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IMO UPDATE:

THE 103RD SESSION OF IMO'S MARITIME SAFETY COMMITTEE (MSC). MEETING SUMMARY

2021

The 103rd session of IMO's Maritime Safety Committee (MSC) met in remote session from 5 to 14 May 2021. This session was held remotely in lieu of physical session at the headquarters of the IMO in London as usual, due to COVID-19 pandemic situation. The agenda ranged from the humanitarian crew change crisis to safety regulations for unmanned ships.

Below are the highlights of the session with more details which follow,

MSC 103 Highlights – (read more detail below)

1. Adoption of amendment
2. COVID-19 matter
3. Regulatory scoping exercise on Maritime Autonomous Surface Ships
4. Further measures to enhance the safety of ships relating to the use of oil fuel
5. Measures to enhance maritime security
6. Piracy and armed robbery against ships
7. Domestic ferry safety
8. Containers lost at sea
9. Container ship fires
10. Other matters

Adoption of amendments

The Committee adopted amendments to the following instruments:

- amendments to the International Convention for the Safety of Life at Sea (SOLAS) regulation III/33 and the LSA Code, aiming to remove the applicability of the requirements to launch free-fall lifeboats to test their strength with the ship making headway at speeds up to 5 knots in calm water on cargo ships of 20,000 GT and above. The expected entry into force date is 1 January 2024. The MSC also approved a related circular on voluntary early implementation of the draft amendments to SOLAS chapter III and the LSA Code, which

encourages Governments to implement the requirements earlier, on a voluntary basis.

- the Revised recommendation on testing of life-saving appliances (resolution MSC.81 (70)), consequential to the adoption of the amendments to SOLAS regulation III/33 and the LSA Code.
- a new draft SOLAS regulation II-1/25-1, requiring water level detectors on multiple hold cargo ships other than bulk carriers and tankers. The expected entry into force date is 1 January 2024.
- International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW), adding the definition of "high-voltage" in STCW regulation I/1. The expected entry into force date is 1 January 2023.
- section A-I/1 of the STCW Code, including the capacity "electro-technical officer" in the definition of "operational level", as a consequential amendment to the introduction of this capacity as part of the 2010 Manila Amendments. The expected entry into force date is 1 January 2023.
- chapter 9 of the International Code for Fire Safety Systems (FSS Code), relating to fault isolation requirements for individually identifiable fire detector systems installed, in lieu of section identifiable fire detector systems on cargo ships and passenger ship cabin balconies; and clarifying the acceptability of less complex and costly section identifiable fault isolation for individually identifiable fire detector systems. The expected entry into force date is 1 January 2024.
- the International Code on the Enhanced Programme of Inspections during Surveys of Bulk Carriers and Oil Tankers, 2011 (ESP Code), relating to thickness measurements at the first renewal survey of double hull oil tanker. The expected entry into force date is 1 January 2023.



COVID-19 matters

The MSC adopted a resolution on "Recommended action to prioritize COVID-19 vaccination of seafarers". This resolution recommends that Member States and relevant national authorities prioritize their seafarers, as far as practicable, in their national COVID-19 vaccination programmes; and also proper consideration of extending COVID-19 vaccines to seafarers of other nationalities, taking into account their national vaccines supply.

Member States are further recommended to consider exempting seafarers from any national policy requiring proof of COVID-19 vaccination as a condition for entry, taking into account that seafarers should be designated as "key workers", as they travel across borders frequently.

Regulatory scoping exercise on Maritime Autonomous Surface Ships

The MSC completed the regulatory scoping exercise (RSE) for the use of Maritime Autonomous Surface Ships (MASS) and approved a circular providing the outcome. (MSC.1/Circ.1640 on Outcome of the Regulatory Scoping Exercise for the use of Maritime Autonomous Surface Ships (MASS)).

This represents an important first step, paving the way for focused discussions to ensure that regulation keeps pace with technological developments.

In terms of the next steps, the Committee agreed that proposals for new outputs would be needed to address the various gaps in IMO instruments identified in the RSE and invited interested Member States to submit such proposals to a future session of the Committee.

Development of further measures to enhance the safety of ships relating to the use of oil fuel

The Committee established a working group to look at a number of safety issues related to oil

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fuel, building on work carried out by a correspondence group.

Good progress was made in developing relevant mandatory SOLAS requirements relating to reporting of cases where fuel suppliers do not meet SOLAS requirements and on action against such fuel suppliers. Progress was also noted by the Committee in developing regulations for the documentation of the flashpoint of the actual fuel batch when bunkering.

The working group also continued the development on a list of issues to be addressed by guidelines for ships to address situations where indicative test results suggest that the oil fuel supplied may not comply with flashpoint requirements.

The need for collaboration between the MSC and Marine Environment Protection Committee (MEPC) was highlighted during the deliberation.

On the issue of licensing schemes for bunker suppliers, the Committee invited Member States to consider the implementation of licensing schemes for bunker suppliers operating in their jurisdiction.

The MSC re-established a correspondence group to:

- further develop, with a view towards finalization, draft SOLAS amendments relating to reporting of confirmed cases where oil fuel suppliers have failed to meet IMO flashpoint requirements; and draft SOLAS amendments on actions against oil fuel suppliers that have been found to deliver oil fuel that does not comply with minimum flashpoint requirements;
- further develop mandatory requirements regarding the documentation of the flashpoint of the actual fuel batch when bunkering;
- further develop the guidelines for ships to address situations where indicative test results suggest that the oil fuel supplied may not comply with SOLAS regulation II-2/4.2.1 (which says that no fuel oil with a flashpoint lower than 60 degrees Centigrade shall be used, unless specifically permitted);



- collect information on and consider possible measures related to oil fuel parameters other than flashpoint; and
- submit a written report to MSC 105 (meeting in the first half of 2022).

Following discussion, the MSC endorsed an updated work plan. This would see finalization of measures related to the flashpoint of fuel oil by MSC 105 (2022) and finalization of measures to enhance the safety of ships relating to the use of fuel oil by MSC 106 (2023).

The 2020 sulphur limit MARPOL regulations came into force on 1 January 2020, leading to new fuel blends coming on the market, including very low sulphur fuel oils.

Domestic ferry safety

The Committee approved, in principle the basic structure of framework Model Regulations on Domestic Ferry Safety, subject to ongoing review. The draft model regulations are intended to provide framework provisions on domestic ferry safety that can be incorporated into national law. The model regulations are focused solely on safety and do not make any provisions for issues such as facilitation, security or pollution.

The MSC invited the IMO International Maritime Law Institute (IMLI) to note the developments and to develop a curriculum, or take other appropriate steps, whereby interested IMLI students may undertake assignments on incorporating the model regulations into domestic legislation of their respective countries.

The Committee noted an updated work plan submitted by the Secretariat which envisages approval/adoption of the model regulation by the MSC in 2022, as well as development of online training material on domestic ferry safety.

The Committee agreed to establish a Working Group on Domestic Ferry Safety at MSC 104 to further develop the model regulations (using [MSC 103/8](#) document on measures to improve domestic ferry safety as basic document) and invited Member States and interested parties to

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make suggestions on amendments to the model regulations to MSC 104.

A list of observed and potential gaps in domestic ferry safety was endorsed. The list of issues for domestic ferry safety which need to be addressed include, among others, overcrowding, lack of compliance and inadequate maintenance. The list was developed by IMO Secretariat following a broad survey of information related to domestic ferry safety available in the public domain (covering incidents reported from January 2017 to June 2019).

IMO Secretariat has been working with other stakeholders to address the pressing matter of domestic ferry safety, including INTERFERRY and the United Nations Economic and Social Commission for Asia and the Pacific (ESCAP). A number of regional meetings have addressed domestic ferry safety.

The Committee endorsed the Bangkok Declaration on Enhancing Domestic Ferry Safety in Asia and the Pacific Region and the Development of Model Regulations on Domestic Ferry Safety, which was the outcome of the Expert Group Meeting on Improving Domestic Ferry Safety in Support of Safe Maritime Connectivity in Asia and the Pacific, which met virtually in March 2020.

The Committee also endorsed the outcome of the regional workshop on safety of domestic ferries and non-convention ships, held in Lagos, Nigeria in October 2019, which supports the development of explanatory notes to the framework Model Regulations on Domestic Ferry Safety.

Measures to enhance maritime security

The Committee considered recent developments on maritime security, noting that IMO is an implementing partner in a new four-year EU funded project on "Port Security and Safety of Navigation in Eastern and Southern Africa and the Indian Ocean" and will also be implementing a similar EU-funded project in the Red Sea.

SOLAS Contracting Governments were encouraged to ensure information provided in the



publicly accessible GISIS module on maritime security were up-to-date; and to develop effective maritime security governance structures, including national maritime security committees and strategies, and to strengthen these where they already exist. They were urged to continue to effectively implement, in partnership with industry, IMO security measures, including SOLAS chapter XI-2 and the ISPS Code, taking into account new and emerging security threats, and to request IMO's technical assistance, as appropriate.

States were also encouraged to consider donating to the International Maritime Security Trust (IMST) Fund to support the continued delivery of technical assistance under the global programme for the enhancement of maritime security.

The Committee approved the dissemination via MSC circular of the 4th version of The Guidelines on Cyber Security Onboard Ships (jointly prepared by industry NGOs) and approved an update to the MSC-FAL Guidelines on maritime cyber risk management to include a reference to the guidelines (subject to endorsement by the Facilitation Committee).

Piracy and armed robbery against ships

The MSC held discussions in a working group to bring all interested stakeholders together to address the escalating incidents of piracy and armed robbery in the Gulf of Guinea.

The Committee adopted a resolution on recommended action to address piracy and armed robbery in the Gulf of Guinea, which calls for increased collaboration and action to tackle an escalation in the number and severity of attacks in the Gulf of Guinea region, which threatens the lives and well-being of seafarers and the safety of shipping.

The MSC also developed a draft Assembly resolution, for adoption at the 32nd IMO Assembly in December 2021, updating the previous resolution A.1069(28) on Prevention and suppression of piracy, armed robbery against ships and illicit maritime activity in the Gulf of Guinea.

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Based on reports submitted to IMO, in 2020, the number of incidents taking place in the Gulf of Guinea (West Africa) increased to 87 (up by 20 compared to 2019), with a total of 112 crew members reported as kidnapped/missing. This represented a significant proportion of the total 226 incidents of piracy and armed robbery against ships occurred or attempted in 2020 globally. To date, in 2021, 23 incidents have been reported in the West Africa region.

Detecting and reporting containers lost at sea

The MSC considered, among numerous other proposals for new work items, a proposal to address the problem of containers lost at sea. This is in the context of recent incidents involving large numbers of containers lost at sea and IMO Action plan to address marine plastic litter from ships, which calls for consideration of the establishment of a compulsory mechanism to declare loss of containers at sea and identify number of losses, in order to reduce safety and environmental consequences of container losses.

The MSC agreed to include a new output (for 2022-2023) on "Development of measures regarding the detection and mandatory reporting of containers lost at sea that may enhance the positioning, tracking and recovery of such containers", with two sessions needed to complete the item, coordinated by the Sub-Committee on Carriage of Cargoes and Containers (CCC) and in association with the Sub-Committee for Navigation, Communications and Search and Rescue (NCSR), as and when requested by the CCC Sub-Committee.

Addressing fires on container ships

The MSC agreed to include in the biennial (2022-2023) agenda of the Sub-Committee on Ship Systems and Equipment (SSE), a new agenda item on "Development of amendments to SOLAS chapter II-2 and the FSS Code concerning detection and control of fires in cargo holds and on the cargo deck of container ships", with a target completion year of 2025, in association with the CCC Sub-Committee as and when requested by the SSE Sub-Committee.



The move followed discussion of a number of submissions proposing to specifically address container ship fires. The MSC noted, in particular, the need for a holistic risk-based approach and prioritization of risk prevention and mitigation enhancement when developing amendments

Other new outputs

The MSC also agreed to new outputs on:

- Review of the IGC Code
- Revision of the 1979, 1989 and 2009 MODU Codes and associated MSC circulars to prohibit the use of materials containing asbestos, including control of storage of such materials on board.
- Development of amendments to SOLAS chapters IV and V and performance standards and guidelines to introduce VHF Data Exchange System (VDES).
- Development of performance standards for a digital navigational data system (NAVDAT).
- Development of amendments to SOLAS regulation II-1/3-4 to apply requirements for emergency towing equipment for tankers to other types of ships.
- Revision of the 2010 FTP Code to allow for new fire protection systems and materials.
- Revision of the Interim explanatory notes addressing the safe return to port (MSC.1/Circ.1369) and related circulars.
- Development of an entrant training manual for PSC personnel.
- Development of guidance in relation to the IMO Member State Audit Scheme (IMSAS) to assist in the implementation of the IMO Instruments Implementation Code (III Code) by Member States.

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Approval/adoption of other guidance and guidelines

Among other issues, the MSC also:

- Approved amendments to the International Aeronautical and Maritime Search and Rescue (IAMSAR) Manual.
- Approved Guidelines for safety measures for fishing vessels of 24m in length and over operating in polar waters.
- Approved Guidelines for pleasure yachts of 300 gross tonnage and above not engaged in trade operating in polar waters.
- Approved MSC.1/Circ.1318/Rev.1 on the Revised guidelines for the maintenance and inspections of fixed carbon dioxide fire-extinguishing systems.
- Approved MSC.1/Circ.797/Rev.35 on the List of competent persons maintained by the Secretary-General pursuant to section A-I/7 of the STCW Code.
- Established a Correspondence Group on Dissemination of MSI and SAR-related information, to consider the mandatory use of all recognized mobile satellite services providing services within the service area for dissemination of information by MSI and SAR information providers; and consider options to address cost implications for MSI and SAR information providers; the group to report to MSC 105.



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