



Technical Circular

No.:016/2015

Date:24th June 2015

To Whomsoever it may concern

Subject: Brief Summary on Outcome of MSC.95

The 95th session of the IMO's Maritime Safety Committee (MSC 95) was held from 3 to 12 June 2015 in London under the Chairman ship of Mr Christian Breinholt (Denmark).

The agenda included adoption of the International Code of Safety for Ships using Gases or Other Low-flashpoint Fuels (IGF Code); a number of amendments to the International Convention for the Safety of Life at Sea (SOLAS) and associated instruments; as well as issues related to cyber security, and Migrants by sea and Goal Based Standards.

A report of the main decisions on important agenda items is given in the following:

Agenda Item 3: Adoption of Amendments to Mandatory instruments

The Committee adopted, inter alia, the following resolutions which have a bearing on the design and construction of ships

1. The IGF Code related SOLAS amendments to Ch II-1

The following amendments were made to Ch II-1 related to making the International Code of safety for ships using gases or other low flash point fuels (IGF Code) mandatory. These are effective from 01 January 2017.

1.1 *Part A Reg .2 Definitions:* Definition of "IGF Code" and "Low flash point fuel". Low flash point fuels are fuels of lower flash point than that otherwise permitted in SOLAS Ch II-2 Regulation 4.

1.2 *Part F Alternative design and arrangements: Reg 55.1- Purpose; Reg 55.2- General and Reg. 55.3- Engineering Analysis :* The amendments allow application of these regulations to low flash point fuel storage and distribution systems.

1.3 *New Part G Ships using low flash point fuels- Reg 56-Application; Reg 57- Requirements for ships using low flash point fuels:*

This part applies to ships using low flash point fuels. In this regard, the committee decided that the requirements of IGF Code should not apply to gas carriers using low flash point fuels even if they use gas fuels other than their cargo. Requirements of only one code ie the IGC Code will be applied to such ships.

Further, the committee decided to retain the paragraph exempting ships owned or operated by contracting governments on non-commercial service.

2. The IGF Code

The Committee adopted the International Code of safety for ships using gases or other low flash point fuels (IGF Code) prepared by the working group. This code applies to contracted on or after 01 July 2017 and where new Part G of SOLAs Ch II-1 applies.

The IGF Code, though generally applicable to gas and liquid fuels, presently covers detailed requirements for gas fuels only. The Code is divided into the following parts:

Part A covering general requirements, goal and functional requirements.

Part A-1: Specific requirements for ships using natural gas as fuel: This part covers requirements for ship design and arrangement, fuel containment and supply systems, bunkering, materials, power generation, propulsion, fire safety, controls etc.

Part B-1: This part covers manufacture, workmanship and testing requirements

Part C-1: This part covers drills, emergency exercises and operation requirements.

Part D: This part covers training requirements.

The parts with suffix “-1” (i.e A-1, B-1, C-1) are applicable to only gas fuels. In future it is proposed to add requirements for liquid fuels. Part s A and D are applicable both gas and liquid fuels.

During the discussions, the Committee decided the following which were incorporated in the code:

- a) If all prescriptive requirements in part A-1 of the code are met, risk assessments are only required if expressly stated under paragraphs of part A-1.
- b) The buoyancy of a fully submerged empty tank need only be considered for the design load of anti- flotation chocks.
- c) The proposal by Japan to provide three temperature measuring devices at each fuel tank to be used at three different locations was accepted. These are to be monitored from a remote location.
- d) The protective distances of the fuel tank from the side shell were clarified in accordance with the proposal by France and Spain.

3. Amendments to SOLAS Ch II-2 on Fire Safety

The Committee adopted amendments to the following regulations effective from 01 January 2017:

3.1 Regulation 4 Probability of ignition: This is a consequential amendment to the requirement of flash point of oil fuels due to the adoption of IGF Code. It is clarified that new Part G of SOLAS Ch II-1 allows oil fuels of lower flash point than that is specified here. (60 deg)

3.2 Regulation 11: Structural integrity: This applies more stringent requirements for vent outlets in tankers:

For vessels constructed on or after 01 January 2017, openings on tankers for pressure relief by small flow due to thermal variations are required to be arranged in accordance with the requirements in Regulation 4.5.3.4.1 (i.e as for vent outlets for cargo loading, discharging and ballasting).

Further, the secondary means of venting are required now to be capable of preventing over or under pressure in the event of damage to or inadvertent closing of isolating devices for venting of cargo tanks required in Reg. 4.5.3.2.2.

3.3 Protection of vehicle, special category and ro-ro spaces: This amendment allows reduction in required air changes when an air quality control system is installed in accordance with IMO guidelines.

4. Amendments to SOLAS Certificates:

The following certificates are amended to indicate compliance with new Part G of Ch II-1 of SOLAS related to the IGF Code:

4.1 Form of Safety Certificate of passenger ships (in SOLAS 1974 and Protocol 1988)

4.2 Form of Safety Construction Certificate for Cargo Ships (in SOLAS 1974, Protocol 1978 and Protocol 1988)

4.3 Form of Safety Certificate for Cargo Ships (in Protocol 1988)

5. Amendments to the IMSBC Code

The Committee adopted amendments to the IMSBC Code effective from 01 January 2017 which includes a mandatory part for substances excluding those harmful to marine environment and non-mandatory guidelines related to harmful substances.

Individual Administrations may implement the amended code voluntarily from 01 January 2016 if they so desire.

The following related Circulars were also approved:

5.1 MSC.1/Circ.1395/Rev.2 on *Lists of solid bulk cargoes for which a fixed gas fire-extinguishing system may be exempted or for which a fixed gas fire-extinguishing system is ineffective*;

5.2 MSC.1/Circ.1453/Rev.1 on *Guidelines for the submission of information and completion of the format for the properties of cargoes not listed in the International Maritime Solid Bulk Cargoes (IMSBC) Code and their conditions of carriage*; and

5.3 MSC.1/Circ.1454/Rev.1 on *Guidelines for developing and approving procedures for sampling, testing and controlling the moisture content for solid bulk cargoes which may liquefy (MSC.1/Circ.1454)*.

6 Other Codes and Circulars:

The Committee approved the following, prepared by the working group on mandatory instruments:

6.1 Amendments to part B of the STCW Code, prepared by the drafting group (MSC 95/WP.6, annex 8) and adopted the amendments for circulation by means of STCW.6/Circ.

6.2 STCW.7/Circ.23/Add.1 on *Amendments to the Interim guidance on training for seafarers on ships using gases or other low-flashpoint fuels (STCW.7/Circ.23)*;

6.3 MSC.1/Circ.1502 on *Guidance on pressure testing of boundaries of cargo oil tanks under direction of the master*;

6.4 MSC-MEPC Circ. 10 *Unified interpretation of paragraph 15.13.5 of the IBC Code for products requiring oxygen-dependent inhibitors*.

Agenda item 4 Measures to Enhance Maritime Security

The following is a brief outcome of the meeting on issues related to Security:

1. *The High Risk Area (HRA) as defined in the Best Management Practices (Industry standard)*

MSC 95 was tasked to clarify the definition of the High Risk Area (HRA) as defined in the Best Management Practices for protection against Somalia Based Piracy (BMP 4). Some Member States had called for MSC 95 to change the HRA based on the premise that “no

reports of attacks by Somalia-based pirates or other groups seeking to hijack ships have occurred in the area of Suez and the Red Sea to Bab el Mandeb”.

The working group on maritime security established during the meeting, had a lengthy discussion on the issue of whether the Red Sea had experienced attacks of piracy and armed robbery as this was a key determining factor for the designation as a piracy high risk area. The working group however found that incidents of piracy and armed robbery from various sources could not justify for the deduction that there had been no attacks in the Red Sea. Further, it was concluded that such an assessment would be beyond the IMO's knowledge and expertise and would require consultation with security forces operating in the area.

Industry Organisations have already announced an update of the BMP, which will e.g. cover the problems highlighted by Egypt and probably renaming/redefining the area.

2. Armed security on board ships

ISO through a submission paper informed MSC that the Publicly Available Specification (ISO PAS 28007) had been replaced by the newly published standard ISO 28007 for Private Maritime Security Companies (PMSC) supplying Privately Contracted Armed Security Personnel (PCASP) on board ships. ISO proposed MSC to recognize ISO 28007 standard by applying a reference in the IMO guidance on PMSC in MSC.1/Circ.1406 (Rev.2).

MSC 95 finally endorsed the ISO 28007 standard for PMSCs in MSC.1/Circ.1406 (now Rev.3) with the necessary guidance to Flag States in order to "ensuring that PMSC on board ships hold valid accredited certification to ISO 28007-1:2015 or meet applicable national requirements".

3. Measures toward enhancing maritime cybersecurity Industry has been working on guidance for ship owners and ships' crews on operational aspects of cyber security.

Documents were submitted at MSC informing the Committee about the ongoing work relating to the development of industry guidelines on cyber security on board ships outlining the content of these guidelines covering the mix of safety, security and commercial issues connected to cyber security.

Finally MSC 95 endorsed the suggestion to await the outcome of the industry guidance on maritime cybersecurity on board ships and by establishing a dedicated work programme on the matter at the Facilitation Committee (FAL) agenda.

4. *Migrants by sea* MSC 95 addressed issues related to unsafe mixed migration by sea. The Committee agreed that the current situation was a humanitarian crisis and not sustainable. Further, that it was imperative for the international community to strengthen its efforts to resolve and work together so that a solution could be found as no one entity could deal with this crisis.

At the same time it was clearly stated, that the urgent need by Industry providing the necessary help must not be at the risk to seafarers and vessels. Plenary agreed that there was an urgent need to ensure safe practices were adopted. In this regard MSC 95 acknowledged the new industry guidance by International Chamber of Shipping (ICS) on large-scale rescue operations at sea to ensure the safety and security of seafarers and rescued persons during such operations that was developed in response to the growing number of merchant ships involved in the rescue of persons, often migrants, in the Mediterranean.

MSC 95 tasked the Sub-Committee on Navigation, Communications and Search and Rescue (NCSR) to address and review the ICS guidance on this subject and that the subject be placed formally on the agenda of MSC 96.

Agenda Item 5 Goal based Ship Construction Standards

The Working group on Goal Based Standards was chaired by Mr J.Sirkar (United States) and attended by 30 member states, 1 Intergovernmental organization and 7 Non Governmental Organizations. India was represented by Mr N.Girish.

Initial discussions at Plenary identified the need for wider understanding and participation of the member states in the area of Goal based standards as it was felt by many member states that only few privileged member states have capability now to work in this area especially on the Safety level approach.

The Committee instructed the Working Group with the following main terms of reference:

- i. discuss and consider the overall objective in respect to safety level approach, including the implementation and the consequences, and recommend a way forward;
- ii. consider the amendments to the Generic Guidelines for developing IMO goal-based standards (MSC.1/Circ.1394) and advise the Committee accordingly;
- iii. further consider the draft Interim guidelines for the application of the goal-based standards safety level approach (SLA) to the IMO rule-making process

The working group deliberated on the above terms of reference and reported their conclusions as detailed below:

Objectives, implementation, consequences and way ahead

After in- depth discussions the working group agreed on the following objectives of Safety level approach:

- i) provision of a systematic methodology addressing the regulatory framework of IMO, by which gaps and inconsistencies in the present and new regulations can be identified;
- ii) confirmation that the rules and regulations achieve a safety level as obtained through the process in the Formal Safety Assessment guidelines; and
- iii) the justification of regulations and the transparency of the process of justification.

The working group identified that the new goal based regulations will facilitate introduction of new technology and approval of alternative designs. However, there will be need for adequate quantities of data and the process of development of regulations would be more cumbersome.

The Working group proposed a future work plan for the SSE sub- committee on the development of functional requirements for SOLAS Chapter III using the generic guidelines for Goal based standards, which was approved by the Committee. Further, the group proposed future work plan on GBS for the next three sessions of the MSC.

Amendments to the Generic Guidelines for developing Goal based standards (MSC.1/Circ.1394)

In the generic guidelines for GBS (MSC1./Circ 1394), the group proposed amendments in the section on "Functional requirements (tier II)" by specifying structure and contents of functional requirements to be used in goal-based standards as well as the examples thereof in the appendix.

The amended Circular was approved by the Committee as MSC.1/Circ 1394/ Rev.1.

Interim Guidelines for the development and application of IMO GBS Safety level approach

The Working group carried out further development of the Interim Guidelines for GBS SLA using the submissions to MSC 95 and the report at MSC 94.

In this regard, definitions of “safety”, “safety level” and “required safety level” were amended for clarity. A new figure 2 on application of SLA to GBS was added indicating the

5 tier structure. The section on functional requirements were amended based on the changes in the generic guidelines

As the introduction of GBS Safety level approach will result in a fundamental re-organization of IMO instruments, the group suggested that GBS SLA should be developed in three phases as follows:

- i) Phase 1: Review the present IMO Regulations and develop their Goals and functional requirements
- ii) Phase 2: Identify the current safety level of regulations by means of Formal Safety assessment and make the risk level as low as reasonably practicable (ALARP)
- iii) Restructure the IMO instruments in order to separate the Goals and Functional Requirements from the Regulations.

The Committee noted the progress in the development of interim guidelines for safety level approach and invited submissions on concrete GBS-SLA examples on SOLAS Chapter III and comments and proposals on the draft interim guidelines to MSC 96.

List of MSC Resolutions by the Committee adopting or approving various amendments are given in the following:

1. RESOLUTION MSC.391(95) – ADOPTION OF INTERNATIONAL CODE OF SAFETY FOR SHIPS USING GASES OR OTHER LOW-FLASHPOINT FUELS (IGF CODE)
2. RESOLUTION MSC.392(95) – AMENDMENTS TO THE INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974, AS AMENDED (CHAPTERS II-1, II-2 AND APPENDIX)
3. RESOLUTION MSC.393(95) – AMENDMENTS TO THE INTERNATIONAL MARITIME SOLID BULK CARGOES (IMSBC) CODE
4. RESOLUTION MSC.394(95) – AMENDMENTS TO THE PROTOCOL OF 1978 RELATING TO THE INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974
5. RESOLUTION MSC.395(95) – AMENDMENTS TO THE PROTOCOL OF 1988 RELATING TO THE INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974
6. RESOLUTION MSC.396(95) – AMENDMENTS TO THE INTERNATIONAL CONVENTION ON STANDARDS OF TRAINING, CERTIFICATION AND WATCHKEEPING FOR SEAFARERS (STCW), 1978, AS AMENDED
7. RESOLUTION MSC.397(95) - AMENDMENTS TO PART A OF THE SEAFARERS' TRAINING, CERTIFICATION AND WATCHKEEPING (STCW) CODE
8. DRAFT MSC RESOLUTION ON AMENDMENTS TO THE INTERNATIONAL CONVENTION ON STANDARDS OF TRAINING, CERTIFICATION AND WATCHKEEPING FOR SEAFARERS (STCW), 1978, AS AMENDED
9. DRAFT MSC RESOLUTION ON AMENDMENTS TO PART A OF THE SEAFARERS' TRAINING, CERTIFICATION AND WATCHKEEPING (STCW) CODE
10. DRAFT STCW CIRCULAR ON AMENDMENTS TO PART B OF THE SEAFARERS' TRAINING, CERTIFICATION AND WATCHKEEPING (STCW) CODE

11. RESOLUTION MSC.398(95) – AMENDMENTS TO PART B OF THE INTERNATIONAL CODE ON INTACT STABILITY, 2008 (2008 IS CODE)
12. DRAFT AMENDMENTS TO THE INTRODUCTION OF THE 2008 IS CODE
13. RESOLUTION MSC.399(95) – AMENDMENTS TO THE GUIDELINES FOR THE APPLICATION OF PLASTIC PIPES ON SHIPS (RESOLUTION A.753(18)), AS AMENDED BY RESOLUTION MSC.313(88)
14. DRAFT AMENDMENTS TO SOLAS REGULATION II-2/13 (EVACUATION ANALYSIS)
15. DRAFT AMENDMENTS TO SOLAS REGULATION II-1/22 (WATERTIGHT DOORS)
16. RESOLUTION MSC.400(95) – AMENDMENTS TO THE REVISED PERFORMANCE STANDARDS AND FUNCTIONAL REQUIREMENTS FOR THE LONG-RANGE IDENTIFICATION AND TRACKING (LRIT) OF SHIPS (RESOLUTION MSC.263(84), AS AMENDED)
17. RESOLUTION MSC.401(95) – PERFORMANCE STANDARDS FOR MULTI-SYSTEM SHIPBORNE RADIONAVIGATION RECEIVERS
18. DRAFT AMENDMENTS TO THE FSS CODE
19. DRAFT ASSEMBLY RESOLUTION ON AMENDMENTS TO THE RECOMMENDATION ON PILOT TRANSFER ARRANGEMENTS (ANNEX TO RESOLUTION A.1045(27))

List of Circulars approved by MSC 95 is given in the following:

MSC.1/Circ.1501	Unified interpretation of SOLAS regulation II-2/16.3.3 for products requiring oxygen-dependent inhibitors
MSC.1/Circ.1502	Guidance on pressure testing of boundaries of cargo oil tanks under direction of the master
MSC.1/Circ.1503	ECDIS – Guidance for good practice
MSC.1/Circ.1504	Unified interpretation of the Guidelines for safe access to tanker bows (resolution MSC.62(67))
MSC.1/Circ.1505	Unified interpretation of SOLAS regulation II-2/13.6
MSC.1/Circ.1506	Guidance for watertight doors on passenger ships which may be opened during navigation
MSC.1/Circ.1507	Amendments to unified interpretations of the provisions of SOLAS chapters II-1 and XII, of the Technical provisions for means of access for inspections (resolution MSC.158(78)) and of the Performance standards for water level detectors on bulk carriers and single hold cargo ships other than bulk carriers (resolution MSC.188(79)) (MSC.1/Circ.1464/Rev.1)
MSC.1/Circ.1508	Unified interpretations of regulation 36(6) of the Protocol of 1988 relating to the International Convention on Load Lines, 1966
MSC.1/Circ.1509	Unified interpretations of the Code on Noise Levels on board Ships (resolution MSC.337(91))
MSC.1/Circ.1510	Amendment to Unified interpretations of SOLAS chapter II-2, the FSS Code, the FTP Code and related fire test procedures (MSC/Circ.1120)
MSC.1/Circ.1511	Unified interpretations of SOLAS regulations II-2/9 and II-2/13

MSC.1/Circ.1512	Guidelines on Software Quality Assurance and Human Centred Design for e-navigation
MSC.1/Circ.1513	Amendments to the IAMSAR Manual
MSC.1/Circ.1514	Performance standard, functional requirements and system requirements for the assessment of smoke management systems
MSC.1/Circ.1515	Revised design guidelines and operational recommendations for ventilation systems in ro-ro cargo spaces
MSC.1/Circ.1516	Amendments to the revised guidelines for the maintenance and inspection of fire protection systems and appliances (MSC.1/Circ.1432)
MSC.1/Circ.1517	Best Management Practices for Protection against Somalia Based Piracy
MSC.1/Circ.1395/Rev.2	Lists of solid bulk cargoes for which a fixed gas fire-extinguishing system may be exempted or for which a fixed gas fire-extinguishing system is ineffective
MSC.1/Circ.1453/Rev.1	Guidelines for the submission of information and completion of the format for the properties of cargoes not listed in the International Maritime Solid Bulk Cargoes (IMSBC) Code and their conditions of carriage
MSC.1/Circ.1454/Rev.1	Guidelines for developing and approving procedures for sampling, testing and controlling the moisture content for solid bulk cargoes which may liquefy
MSC.1/Circ.1394/Rev.1	Generic guidelines for developing IMO goal-based standards
MSC.1/Circ.1163/Rev.9	Parties to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW), 1978, as amended, confirmed by the Maritime Safety Committee to have communicated information which demonstrates that full and complete effect is given to the relevant provisions of the Convention

MSC.1/Circ.1164/Rev.15	Promulgation of information related to reports of independent evaluation submitted by Parties to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW), 1978, as amended, confirmed by the Maritime Safety Committee to have communicated information which demonstrates that Parties are giving full and complete effect to the relevant provisions of the Convention
MSC.1/Circ.797/Rev.27	List of competent persons maintained by the Secretary-General pursuant to section A-I/7 of the STCW Code
MSC.1/Circ.1259/Rev.7	LRIT Technical documentation (Part I)
MSC.1/Circ.1294/Rev.5	LRIT Technical documentation (Part II)
MSC.1/Circ.1333/Rev.1	Recommendations to Governments for preventing and suppressing piracy and armed robbery against ships
MSC.1/Circ.1406/Rev.3	Revised interim recommendations for flag States regarding the use of privately contracted armed security personnel on board ships in the High Risk Area
MSC-MEPC.5/Circ.10	Unified interpretation of paragraph 15.13.5 of the IBC Code for products requiring oxygen-dependent inhibitors
STCW.6/Circ.11	Amendments to part B of the Seafarers' Training, Certification and Watchkeeping (STCW) Code
STCW.7/Circ.24	Amendments to the Interim guidance on training for seafarers on ships using gases or other low-flashpoint fuels (STCW.7/Circ.23)
MSC-MEPC.2/Circ.15	Guidelines for the development, review and validation of model courses
SN.1/Circ.331	Routeing measures other than traffic separation schemes

Enclosure:
1. Nil

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