

REPORT ON THE OUTCOME OF THE ONE HUNDREDTH SESSION OF THE IMO MARITIME SAFETY COMMITTEE COMMUNICATIONS AND SEARCH AND RESCUE (MSC 100)

Action Required: IR Commission members are invited to note the relevant outcomes of MSC 100.

MSC 100 was held at IMO Headquarters, London from 3 to 7 December 2018.

The agenda for the meeting was as follows:

- 1 Adoption of the agenda
- 2 Decisions of other IMO bodies
- 3 Consideration and adoption of amendments to mandatory instruments
- 4 Measures to enhance maritime security
- 5 Regulatory scoping exercise for the use of Maritime Autonomous Surface Ships (MASS)
- 6 Goal-based new ship construction standards
- 7 Safety measures for non-SOLAS ships operating in polar waters
- 8 Pollution prevention and response (matters emanating from the fifth session of the Sub-Committee)
- 9 Ship systems and equipment (report of the fifth session of the Sub-Committee)
- 10 Human element, training and watchkeeping (report of the fifth session of the Sub-Committee)
- 11 Carriage of cargoes and containers (urgent matters emanating from the fifth session of the Sub-Committee)
- 12 Implementation of IMO instruments (urgent matters emanating from the fifth session of the Sub-Committee)
- 13 Capacity-building for the implementation of new measures
- 14 Piracy and armed robbery against ships
- 15 Unsafe mixed migration by sea
- 16 Application of the Committee's method of work
- 17 Work programme
- 18 Election of Chair and Vice-Chair for 2019
- 19 Any other business
- 20 Consideration of the report of the Committee on its one hundredth session

Working and drafting groups on the following subjects were established during the session:

- 1 maritime autonomous surface ships;
- 2 goal-based standards;
- 3 safety measures for non-SOLAS ships operating in polar waters; and
- 4 amendments to mandatory instruments.

The agenda items of interest from the meeting are summarised below.

3 Consideration and adoption of amendments to mandatory instruments

AMENDMENTS TO THE CODE OF SAFETY FOR SPECIAL PURPOSE SHIPS (SPS CODE) (RESOLUTION A.534 (13))

Sail training ships, whether mechanically self-propelled or not and irrespective of their gross tonnage, carrying more than 50 special personnel (trainees), may in lieu of meeting the requirements of regulations 20.1.1, 20.1.2 or 20.1.3 of chapter III of the 1974 SOLAS Convention:

- .1 comply with the requirements of regulation 20.1.5 of chapter III of the 1974 SOLAS Convention including the provision of at least one rescue boat in accordance with regulation 20.2.2 of chapter III; and*

.2 in addition, carry one immersion suit complying with regulation 33 of chapter III of the 1974 SOLAS Convention for each person on board, unless davits are provided for launching the liferafts; or the ship is constantly engaged on voyages in warm climates where, in the opinion of the Administration, immersion suits are unnecessary.

5 Regulatory scoping exercise for the use of Maritime Autonomous Surface Ships (MASS)

IMO approved the framework for the regulatory scoping exercise for the use of maritime autonomous surface ships (MASS), as set out below including the plan of work and procedures:

The aim of the regulatory scoping exercise is to determine how safe, secure and environmentally sound Maritime Autonomous Surface Ships (MASS) operations might be addressed in IMO instruments. Its objective is to assess the degree to which the existing regulatory instruments under its purview may be affected in order to address MASS operations.

The application of the regulatory scoping exercise should be restricted to the applicability of the instruments under consideration.

As a first step, the regulatory scoping exercise will identify provisions in IMO instruments which, as currently drafted:

- apply to MASS and prevent MASS operations; or
- apply to MASS and do not prevent MASS operations and require no actions; or
- apply to MASS and do not prevent MASS operations but may need to be amended or clarified, and/or may contain gaps; or
- have no application to MASS operations.

Once the first step is completed, a second step will be conducted to analyse and determine the most appropriate way of addressing MASS operations, taking into account, inter alia, human element,* technology and operational factors by:

- equivalences as provided for by the instruments or developing interpretations; and/or
- amending existing instruments; and/or
- developing new instruments; or
- none of the above as a result of the analysis.

Time table for regulatory scoping exercise

Action	Deadline
Upload of the initial review of IMO instruments	April 2019
Commenting stage related to the initial review	May/June 2019
Consideration of comments and presentation of results	July 2019
Consideration of the results of the first step	September 2019
Analysis of the most appropriate way of addressing MASS operations (second step)	September/October 2019

Commenting stage related to the initial analysis	November 2019
Consideration of comments and presentation of results	December 2019/January 2020 (two months) -
Final consideration May 2020	May 2020

IMO noted the provisional principles for the development of interim guidelines for MASS trials and invited interested parties to submit proposals to MSC101. Norway indicated that they would continue to develop the interim guidelines for MASS trials together with interested parties, with a view to submission to MSC 101.

7 Safety measures for non-SOLAS ships operating in polar waters

MSC 99 agreed to establish a working group at MSC 100 to consider outstanding issues, provide clear instructions to the NCSR Sub-Committee, and invited Member States and international organizations to submit proposals addressing this issue. During the ensuing discussion, the intention of making some of the navigation and communication provisions of the Polar Code mandatory for non-SOLAS ships was supported. However, careful consideration should be given to determining which provisions of chapter 9 to 11 of the Polar Code should be made mandatory for which type of ship, and a proper impact assessment for individual provisions for each ship type should be carried out by appropriate technical sub-committees as some of the proposals were not practical for recreational sailing ships.

Currently, recommendatory safety measures are only being considered for:

- Fishing vessels of 24 m in length and over, with a view to alignment with the 2012 Cape Town Agreement; and
- Pleasure yachts above 300 gross tonnage not engaged in trade.

Entry into force is planned for 2024.

With no agreed outcome and in view of the divergence of opinion, MSC 100 invited Member States and international organizations to submit information to MSC 101 that will assist to determine the feasibility and consequences of applying the requirements in chapters 9 and 11 of the Polar Code to non-SOLAS ships, in order to progress the work at the next session.

14 Piracy and armed robbery against ships – Industry Counter Piracy Practice

MSC 89 had recognized the importance of Best Management Practices (BMP) for protection against Somalia-based piracy and expressed its understanding of the need to keep BMP alive, relevant, dynamic and updated.

IMO considered the development of new Industry Counter Piracy Guidance for Companies, Masters and Seafarers and revised best management practices to deter piracy and enhance maritime security in the Red Sea, Gulf of Aden, Indian Ocean and Arabian Sea, now on their fifth edition (BMP 5); and updated guidance for protection against piracy and armed robbery in the Gulf of Guinea region.

The global counter piracy guidance can be found at:

http://www.imo.org/en/OurWork/Security/PiracyArmedRobbery/Documents/global-counter-piracy-guidance-bmp_low_17-07-18.pdf

There were no other issues of note for World Sailing arising from this session.