



SUB-COMMITTEE ON SHIP DESIGN AND
EQUIPMENT
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Agenda item 19

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APPLICATION OF AMENDMENTS TO SOLAS CHAPTER III AND THE LSA CODE

Proposed clarification of SOLAS chapter III

Submitted by the International Association of Classification Societies (IACS)

SUMMARY

Executive summary:	As a follow-up to the discussion at MSC 86, this document proposes a clarification on the scope of application of amendments to SOLAS chapter III and the LSA Code.
Strategic Direction:	2
High-level Action:	2.0.1
Planned output:	2.0.1.25
Action to be taken:	Paragraph 5
Related documents:	DE 52/17/5, DE 52/21 (paragraph 17.10); MSC 86/20/1, MSC 86/WP.3; MSC 86/26 (paragraph 23.31); resolutions MSC.216(82), MSC.217(82), MSC.218(82), MSC.201(81), MSC.207(81) and MSC.272(85); MSC.1/Circ.1304 and MSC.1/Circ.1313

Background

1 Noting the discussion at DE 52 of document DE 52/17/5 (IACS), as reported in paragraph 17.10 of DE 52/21, the Maritime Safety Committee, at its eighty-sixth session, considered document MSC 86/20/1 (IACS) on the application dates for amendments to SOLAS chapter III and the FSS and LSA Codes, and document MSC 86/WP.3, prepared by the Secretariat in order to clarify the issues related to the scope of application of amendments to the SOLAS Convention and the Codes made mandatory under the Convention.

2 As reported in paragraph 23.31 of document MSC 86/26, the Committee agreed to include, in the DE Sub-Committee's work programme and the provisional agenda for DE 53, a high-priority item on "Application of amendments to SOLAS chapter III and the LSA Code", with a target completion date of 2010.

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Proposed clarification

3 IACS has reviewed the proposals contained in documents MSC 86/WP.3 and DE 52/17/5 and proposes at annex 1 to this document what it believes to be sound and correct application statements regarding SOLAS chapter III.

4 The basis and explanation for the proposed application statements as proposed at annex 1 are provided at annex 2.

Action requested of the Sub-Committee

5 The Sub-Committee is invited to consider the proposed revisions of SOLAS III as contained in annex 2 and to take action as appropriate.

ANNEX 1
COMPARISON OF MSC 86/WP.3 VS DE 52/17/5 AND PROPOSED APPLICATION
(shaded areas shows specific differences between MSC 86/WP.3 vs DE 52/17/5)

Regulation or Code	Reference (resolution)	Ships to which amendments should apply, according to:		
		MSC 86/WP.3	DE 52/17/5	Proposed
SOLAS chapter III				
6.4.3	MSC.216(82), annex 1	constructed* on or after 1/7/1998	constructed* on or after 1/7/2008	(no effect regardless of application)
7.2.1.1 / 7.2.1.2	MSC.201(81)		all ships	all passenger ships
7.2.1.5				[all ships] [all ships constructed on or after 1/7/1998 but before 1/7/2010] [all ships constructed on or after 1/7/1998]
11.7				constructed* on or after 1/7/2008
14.1	MSC.216(82), annex 1		constructed* on or after 1/7/1986	constructed* on or after 1/7/1986
19.3.3.4	MSC.216(82), annex 1	all ships	all ships	all ships
20.4		all ships	all ships	all ships
21.1.3 (old 21.1.4)	MSC.216(82), annex 1	constructed* on or after 1/7/1998	constructed* on or after 1/7/2008	all passenger ships
21.2.3				all passenger ships constructed* on or after 1/7/1986
26.3.1				(no affect regardless of application)
26.3.2				
31.1				
31.2				
32.3.2	MSC.216(82), annex 1	all cargo ships	all cargo ships	all cargo ships
32.3.3		all ships	all ships	all ships
35.5				
LSA Code				
Chapter I	MSC.207(81)	(1)	constructed* on or after 1/7/2010	constructed* on or after 1/7/2010
Chapter II	MSC.207(81)			
Chapter I	MSC.218(82)		constructed* on or after 1/7/2008	constructed* on or after 1/7/2008
Chapter IV	MSC.218(82)			
Chapter V	MSC.218(82)			
Chapter VI	MSC.218(82)			
Chapter VII	MSC.218(82)			
Chapter IV	MSC.272(85)		constructed* on or after 1/7/2010	constructed* on or after 1/7/2010
Chapter V	MSC.272(85)			
FSS Code				
Ch.4/Sect.3	MSC.217(82), annex 1	constructed* on or after 1/7/2002	constructed* on or after 1/7/2008	constructed* on or after 1/7/2008
Ch.6/Sect.2			constructed* on or after 1/7/2010	constructed* on or after 1/7/2010
Ch.9/Sect.2				
Ch.9/Sect.2	MSC.217(82), annex 2			constructed* on or after 1/7/2010

* *“constructed” means “keel laid” or “a similar stage of construction”.*

- (1) *MSC 86/WP.3, annex: “Under the provisions of SOLAS regulation III/1.1, amendments to the LSA Code are applicable to ships constructed on or after 1 July 1998. However, because of the lack of specific provisions in both SOLAS chapter III and the LSA Code, which should govern the application of amendments to specific life-saving appliances, it is not clear how amendments to the requirements of the LSA Code should be applied to existing life-saving appliances which would have been approved by the flag State Administration. MSC may need to provide a clear guidance on the application of the amendments to the LSA Code.”*

ANNEX 2

BASIS FOR PROPOSED APPLICATION IN ANNEX 1

6.4.3 – The subject requirement is moved from paragraph 7.2.1.1 in the LSA Code to SOLAS. Therefore this amendment has no practical consequences.

7.2.1.1 and 7.2.1.2 – As per MSC.1/Circ.1304, the MSC “*agreed that the amendments contained in resolution MSC.201(81), which relate to infant lifejackets, should apply to all passenger ships*”.

7.2.1.5 – IACS could not conclude a common view of the application of large size lifejackets.

11.7 – There is little practical consequences when applying the new and old requirements. (“*An embarkation ladder... extending, in a single length, from the deck to the waterline in the lightest seagoing condition under unfavourable all conditions of trim of up to 10° and a list of up to 20° either way ...*”)

14.1 – By its nature, this requirement (inflatable type rescue boats should be in the fully inflated condition at all times) should apply to all ships the keels of which are laid on or after 1 July 1986 (ships constructed before this date are not required to have a rescue boat). Alternatively, this could apply to all ships that have a SOLAS designated rescue boat of the inflatable type, regardless of when they’re constructed.

19.3.3.4 and 20.4 – (No disagreement between MSC 86/WP.3 and DE 52/17/5)

21.1.3 (old 21.1.4) – By its nature, this requirement (the donning of lifejackets) has been applied to all passenger ships.

21.2.3 – The proposal underlines the longstanding practice (lifeboat is also acceptable as rescue boat provided it and its launching appliance meet rescue boat requirements) for passenger ships the keels of which are laid on or after 1 July 1986 (when rescue boats were first required).

26.3.1 and 26.3.2 – The subject requirements (fast rescue boat) are moved from SOLAS to the LSA Code. Therefore these amendments have no practical consequences.

31.1 – These amendments (the side-to-side transfer of inflatable liferafts) underline what has always been the practice for cargo ships. Also, see LSA Code paragraph 4.1.2.2 which is the same as SOLAS amendment.

31.2 – same as regulation 21.2.3

32.3.2, 32.3.3 and 35.5 – (No disagreement between MSC 86/WP.3 and DE 52/17/5)

LSA Code – IACS proposals are based on the logic contained in MSC.1/Circ.1313 for FSS Code.

FSS Code – Refer to MSC.1/Circ.1313, excerpt below:

MSC.1/Circ.1313 states “*amendments to the Code adopted after 1 July 2002 shall apply only to ships the keels of which are laid or which are at a similar stage of construction, on or after the date on which the amendments enter into force, unless expressly provided otherwise*”.