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SUB-COMMITTEE ON STABILITY AND  
LOAD LINES AND ON FISHING VESSELS  
SAFETY  
50th session  
Agenda item 6

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## DEVELOPMENT OF OPTIONS TO IMPROVE EFFECT ON SHIP DESIGN AND SAFETY OF THE 1969 TONNAGE MEASUREMENT CONVENTION

Submitted by Australia

### SUMMARY

**Executive summary:** The proposals made by Australia to SLF 48 are confirmed and further information is provided in respect of them

**Action to be taken:** Paragraph 9

**Related documents:** SLF 48/12; SLF 48/INF.4; MSC 81/23/7; MSC 81/23/9; MSC 81/23/18; and MSC 81/23/25

### Background

1 In relation to the consideration by SLF 48 of matters on Tonnage measurement of open-top containerships, Australia submitted two documents (SLF 48/12 and SLF 48/INF.4) suggesting that there was a problem not only with the tonnage of open-top containerships but also with the broader effect of the 1969 TM Convention upon the design and safety of other ship types. While document SLF 48/12 was generally well received by the Sub-Committee, any further consideration would require approval by the Committee of a new work programme item.

2 Australia therefore submitted to the Committee document MSC 81/23/7 requesting a new work programme item to enable further consideration to be given to the matter. Documents in support of the Australian submission were submitted by the Netherlands (MSC 81/23/25) and ICFTU (MSC 81/23/18). The Islamic Republic of Iran (MSC 81/23/9) made a further proposal covering the same subject. Accordingly the Committee instructed the Sub-Committee to consider this agenda item along the lines suggested in paragraph 19 of the annex to document MSC 81/23/7 while taking account of the information in the other related MSC documents.

### Comments and proposals

3 Australia considers that this problem is directly related to the use by various authorities of gross tonnage for the setting of fees related to ship operations, resulting in a powerful commercial imperative for designers and builders to minimize gross tonnage. Minimization of

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gross tonnage generally involves reducing as much as possible the volume of enclosed spaces above the waterline such as freeboard, superstructures, deckhouses, sheer, hatch coamings and hatch covers. Australia therefore reiterates its proposals in document SLF 48/12 that a third type of tonnage ('register tonnage') based on "maritime real estate" principles (length x breadth x summer draught) should be added to the 1969 TM Convention and that the Organization should also adopt a resolution urging the use of that measure for the setting of tonnage-based fees.

4 Information on the effect of such a change on the tonnage-based fees applied to samples of ships covering the world fleet and users of individual ports are provided in document SLF 48/INF.4. However, contrary to the information provided in paragraph 14 of document SLF 48/12, Australia's studies show that application of a "K" factor from the 1969 TM Convention to the volume of length x breadth x summer draught has the effect of slightly reducing the impact of the proposed change on the tonnage-based fees for individual ships, and so the use of such a factor should be considered.

5 In Australia's view, the effect upon design and safety of ships arising from the use of gross tonnage for setting operational fees cannot be satisfactorily addressed by introducing or amending IMO rules for stability and/or load lines as was suggested by one delegation at MSC 81.

6 In considering this matter, the Sub-Committee might note that the Australian Maritime Safety Authority is investigating the option of changing from net tonnage to a "maritime real estate" measure as the basis for statutory levies on ships entering Australian ports. Notwithstanding the fact that it would be useful to have a new international tonnage that could be used to make such a change, the Sub-Committee should bear in mind that the proposals in this and previous Australian papers on the subject have been made with the sole aim of improving the safety of new ship designs.

7 Australia therefore proposes that the 1969 Tonnage Measurement Convention should be amended and an associated resolution adopted as outlined in paragraph 3. In view of the Convention's explicit amendment procedure, which could result in the amendments failing to enter force, successful adoption and implementation of the amendments would most probably be achieved by adoption of a Protocol which could also include insertion of a tacit amendment procedure.

8 Should the Sub-Committee agree with these proposals, bearing in mind that the Sub-Committee has only been tasked with evaluation of options, SLF may see fit to report its conclusions to MSC 83 and to await instructions for subsequent action such as drafting amendments to the 1969 TM Convention.

#### **Action requested of the Sub-Committee**

9 The Sub-Committee is invited to note the information provided and take these proposals into account in developing its advice to the Committee on progressing this matter.