

SUB-COMMITTEE ON STABILITY AND  
LOAD LINES AND ON FISHING VESSELS  
SAFETY  
55th session  
Agenda item 9

SLF 55/9/5  
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**DEVELOPMENT OF PROVISIONS TO ENSURE THE INTEGRITY AND UNIFORM  
IMPLEMENTATION OF THE 1969 TM CONVENTION**

**Comments on the report of the correspondence group**

**Submitted by Japan**

**SUMMARY**

*Executive summary:* This document provides comments on the report of the correspondence group that was established at SLF 54

*Strategic direction:* 2

*High-level action:* 2.1.1

*Planned output:* 2.1.1.2

*Action to be taken:* Paragraph 11

*Related documents:* SLF 54/9/5, SLF 54/17; SLF 55/9 and SLF 55/INF.2

**Introduction**

1 This document is submitted in accordance with the provisions of paragraph 6.12.5 of the *Guidelines on the organization and method of work of the Maritime Safety Committee and the Marine Environment Protection Committee and their subsidiary bodies* (MSC-MEPC.1/Circ.4/Rev.2) and comments on document SLF 55/9.

2 At the fifty-fourth session of the Sub-Committee, the correspondence group was established on the development of provisions to ensure the integrity and uniform implementation of the TM Convention. While the group was tasked to deal with many challenging issues, it had been concluded to consensus on many of them. Japan appreciates the hard work carried out by the coordinator and the other members.

3 The report of the correspondence group (SLF 55/9) still contains some outstanding issues, so Japan would like to make comments and proposals relating to treatment of "grates" in the unified interpretations to be developed.

**Enclosed spaces (regulation 2.(4))**

4 The group identified the relationship between "enclosed spaces" and "excluded spaces" concerning issue 3.j in its report. Also, during the discussion in the group, there was

a proposal that the space below grates, used for longitudinal passageways and between deckhouses on the top, shall not be considered as an excluded space, as described in paragraph 4.e in document SLF 55/INF.2. On the other hand, some countries expressed views along the lines that grates may not constitute partitions or decks, and if this is the case, the presence of a deck grate should not cause the space below to be included in tonnage.

5 Grates allow penetrating water and wind and are, therefore, not effective to protect cargoes, stores or crew. In this regard, grates should not be considered as hull, partitions, bulkhead, decks or coverings by which "enclosed spaces" are bounded. Accordingly, the space below grated passageway which is shown in the right hand figures of Issue 4.e in document SLF 55/INF.2, annex 1, is not bounded, and is not included in "enclosed spaces". (regulation 2.(4) and (5))

### **Excluded spaces (regulation 2.(5))**

6 The draft unified interpretation in the report includes the text as "side grates over openings should not be considered as means of closure when applying this regulation".

7 While Japan agrees with the draft unified interpretation, it is of the opinion that the interpretation should not be limited to side grates because there are several cases that switchable grates are fitted at access deck openings on boat deck for prevention against illegal invasions.

8 Therefore, the unified interpretation should be amended as follows:

"R.2(5)-X Side grates over openings should not be considered as means of closure when applying this regulation. [Proposal 4.d.2]. (Related issue 4.d, 5.i)."

### **Spaces open to the sea (regulation 6.(3))**

9 According to the draft unified interpretation, the interpretation addressing issue 6.a will be developed. Additionally, as provision for "excluded spaces", there is draft unified interpretation relating grates as "side grates over openings should not be considered as means of closure when applying this regulation".

10 Based on the draft unified interpretation, grates are not closures in regulation 2.(5), the same idea is also applied to "spaces open to the sea". On the other hand, in case that grates for securing cargoes are fitted in "spaces open to the sea", the spaces should not be excluded from "enclosed spaces" as addressed in document SLF 54/9/5. Hence the following unified interpretation should be added to this section:

"Regulation 6 (3) Grates fitted at "spaces open to the sea" should not be considered as means of closure when applying this regulation. In case that grates for securing cargoes are fitted in "spaces open to the sea", the spaces using for securing cargoes should not be excluded from "enclosed spaces" (related issue 4.d, 5.i, 6.a, 6.b, 6d)."

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

11 The Sub-Committee is invited to consider the contents above and to take action as appropriate.

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