



# IMO III 7 Meeting Summary

August 9, 2021

The seventh session of the Sub-Committee on Implementation of IMO Instruments, originally scheduled to be held from 20 to 24 July 2020, was postponed due to the COVID-19 pandemic and was eventually held remotely from 12 to 16 July 2021.

The Committee, taking into account the limited time available for this session, agreed to postpone consideration of agenda items 6 and 11, and their respective documents to III 8:

1. agenda item 6: Identified issues relating to the implementation of IMO instruments from the analysis of PSC data
2. agenda item 11: Follow-up work emanating from the Action Plan to address marine plastic litter from ships

as well as reporting on any deficiencies noted on IMO's GISIS.

## LESSONS LEARNED AND SAFETY ISSUES IDENTIFIED FROM THE ANALYSIS OF MARINE SAFETY INVESTIGATION REPORTS

The Sub-Committee approved the findings from the analysis of individual marine safety investigation reports, including the changes to the text of casualty analyses and authorize their release to the public on the GISIS MCI module.

### Proposal to amend the IMO Casualty Investigation Code

The Sub-Committee discussed the need to ensure timeliness and rate of flag States submission of marine safety investigation reports and noted that although there is no mandatory time limit for submission under the IMO Casualty Investigation Code, it was generally recognized that imposing a specific deadline could compromise the effectiveness and quality of the reports and thus be of little value to improve the safety of life at sea.

The Sub-Committee reminded flag States to submit reports of investigation as required by the Casualty Investigation Code, mandatory under SOLAS regulation XI-1/6 since 1 January 2010, in order to assist a more global analyzing process, particularly on very serious marine casualties, together with lessons learned.

### Safe Operations of Elevators

Considering the high number of accidents involving elevators, the Sub-Committee agreed to submit a proposal to the Marine Safety Committee for a new output to develop measures in order to address the design, installation, maintenance, inspection and operation of elevators as a whole, with supplementary reference to an ISO Standard.

## CONSIDERATION AND ANALYSIS OF REPORTS ON ALLEGED INADEQUACY OF PORT RECEPTION FACILITIES

### MARPOL Annex V

III 7 considered the annual enforcement reports on port reception facilities (PRFs) for 2018, 2019 and 2020 and agreed as to the importance of timely reporting of alleged inadequacies of PRFs to the Organization, noting that it was crucial that inadequacies are accurately reported in GISIS to address existing problems. III 7 further noted that the number of responses by port States on the 107 alleged inadequacies for 2019 had increased from 32 to 43 responses (40%). For 2020, the concerned port States only provided a response to the alleged inadequacy claims in 13 out of the 91 reported cases (14.28%), a significant decrease in comparison with 2019. Liberia was one of main providers of the reports. In 2020, 85 out of the 91 reports related to inadequacies of PRFs under MARPOL Annex V (notably garbage and plastics). In order for vessels to comply with the MARPOL discharge requirements it is important that there are sufficient availability of port reception facilities (PRF), and therefore the Sub-Committee agreed it is crucial that inadequacies are accurately reported to address existing problems. It was further noted that there is a need for close communication throughout procedures and port operations,

## MEASURES TO HARMONIZE PORT STATE CONTROL (PSC) ACTIVITIES AND PROCEDURES WORLDWIDE

The Sub-Committee agreed to the text of the draft Assembly resolution on Procedures for port State control, 2021, to revoke resolution A.1138(31), for submission to MSC 104 and MEPC 77 for approval prior to submission to the 32<sup>nd</sup> session of Assembly (Assembly 32) for adoption.

The Sub-Committee also:

- invited PSC regimes to consider providing training or guidance in relation to the detention of ships which are not furnished with a valid Statement of Compliance – Fuel Oil Consumption Reporting due to a change in Flag or company. (IMO Data Collection System - MARPOL Annex VI, Reg 22A);
- agreed to invite MEPC to revoke the 2019 *Guidelines for port State control under MARPOL Annex VI chapter 3*;
- agreed to invite PPR to refer the revised version of the *2011 Guidelines for inspection of anti-fouling systems on ships* for review in order to have them incorporated as a new appendix of the Procedures and not as stand-alone guidelines;
- agreed to invite MEPC to authorize the Sub-Committee to review the resolution on *Guidelines for port State control under the BWM Convention* with a view to it being added as a new appendix to the Procedures in future;
- invited MSC to authorize the Sub-Committee to review the resolution on *Interim guidance on control and compliance measures to enhance maritime security* with a view to it being added as a new appendix to the Procedures in the future with the agreed methodology;
- concurred with the recommendation to include in the individual PSC inspection report, information regarding the validity period and contact information of financial security providers of the insurance certificates required by the 2014 amendment to MLC 2006; and
- agreed to invite PSC regimes to consider a Concentrated Inspection Campaign (CIC) on financial security regarding the 2014 amendments to MLC 2006.

## UPDATED SURVEY GUIDELINES UNDER THE HARMONIZED SYSTEM OF SURVEY AND CERTIFICATION (HSSC)

The Sub-Committee updated and included the items related to the amendments to MARPOL Annexes I, IV and VI regarding measures to reduce carbon intensity of international shipping and unmanned non-self-propelled (UNSP) barges, as adopted by resolutions MEPC.330(76) and MEPC.328(76) respectively, in the amendments to List of certificates and documents.

It was agreed that the implementation plan for the consistent implementation of the 0.5% Sulphur limit under MARPOL Annex VI, as required in MEPC.1/Circ.878 on Guidance on the development of a ship implementation plan for the consistent implementation of the 0.5% Sulphur limit under MARPOL Annex VI, should not be included as a document to be carried on board in the context of the List, as it is not a mandatory requirement.

Other updates to the guidelines include:

- Operational readiness, maintenance and inspections for lifeboats and rescue boats, launching appliances and release gear, means of escape for passenger ships, and helicopter facilities
- System commission testing of ballast water management system
- Harmonization of survey periods of cargo ships not subject to the ESP Code
- Electronic record books under MARPOL

The survey guidelines under HSSC were updated and will be submitted to the relevant Committees for approval, prior to submission to Assembly 32 for adoption in December 2021.

## NON-EXHAUSTIVE LIST OF OBLIGATIONS UNDER INSTRUMENTS RELEVANT TO THE IMO INSTRUMENTS IMPLEMENTATION CODE (III CODE)

The Sub-Committee agreed to the draft amendments to the 2019 Non-exhaustive List of Obligations under instruments relevant to the IMO Instruments Implementation Code (resolution A.1141(31)), together with the draft requisite Assembly resolution for submission to MSC 104 and MEPC 77 for approval prior to submission, in a consolidated form, to Assembly 32 for adoption.

The “List of certificates and documents to be carried on board ships” and the “Non-exhaustive List of Obligations under instruments relevant to the IMO Instruments Implementation Code” were also updated.

## REVIEW OF THE MODEL AGREEMENT FOR THE AUTHORISATION OF RECOGNISED ORGANISATIONS ACTING ON BEHALF OF THE ADMINISTRATION

The Sub-Committee finalized the draft model agreement for the authorization of Recognized Organizations (RO) acting on behalf of administrations for submission to MSC 104 and MEPC 77 for approval. The III Code and the Code for Recognized Organizations (RO Code) require a formal written agreement between the Administration and the ROs. The draft model agreement will align the text of the draft MSC-MEPC.5 circular - *Model agreement for the authorization of recognized organisations acting on behalf of the Administration* with that of part 3 of the RO Code in respect of the scope of the “statutory certification and services” as defined in the RO Code. The guidance provided by the Model Agreement, including its appendix, meet the minimum standard for a formal written agreement, as set out in both Codes.

The model agreement, at the discretion of the Administration, may be supplemented by additional matters and/or may be formulated in more detail. Member Governments will be invited to use the Model Agreement when concluding a formal agreement with organizations carrying out surveys and issuing certificates on their behalf.

## UNIFIED INTERPRETATION OF PROVISIONS OF IMO SAFETY, SECURITY, AND ENVIRONMENT-

The Sub-Committee noted the decision of the International Association of Classification Societies (IACS) to amend all relevant IACS resolutions, including procedural requirements, unified requirements and recommendations, retaining definition of the term "condition of class" for all mandatory classification matters, which must be attended with respect to the condition of the ship, while removing the term "recommendation" for the same matter, following the encouragement of III 5.