



Briefings of IMO Meeting

MSC 100 (3 Dec. ~ 7 Dec. 2018)

No. IMO-0014-2018

BRIEFING STATUS

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Subject: Newsflash of MSC 100

The Maritime Safety Committee (hereinafter referred as 'MSC'), its 100th session was held at IMO Headquarter from 3 to 7 December 2018. With this regard, please be informed of the main issues and summary of MSC 100 as below.

For your information, the amendments to the SPS code adopted at this session will enter into force on 1 January 2020, in conjunction with the entry into force of amendments to SOLAS chapter IV and the appendix (Certificates) adopted by resolution MSC.436(99).

1. Adoption of amendments to mandatory and non-mandatory instruments (Agenda 3)

1.1 Proposed amendments to the 2011 ESP Code

The Committee recalled that MSC 99 had approved draft amendments to the 2011 ESP Code. In considering the draft amendments, together with the modifications proposed by IACS and Secretariat the Committee noted that the language used in the draft amendments was not in accordance with IMO nomenclature, i.e. "is to/are to" instead of "shall", which could be detrimental to the future development of the IMO regulations as it could result in ambiguity and inconsistency. The proposed amendments to the 2011 ESP Code were expected to be considered and adopted at this session; and the consolidated version of the draft ESP Code was expected to be finalized by SDC 6 for approval at MSC 101 with a view to adoption by A 31 as the 2019 ESP Code, superseding the 2011 ESP Code, as amended.

Following discussion, the Committee decided to hold the adoption of the draft amendments to the 2011 ESP Code in abeyance and invited IACS to work together



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with the Secretariat inter-sessionally to prepare a revised set of draft amendments to the 2011 ESP Code using "shall/should" instead of "is to/are to", as appropriate, for submission to MSC 101 with a view to adoption.

1.2 Amendments to the SPS Code

The Committee recalled that MSC 99 had adopted amendments to SOLAS chapter IV and the appendix (Certificates) and an associated amendment to the 2008 SPS Code. In this context, MSC 99 had requested the Secretariat to prepare a draft MSC resolution on amendments to the SPS Code incorporating the amendments adopted by MSC/Circ.739 and resolution MSC.183(79). The Committee confirmed their contents subject to editorial improvements. The amendments were adopted at this session and will enter into force 1 January 2020.

2. Maritime Autonomous Surface Ships (Agenda5)

The Committee considered the report of the MASS intersessional correspondence group (MSC 100/5) and also various commenting papers submitted by member governments and NGOs.

The Working Group(WG) on MASS was established and tasked to finalize the framework for the regulatory scoping exercise (hereinafter 'RSE'), taking into account documents MSC 100/5 (Report of the MASS correspondence group), MSC 100/5/4 (Secretariat's comments on document MSC 100/5) and MSC 100/5/8 (US' comment on document MSC 100/5). And the WG also tasked to consider, if time permits, principles for the development of interim guidelines for MASS trials, taking into account related documents of MSC 100/5/2 (Interim guidelines for MASS trial, submitted by Norway and BIMCO) and MSC 100/5/3 (Proposals for the



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development of interim guidelines for Maritime Autonomous Surface Ships trials, submitted by Republic of Korea).

Through the discussion in the Working Group, the framework and the template for the RSE were partly amended, in particular for the degrees autonomy, instruments and methodology sections.

Also the Working group discussed the working arrangements and procedures for RSE, including the use of a web platform which will be developed by the Secretariat and preparing plan of work and the procedures for the RSE. According to the timeline which was agree at this session, the RSE will be completed by MSC 102 (May 2020). In order to complete the RSE in 2020, the Committee approved to have a meeting of an intersessional MSC Working Group in September 2019, subject to endorsement by the Council.

For the RSE, the first step initial review (i.e. the identification of rules/regulations in IMO instruments that apply or not to MASS) of instruments will be conducted simultaneously by different volunteering Members States, in collaboration with interested international organization. And the second step initial analysis (i.e. the analysis to determine the most appropriate way of addressing MASS operation) should only be conducted after completing the first step by the volunteering Members States and the analysis should be high level and be conducted at the instrument level instead of regulation-by-regulation.

With regard to the development of guidelines on MASS trial, the Working Group agreed to the nine (9) principles of the guidelines that such guidelines should be single document, generic and not too technical, goal based, information sharing etc. This guidelines could be finalized at MSC 101 (June 2019) because it is not expected to take any actions related to the conduct of the RSE at that session thanks to the international MSC Working Group on RSE which will be held in September 2019.



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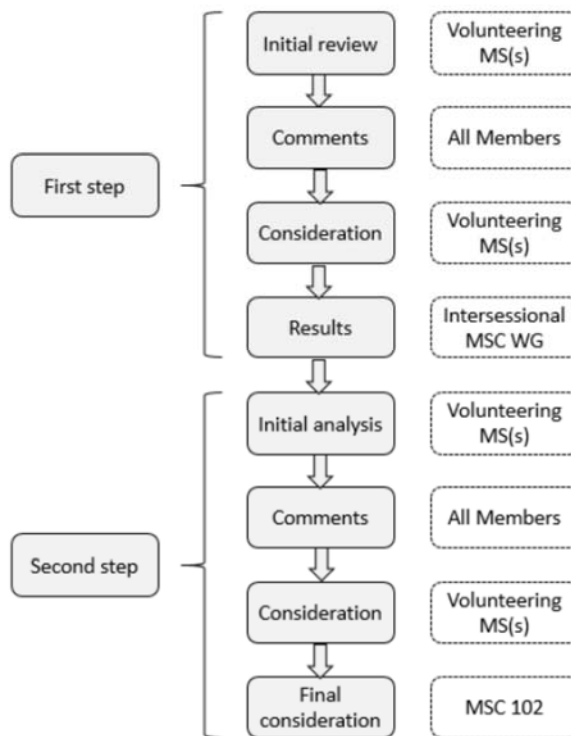
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Process for the regulatory scoping exercise



<RSE implementation plan>

Timeline for the regulatory scoping exercise

Action	Deadline	Who?
Upload of the initial review of IMO instruments	April 2019	Volunteering Member State(s)
Commenting stage related to the initial review	May/June 2019 (two months)	All IMO Members
Consideration of comments and presentation of results	July 2019 (one month)	Volunteering Member State(s)
Consideration of the results of the first step	[2 to 6 September 2019]	[Intersessional MSC working group]
Analysis of the most appropriate way of addressing MASS operations (second step)	September/October 2019 (two months)	Volunteering Member State(s)
Commenting stage related to the initial analysis	November 2019 (one month)	All IMO Members
Consideration of comments and presentation of results	December 2019/January 2020 (two months) – deadline for submissions to MSC 102	Volunteering Member State(s)
Final consideration	May 2020	MSC 102



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3. Goal Based Standards (GBS) (Agenda 6)

Initial GBS Verification Audit of Türk Loydu

The Committee noted that the Audit Team had concluded that Türk Loydu's rules conformed to the Standards, provided that the non-conformities identified were rectified and the observations were addressed. The Committee noted the observations of the Audit Team and, in particular, concerns raised that the documentation package submitted by Türk Loydu was almost identical to that submitted by IACS members, including the confidential self-assessment and rule linkage table, and that, while this might not violate any legal provisions, the Audit Team was of the view that this "mirroring" might defeat the spirit of the GBS. During a lengthy discussion, a clear majority of the delegations that spoke endorsed the Audit Team's recommendation to confirm Türk Loydu's rules as being in compliance with the Standards.

GBS maintenance of verification audit of the 12 IACS ROs

The Committee had for its consideration the final report of the GBS maintenance of verification audit of the 12 ROs that had requested an audit in order to establish conformity of their rule sets with the Standards, in accordance with the GBS Guidelines.

The Committee noted that the Audit Team had identified two IACS CSR-related non-conformities as well as four observations, but had, nevertheless, concluded that all IACS member ROs' rules, except for DNV-GL conformed to the Standards. The Committee confirmed that the information provided by the Submitters (all IACS member ROs, except for DNV-GL) had demonstrated continued conformance with the Standards and agreed that the identified non-conformities were to be rectified

Consideration of DNV-GL's ship construction rules



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The Committee noted the special case of DNV-GL as a classification society formed as the result of a merger between DNV and GL at a time when the initial verification requests for GBS audits were due to be submitted.

4. Report of the Sub-committees (Agenda 8 ~ 12)

4.1 Draft amendment to paragraph 6.1.1.3 of the LSA Code (Agenda 9, SSE 5)

The Committee considered a proposed draft amendment to paragraph 6.1.1.3 of the LSA Code regarding manual launching of rescue boats together with proposal by Japan to clarify the application of the draft amendment and comments by IACS on the perceived ambiguity in the text "means for bringing the rescue boat against the ship's side" and the application date of the draft amendment.

Following discussion, the Committee agreed to approve the draft amendment to the LSA Code at this session, with a view to adoption at MSC 101. Notwithstanding this decision, the Committee invited SSE 6 to consider the concerns raised during the discussion, with a view to advising MSC 101, and invited interested Member States and international organizations to submit relevant proposals to SSE 6.

4.2 Draft amendments to the Revised guidelines for the design and approval of fixed water-based fire-fighting systems for ro-ro spaces and special category spaces (MSC.1/Circ.1430) (Agenda 9, SSE 5)

The Committee considered draft amendments to the Revised guidelines for the design and approval of *fixed water-based fire-fighting systems for ro-ro spaces and special category spaces* (MSC.1/Circ.1430) together with the proposal that the application date of the Revised guidelines be changed from "1 July 2018" to "1 January 2021", to provide more time for ship designers to develop systems to meet the requirements prior to the installation date.



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Following the discussion on the date of application, the Committee agreed to amend the application date of the draft Revised guidelines to "1 January 2021" and approved MSC.1/Circ.1430/Rev.1.

4.3 Scope of application of new requirements for onboard lifting appliances and anchor handling winches (OLAW) (Agenda 9, SSE 5)

The Committee considered how the scope of application of the new requirements for onboard lifting appliances and anchor handling winches should be specified, taking into account the three options proposed by SSE 5, i.e. a "list of inclusions"; or a "list of inclusions with some exclusions"; or a "list of exclusions".

The Committee agreed that a "list of inclusions with some exclusions" approach should be taken when drafting the relevant SOLAS amendments in relation to OLAW, offshore construction ships should be excluded; and instructed the SSE Sub-Committee to further consider which lifting appliances and winches should be indicated in the draft amendments.

4.4 Unified Interpretation of paragraph 4.4.8.1 of the LSA Code (Agenda 9, SSE 5)

The Committee considered the draft MSC circular on Unified Interpretation of paragraph 4.4.8.1 of the LSA Code, aiming at exempting lifeboats with two independent propulsion systems from being equipped with sufficient buoyant oars and their related items (thole pins, crutches or equivalent arrangements) to make headway in calm seas.

SECTION 4.4 – LIFEBOATS, GENERAL

Paragraph 4.4.8.1



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"For a lifeboat equipped with two independent propulsion systems, where the arrangement consists of two separate engines, shaft lines, fuel tanks, piping systems and any other associated ancillaries, paragraph 4.4.8.1 of the LSA Code need not be applied. For all other aspects, the lifeboat should be in full compliance with paragraph 4.4.8 of the LSA Code."

Japan proposed a further amendment to paragraph 4.4.8.1 aimed at achieving consistency between the requirement of the Code and the draft unified interpretation prepared by SSE 5. Following discussion, the Committee approved the draft Unified Interpretation and approved the draft amendments to the LSA Code to bring it into line with the circular.

4.5 Proposed amendments to Records of Equipment (Forms C, E and P of the appendix to the SOLAS Convention) (Agenda 9, SSE 5)

The Committee considered the document proposed by China highlighting a perceived inconsistency in interpreting item 8.1 on "Rudder, propeller, thrust, pitch and operational mode indicator" in the Records of Equipment, Forms C, E and P contained in the appendix to the SOLAS Convention and proposing to add a footnote to provide the necessary clarification. Following consideration, the Committee approved the proposed draft amendments.

4.6 Interim guidelines on the application of high manganese austenitic steel for cryogenic service (Agenda 11, CCC 5)

The Committee approved MSC Circular on Interim guidelines on the application of high manganese austenitic steel for cryogenic service. In this context, the Committee agreed to a proposal by the delegation of the Republic of Korea to



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insert a footnote in the IGC and IGF Codes, respectively, containing a reference to the Interim guidelines.

4.7 Effective implementation of existing provisions for fuel quality and safety in IMO conventions (Agenda 8, PPR 5)

MSC 100 considered a proposal that the issue of fuel oil safety which is currently regulated in MARPOL Annex VI should be brought within the purview of the MSC and possibly incorporated into SOLAS.

The Committee approved it in general and agreed to include in its biennial agenda an output on "Development of further measures to enhance the safety of ships relating to the use of fuel oil", with a target completion year of 2021.

The Committee, having noted that the requirement to maintain a register of bunker suppliers was under the purview of MARPOL, agreed that the proposed bunker supplier licensing schemes should be addressed.

5. Others

5.1 SAFETY MEASURES FOR NON-SOLAS SHIPS OPERATING IN POLAR WATERS

The Committee noted that there was one other outstanding issue which might need to be addressed, i.e. the consideration of mandatory safety measures for fishing vessels of 24 m in length and over, limited to SOLAS chapter V, and cargo ships of 300 gross tonnage and upwards but less than 500 gross tonnage, limited to SOLAS chapters IV and V.

In view of the absence of any submissions on this matter, the Committee decided not to consider possible amendments to SOLAS chapters IV and V and part I-A of the Polar Code at this stage, but to concentrate on the proposed amendments to



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SOLAS chapter XIV and part I-B of the Code, with the aim to extend the applicability of existing mandatory and recommendatory provisions for SOLAS ships to non-SOLAS ships.

5.2 SOLAS requirements for cargo hold high water level detection and alarms

The Committee considered document prepared by United States, proposing to expand the applicability of the requirements of SOLAS regulation II-1/25 for cargo hold water level detectors by developing a new SOLAS regulation applying to all new cargo ships with multiple cargo holds. This proposal was assigned to SDC sub-committee for further in-depth consideration.

5.3 Accelerated weathering tests of retro-reflective materials on life-saving appliances

The Committee had for its consideration on document MSC 100/19/4, proposing amendments to resolution A.658(16) on Use and fitting of retro-reflective materials on life-saving appliances in order to allow new emerging technologies to be used for accelerated weathering tests of retro-reflective materials, noting in particular that existing paragraph 4.10 refers to the "carbon arc" method, which is rare as new testing equipment and standards are based largely on "xenon arc" devices.



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