutes an *enclosed space*. This approach is consistent with the interpretations of TM.5/Circ.5 regarding cargo space bounded by high coamings on open-top containerships. Spaces within bulwarks of limited height have not been considered enclosed volume and have been ignored.
4. The designs of bulwarks and partitions bounding the cargo decks on OSV's are rapidly evolving in response to offshore industry requirements. High bulwarks or partitions are being raised in some cases to one or two deck heights, thus enclosing volume equating to almost half of the vessel's gross tonnage. These changes are incorporated by designers to enhance deck crew safety and to accommodate the unusual and wide variety of cargo configurations found in the support of oil exploration and production. While some of these high structures have large openings at deck level to permit the ingress and egress of water (and thus truly function as a bulwark), others do not.
5. After reviewing these designs, and based on input from the offshore industry, this Administration concludes that OSV's fitted with high structures bounding the cargo deck area are

Novel Types of Craft Under Regulation 1(3)

truly novel craft as described in Regulation 1(3), where the application of the provisions of the Convention leads to "unreasonable" results. Unlike the situation of an open-top containership, *uncovered cargo deck spaces* on OSV's are unprotected from the sea and weather. OSV's have wide flat sterns and very low freeboards aft, thus exposing the cargo deck to sea and spray. Their primary mission involves transfer of cargo while at sea, versus at dockside, often under hazardous conditions (extreme vessel motions in a seaway in close proximity to other vessels and stationary platforms). Because of the lack of protection of this cargo space, such an uncovered space is not an enclosed space in the strictest sense. As such, including volume of *uncovered cargo deck spaces* on OSV's in the total volume of all enclosed spaces would be contrary to the intent of the Convention.

6. This Administration has advised organizations that assign tonnages on its behalf of this novel craft determination.
