INTERNATIONAL MARITIME ORGANIZATION

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SUB-COMMITTEE ON STABILITY AND LOAD LINES AND ON FISHING VESSELS SAFETY
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DEVELOPMENT OF PROVISIONS TO ENSURE THE INTEGRITY AND UNIFORM IMPLEMENTATION OF THE 1969 TM CONVENTION

Reduced gross tonnage for accommodation spaces

Submitted by Germany, India, the United States and the International Transport Workers' Federation (ITF)

SUMMARY

Executive summary:	This document proposes further development and implementation of a reduced gross tonnage parameter for accommodation spaces that meet certain minimum requirements
Strategic direction:	2
High-level action:	2.1.1
Planned output:	2.1.1.2
Action to be taken:	Paragraph 5
Related documents:	SLF 53/19; SLF 55/9, SLF 55/INF.2; MSC 89/9/5, MSC 89/9/8; resolutions A.747(18) and MSC.234(82)

Background

1 At SLF 53, a proposal was introduced to provide information in the remarks section of the International Tonnage Certificate (1969) on accommodation spaces, including those for cadets, for optional use by ports and other entities in assessing fees (SLF 53/19, paragraph 5.5). This was offered to address the potential economic disincentive resulting from the inclusion of such spaces in a ship's gross tonnage (GT) under the rules of the 1969 TM Convention. In approving the current planned output on tonnage, MSC 89 referred a similar proposal for the Sub-Committee's consideration that would extend the concept of reduced gross tonnage (GT_R) to accommodation spaces (MSC 89/9/5 and MSC 89/9/8). Reduced gross tonnage excludes certain spaces from tonnage for optional use in assessing fees, and has been implemented for oil tanker segregated ballast spaces (resolution A.747(18)) and open-top containerships (resolution MSC.234(82)).

2 As reflected in documents SLF 55/9 and SLF 55/INF.2, the TM Convention Correspondence Group developed and/or evaluated a number of specific proposals related to reduced gross tonnage implementation for accommodation spaces, including a draft

resolution on this subject included as annex 5 to document SLF 55/INF.2. However, this draft resolution lacked important specifics, and there was insufficient support within the group to recommend further action.

Discussion

3 As discussed in annex 1 to document SLF 55/INF.2, reservations over implementing a reduced gross tonnage parameter for accommodation spaces have centered around the appropriateness of addressing accommodation matters through the TM Convention, concerns over the eventual widespread use of such a parameter, and the difficulties involved in identifying those spaces eligible for exclusion from tonnage. While acknowledging these reservations, the co-sponsors are of the view that the benefits in terms of potentially improved shipboard living conditions outweigh any identified costs or risks, and that implementation of such a parameter should be further pursued in view of the possible influence of labour groups on port authorities due to their special relationship. To this end, the co-sponsors developed the draft Assembly resolution included as the annex to this document. The methodology contained therein draws on elements of previous proposals in an effort to simplify the identification of eligible accommodation spaces, and enhance the overall viability of the parameter.

Description of proposal

4 The proposed draft Assembly resolution in the annex incorporates elements of the reduced gross tonnage framework offered by document MSC 89/9/5 and annex 5 to document SLF 55/INF.2, while restricting eligible spaces to those meeting certain minimum standards as proposed during the correspondence group's Round 1 work. Specifically:

.1 Calculation Method – The proposal calculates GT_R in a similar manner to that provided under resolution A.747(18) by subtracting the total accommodation space volume from the total volume of all enclosed spaces. The combined reduced gross tonnage is similarly calculated for ships to which multiple reduced gross tonnage parameters apply.

.2 Minimum Standards – Only those living spaces compliant with the minimum standards of the Maritime Labour Convention, 2006, may be so excluded. This limits the exclusion to bona fide accommodation spaces recognized under this international instrument, thereby simplifying the identification of such spaces, eliminating ambiguity, and enhancing the integrity of the reduced gross tonnage parameter.

.3 Certificate Remarks – Both the excluded volumes and the calculated reduced gross tonnages are listed in the accompanying remark on the International Tonnage Certificate (1969). This approach provides a vehicle for certification of accommodation space volumes, which might alternatively be used when assessing fees, or for other purposes.

Action requested of the Sub-Committee

5 The Sub-Committee is invited to consider the information presented in this document and decide whether the development and implementation of a reduced gross tonnage parameter for accommodation spaces is appropriate, and if so, to consider using the annex to this document as a basis for such further development and implementation.

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ANNEX

DRAFT ASSEMBLY RESOLUTION

REDUCED GROSS TONNAGE FOR ACCOMMODATION SPACES

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 Assembly adopted resolution A.850(20), concerning Human Element vision, principles and goals for the Organization; acknowledging the need for increased focus on the Human Element to include safety standards and environmental protection for the purpose of significantly reducing maritime casualties and recognizing that proper accommodation space sizes are a part of that Human Element,

NOTING that the 94th session of the International Labour Conference adopted the Maritime Labor Convention, 2006, to improve working and living conditions for seafarers, including establishment of minimum standards of accommodation spaces onboard ships; and that this Convention will enter into force in July 2013,

BEING AWARE that the 2010 Conference of Parties to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 (the 2010 Manila Conference) addressed the anticipated shortage of qualified officers to effectively man and operate ships, and recommended measures to encourage the provision of suitable accommodation for trainees on both existing and new ships,

BEARING IN MIND that the Organization adopted resolutions A.747(18), MSC.234(82), establishing methods and procedures for calculating a reduced gross tonnage parameter for recommended use in applying tonnage-based fees to segregated ballast oil tankers and open-top containerships, respectively, as a means of addressing tonnage-related cost impacts associated with certain ship design features,

RECOGNIZING that the establishment of a similar reduced gross tonnage parameter for accommodation spaces would promote and encourage the provision of such spaces on ships of all types that are measured in accordance with the International Convention on Tonnage Measurement of Ships, 1969 (1969 Tonnage Convention),

HAVING CONSIDERED the recommendation made by the Maritime Safety Committee, [at its ninety-second session (12 to 21 June 2013)],

1. ADOPTS the Recommendations concerning reduced gross tonnage for seafarer accommodation spaces, the text of which is set out in the Annex to the present resolution;

2. AGREES that Governments which are Contracting Governments to the 1969 Tonnage Convention should use these Recommendations when applying the provisions of this Convention;

3. INVITES Governments to advise port, harbour and pilotage authorities, and other entities that may collect tonnage-based fees, to apply the Recommendations, where appropriate, when assessing such fees.

ANNEX

RECOMMENDATIONS ON CALCULATING REDUCED GROSS TONNAGE FOR ACCOMMODATION SPACES

1 To encourage improved working and living conditions onboard ships through the use of an optional reduced gross tonnage parameter for ships measured under the International Convention on Tonnage Measurement of Ships, 1969 (1969 Tonnage Convention), administrations are recommended to accept the following.

Definitions

2 For the purpose of this Recommendations, the following definitions apply:

Accommodation Space means an enclosed space for the exclusive use of, and occupation by, seafarers to accommodate their living needs, such as a sleeping room, mess room, bathroom, recreational facility, or hospital space. In this context, a captain's private room or day room that is occasionally used to conduct ship's business is an accommodation space. A passageway and/or stairwell are not considered an accommodation space.

Seafarer means any person who is employed or engaged or works in any capacity on board a ship.[1] For the purpose of this resolution, a seafarer includes a person engaged in training and obtaining practical marine experience to develop seafarer skills.

Application

3 Only those accommodation spaces that meet the minimum requirements of the Maritime Labour Convention, 2006 and have been included in the measurement of the ship's gross tonnage may be excluded from tonnage under this Recommendation. Accommodation spaces may be excluded irrespective of whether or not the flag State is a party to this Convention.

Calculating Reduced Gross Tonnage

4 The reduced gross tonnage (GT_R) for accommodation spaces is calculated according to the following formula:

$$GT_R = GT - K_1 \times V_a$$

where:

GT	=	gross tonnage as determined by the 1969 Tonnage Convention,
K_1	=	K_1 coefficient in the gross tonnage formula of Regulation 3 of the 1969 Tonnage Convention,
V_a	=	total volume of all accommodation spaces eligible for exclusion under paragraph 3 above, in cubic metres.

[1] Maritime Labour Convention, 2006.

5 The combined reduced gross tonnage for ships under which reduced gross tonnage is also calculated using resolution A.747(18), or resolution MSC.234(82), is calculated by replacing the parameter V_a in above formula with the combined volume of the reduced gross tonnage spaces that are being excluded, in cubic metres[2].

Remarks on International Tonnage Certificates (1969)

6 Make one of the following entries, as applicable, under "Remarks" on the International Tonnage Certificate (1969):

.1 For ships covered by resolution A.XXX only,

"The volume of accommodation spaces that comply with the requirements of resolution A.XXX is . . . *(insert volume)* . . . m^3.

The reduced gross tonnage which should be used for the calculation of tonnage-based fees is . . . (*insert tonnage*) . . . "

.2 For ships covered by resolutions A.XXX and A.747(18),

"The accommodation spaces comply with the requirements of resolution A.XXX, and the volume of such spaces is . . . *(insert volume)* . . . m^3, corresponding to a reduced gross tonnage of . . . *(insert tonnage)*. . Additionally, the segregated ballast tanks comply with the requirements of resolution A.747(18), and the volume of such spaces is . . . *(insert volume)* m^3 . . . , corresponding to a reduced gross tonnage of . . . *(insert tonnage)* . . . "

The combined reduced gross tonnage which should be used for the calculation of tonnage-based fees is . . . (*insert tonnage*) . . . "

.3 For ships covered by resolutions A.XXX and MSC.234(82),

"The accommodation spaces comply with the requirements of resolution A.XXX, and the volume of such spaces is . . . *(insert volume)* . . . m^3, corresponding to a reduced gross tonnage of . . . *(insert tonnage)* . . . . Additionally, the ship is defined as an open-top containership under resolution MSC.234(82) and the equivalent volume of such spaces is . . . *(insert equivalent volume) . . .* m^3, corresponding to a reduced gross tonnage of . . . *(insert tonnage)* . . . "

The combined reduced gross tonnage which should be used for the calculation of tonnage-based fees is . . . (*insert tonnage*) . . . "

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[2] The reduced gross tonnage space equivalent volume (V_o) for an open-top containership measured under resolution MSC.234(82) is calculated using the formula: $V_o = 4.5755 * (GT - GT_R)^{0.9691}$.