

**Outcome and main results of the 85 session  
of the IMO Maritime Safety Committee (MSC)**

**1. MSC RESOLUTIONS**

Adoption of the International Code on Intact Stability, 2008 (**Resolution MSC.267(85)**)  
(Annex 2 to MSC 85/26/Add.1 and para 3.54 MSC 85/26)

MSC adopted the International Code on Intact Stability by this resolution. The Code consists of two parts: mandatory standards and recommended criteria. Application of the Code as a mandatory instrument will be regulated by Chapter II-1 of the SOLAS Convention and Protocol 1988 to the International Convention on Load Lines – see comments to the resolutions MSC.269(85) and MSC.270 (85) below. The Code is expected to be put into effect on July 1, 2010 simultaneously with enforcement of amendments to the SOLAS Convention and Protocol 1988 to the International Convention on Load Lines, 1966 as specified in the above resolutions.

Adoption of the International Maritime Solid Bulk Cargoes (IMSBC) Code (**Resolution MSC.268(85)**) (Appendix 3 to MSC 85/26/Add.2 and para 3.55 MSC 85/26)

The International Maritime Solid Bulk Cargoes (IMSBC) Code which is a mandatory instrument under Chapters VI and VII of the SOLAS Convention was adopted by Resolution MSC.268(85). The Code is expected to enter into force on January 1, 2011, however the executive para 4 of the resolution calls the Contracting Governments to implement the requirements of the Code – in full or partially – beginning from January 1, 2009. The Code replaces the current Code of Safe Practice for Solid Bulk Cargoes (BC Code, Resolution MSC.193(79)).

Adoption of Amendments to the International Convention for the Safety of Life at Sea, 1974, as Amended (**Resolution MSC.269(85)**) (Annex 4 to MSC 85/26/Add.1 and paras 3.56 and 3.57 MSC 85/26)

This Resolution has two annexes. Annex 1 contains amendments to Chapter II-1 (implementation of the International Code on Intact Stability), and Chapter II-2 of the SOLAS Convention (doors, vent ducts, air cylinders charging devices etc.). July 1, 2010 is an expected date of entry into force. Annex 2 contains amendments to Chapters II-2, VI and VII of the SOLAS Convention (entry into force of the International Maritime Solid Bulk Cargoes (IMSBC) Code, see comments to Res. A.268(85) above). January 1, 2011 is an expected date of enforcement.

Adoption of Amendments to the Protocol of 1988 to the International Convention on Load Lines, 1966, as Amended (**resolution MSC.270(85)**) (Annex 5 to MSC 85/26/Add.1 and paras 3.58 and 3.59 MSC 85/26)

Resolution MSC.270(85) adopted amendments related to the forthcoming putting into action of the International Code on Intact Stability; see comments to Res. MSC.267(85) in respect of the effective date.

Adoption of Amendments to the International Code of Safety for High-Speed Craft, 2000 (2000 HSC Code) (**Resolution MSC.271(85)**) (Annex 6 to MSC 85/26/Add.1 and paras 3.60 and 3.61 MSC 85/26)

This Resolution contains amendments to Chapter 7 of the International Code of Safety for High-Speed Craft, 2000 in respect of the fire safety while transporting dangerous goods. January 1, 2011 is an expected date of entry into force.

Adoption of Amendments to the International Life-Saving Appliance (LSA) Code (**Resolution MSC.272 (85)**) (Annex 7 to MSC 85/26/Add.1 and paras 3.62 and 3.63 MSC 85/26)

Amendments to chapters IV and V of the Code provide for an increase of the design mass of a passenger of a lifeboat and rescue boat from 75 to 82.5 kg. July 1, 2010 is an expected date of entry into force.

Adoption of Amendments to the International Management Code for the Safe Operation of Ships and for Pollution Prevention (International Safety Management (ISM) Code) (**Resolution MSC.273 (85)**) (Annex 8 to MSC 85/26/Add.1 and paras 3.64 and 3.65 MSC 85/26)

Amendments to the ISM Code are of a clarifying nature and are also aimed at harmonization of the ISM Code requirements for issuance of certificates with the relevant requirements of other IMO instruments. Requirements for the periodicity of the internal audits in the Company have been imposed. July 1, 2010 is an expected date of entry into force.

Adoption of Amendments to the Revised Recommendation on Testing of Life-Saving Appliances (Resolution MSC.81(70)) (**Resolution MSC.274 (85)**) (Annex 9 to MSC 85/26/Add.1 and para 3.66 MSC 85/26)

Amendments to the Revised Recommendation on Testing of Life-Saving Appliances are of the same nature as those referred to in comments to Res. MSC.272(85) above.

Appointment of the LRIT Coordinator (Long Range Identification and Tracking System) (Resolution MSC.275(85) (Annex 10 to MSC 85/26/Add.1 and para 6.96 MSC 85/26)

This Resolution notifies of the MSC decision to authorize coordination of the LRIT system to the International Mobile Satellite Organization (IMSO).

Establishment of the International LRIT Data Exchange on an Interim Basis (Resolution MSC.276(85) (Annex 11 to MSC 85/26/Add.1 and para 6.97 MSC 85/26)

This Resolution notifies of the US initiative to perform the LRIT Data Exchange function within two years from the scheduled date of the LRIT putting into operation, i.e. until December 31, 2011. The Data Exchange is free of charge both for the Contracting Governments and for IMO.

Clarification of the Term “Bulk Carrier” and Guidance for Application of Regulations in SOLAS to Ships Which Occasionally Carry Dry Cargoes in Bulk and Are Not Determined as Bulk Carriers in Accordance with Regulation XII/1.1 and Chapter II-1. (Resolution MSC.277(85) (Annex 13 to MSC 85/26/Add.1 and para 7.23 MSC 85/26)

This Resolution introduces the required clarification of the definition “bulk carrier” in particular, for settling possible conflicts between shipowners with Port State Control authorities in respect of ships which carry bulk cargoes on ‘case-by-case’ basis. It is also explained that woodchips and fly ash should be excluded from the list of cargoes which may attribute ships carrying them to the bulk carriers, and the list of conditions providing for such exclusions is provided. Dates of putting into action of clarifications – January 1, 2009 and July 1, 2010 depending on the date of build of ships referred to in the Resolution.

Adoption of the New Mandatory Ship Reporting System “Off the Coast of Portugal” (“COPREP”) (Resolution MSC.277(85) (Annex 16 to MSC 85/26/Add.1 and para 11.6 MSC 85/26)

The date of entry into force of the ship reporting system COPREP is June 1, 2009.

Adoption of Amendments to the Existing Ship Reporting System for the “Papahānaumokuākea Marine National Monument” Particularly Sensitive Sea Area “CORAL SHIPREP” (Resolution MSC.279 (85) (Annex 17 to MSC 85/26/Add.1 and para 11.7 MSC 85/26)

The date of entry into force of amendments to the ship reporting system CORAL SHIPREP is June 1, 2009.

Adoption of Amendments to the General Provisions on Ships' Routing (Resolution A.572(14), as Amended) (Resolution MSC.280 (85) (Annex 18 to MSC 85/26/Add.1 and para 11.9 MSC 85/26)

The Resolution notifies of changing of symbols adopted by the International Hydrographic Organization, which are to be considered for showing ship routes in the IMO publications.

Explanatory Notes to SOLAS Chapter II-1 Subdivision and Damage Stability Regulations (Resolution MSC.281 (85) (Annex 22 to MSC 85/26/Add.1 and para 12.2 MSC 85/26)

MSC approved the Explanatory Notes to SOLAS Chapter II-1 by Resolution MSC.281(85) which establish requirements for the subdivision and damage stability regulations on the basis of the probabilistic assessment. The Explanatory Notes refer to the amendments to the SOLAS Convention adopted by Annex 2 to Resolution MSC.216(82).

## **2. MSC CIRCULARS**

Below there is the list of circulars approved at MSC 85 session with the necessary comments, whenever appropriate.

Approval of the List of Competent Persons Maintained by the Secretary-General Pursuant to section A-I/7 of the STCW Code (MSC.1/Circ.797/Rev.17, para 8.10 MSC 85/26)

This circular contains an updated list of persons owning necessary knowledge and competence in the system of seafarer's training and certification; it is prepared by the IMO Secretary-General.

Updated List of Reports on the Independent Evaluation Submitted by the Parties to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW), 1978, as Amended Confirmed by MSC as Parties that Have Put into Action Relevant Provisions of the Convention in Full (MSC.1/Circ.1164/Rev.5, para 8.9 MSC 85/26)

Explanatory Notes to the International Code on Intact Stability, 2008 (MSC.1/Circ.1281, para 3.67 MSC 85/26)

The Explanatory Notes are used in relation to the requirements and provisions of the Code approved by the Resolution MSC. 267(85), see the relevant comments thereto above.

Application of the Amended SOLAS Regulations II-2/3, XII/12 and XII/13 (MSC.1/Circ.1282, para 3.68 MSC 85/26)

This Circular contains necessary clarifications on application of the said SOLAS Regulations, amendments to which were approved by Resolution MSC.216 (82). These clarifications are needed because of some inaccuracies and omissions made by the IMO Secretariat while preparing the text and publication of Resolution MSC.216(82).

Non-Mandatory Guidelines on Security Aspects of the Operation of Vessels Which Do Not Fall within the Scope of SOLAS Chapter XI-2 and the ISPS Code (MSC.1/Circ.1283, paras 4.37.4 and 4.37.5 MSC 85/26)

These are the non-mandatory Guidelines for vessels which do not fall within the scope of SOLAS: non-passenger merchant ships and special purpose ships; passenger ships; fishing vessels; pleasure boats.

Unified Interpretations of SOLAS Regulations II-1/1.3 and II-1/3-6 (MSC.1/Circ.1284, para 7.5 MSC 85/26)

This Circular contains clarifications of definitions of “repairs, alterations and modifications of a major character” and “substantial new structures” in SOLAS Chapter II-1.

Unified Interpretations of SOLAS Regulations III/16.1 (MSC.1/Circ.1285, para 7.5 MSC 85/26)

This Circular contains interpretations in respect of providing controlled access from ships to liferafts for those ships which do not fall within the scope of the requirement to be equipped with liferaft launching and embarkation arrangements.

Unified Interpretations of SOLAS Regulation II-1/32.1 (MSC.1/Circ.1286, para 7.10 MSC 85/26)

This Circular provides for a relaxation of the requirement for the redundancy of safety valves for steam boilers and boiler feed systems, as set out in regulation II-1/32.1 of the SOLAS Convention, provided the associated risk is assessed properly with a satisfactory result.

Amendments to Resolution A.705(17) – Promulgation of Maritime Safety Information (MSC.1/Circ.1287, para 9.2 MSC 85/26)

This circular replaces the Annex to Resolution A.705(17). In accordance with the MSC decision, amendments provided by the Circular are to be put into action on January 1, 2010.

Amendments to Resolution A.706(17) – World-Wide Navigational Warning Service (MSC.1/Circ.1288, para 9.2 MSC 85/26)

This joint document of IMO and the International Hydrographic Organisation fully replaces the existing text of Annexes 1 and 2 and the Appendix to Resolution A.706(17). It also revokes MSC/Circ.685, MSC/Circ.750 and MSC/Circ.957. According to the MSC decision the amendments shall be put into action on 1 January 2010.

Adoption of Amendments to the International Aeronautical and Maritime Search and Rescue (IAMSAR) Manual (MSC.1/Circ.1289, paras 9.20 and 9.21 MSC 85/26)

Amendments already approved by ICAO (the International Civil Aviation Organization) and reviewed by the COMSAR Subcommittee at its 12th session will be put into action on June 1, 2009.

Unified Interpretation of the Term “First Survey” Referred to in SOLAS Regulations (MSC.1/Circ.1290, para 10.20 MSC 85/26)

The proposed interpretation is aimed at establishing a uniform approach to the definition “first survey” when it is used in the SOLAS Convention, and replaces MSC.1/Circ 1141.

Guidelines for Flooding Detection Systems on Passenger Ships (MSC.1/Circ.1291, para 12.4 MSC 85/26)

These Guidelines detail the requirements of regulation II-1/22-1 of the SOLAS Convention for passenger ships carrying 36 passengers and more built on July 1, 2010 or after that date.

Early Application of the International Code on Intact Stability, 2008 (MSC.1/Circ.1292, para 12.6 MSC 85/26)

By this Circular MSC calls the Contracting Governments of the SOLAS-74 Convention and Parties to Protocol 1988 to the International Convention on Load Lines, 1966 to apply the Code requirements on a voluntary basis beginning from December 5, 2010; see also comments to Res. MSC.267(85) above.

Participation in the WMO Voluntary Observing Ships’ (VOS) Scheme (MSC.1/Circ.1293, para 25.9 MSC 85/26)

By this Circular MSC calls the Governments of the IMO member States to take all possible measures to promote participation of ships flying their flags in the voluntary scheme of meteorological observations. This Circular supersedes MSC.1/Circ 1017.

Long-Range Identification and Tracking System // Technical Documentation (Part II) (MSC.1/Circ.1294, paras 6.87 and 6.88 MSC 85/26)

This circular contains: protocols and measures on prototype, development, integration and modification of the Long-Range Identification and Tracking System test phases; notification procedures, reporting and recording of temporary stopping of operations or

reduction of the scope of provided service; the procedures for review of proposals on changing technical specifications of the Long-Range Identification and Tracking System, XML schemas, testing procedures and types of tests.

Guidance in Relation to Certain Types of Ships which are Required to Transmit LRIT Information on Exemptions and Equivalents and on Certain Operational Matters (MSC.1/Circ.1295, para 6.89 MSC 85/26)

This Guidance proposes recommendations on exemptions and equivalent arrangements for non-self-propelled floating production, storage and offloading units, as well as the MODU supply ships, special purpose ships etc.

Guidance on the Survey and Certification of Compliance of Ships with the Requirement to Transmit LRIT Information (MSC.1/Circ.1296, para 6.90 MSC 85/26)

This Circular replaces the previous Guidance (ref. MSC.1/Circ.1257).

Guidance to Search and Rescue Services in Relation to Requesting and Receiving LRIT Information (MSC.1/Circ.1297, para 6.91 MSC 85/26)

This Circular replaces the similar Guidance addressed to the Search and Rescue services in relation to the use of the LRIT information by these services (ref. MSC.1/Circ.1258).

Guidance on the Implementation of the LRIT System (MSC.1/Circ.1298, para 6.92 MSC 85/26)

This Circular is an updated version of MSC.1/Circ.1256.

Transitional Arrangements and Measures for Accelerating the Completion of the Establishment of the LRIT System (MSC.1/Circ.1299, para 6.93 MSC 85/26)

This Circular proposes measures to speed up the implementation of the LRIT system within a transitional period ending on June 30, 2009.

Reports on Acts of Piracy and Armed Robbery Against Ships and Attempted Attacks off the Coast of Somalia Communicated to IMO (MSC.4/Circ.129, para 18.35 MSC 85/26)

This Circular contains summarized data on all incidents which took place in the region beginning from January 1, 2005 which were reported to the IMO Secretariat.

### **3. OTHER CIRCULARS**

#### **Joint MSC-MEPC circulars (Marine Environment Protection Committee)**

Reports on Marine Casualties and Incidents. Revised Harmonized Reporting Procedures. Reports Required under SOLAS Regulation I/21 and MARPOL 73/78, Articles 8 and 12 (MSC-MEPC.3/Circ.3, para 10.5 MSC 85/26)

This document establishes updated procedures for reporting casualties and incidents at sea which are to be followed by Administrations when preparing and forwarding their reports to the IMO Secretariat.

Port State Control Related Matters. Blanking of Bilge Discharge Piping Systems in Port (MSC-MEPC.4/Circ.3, para 7.4 and 10.16 MSC 85/26)

This Circular is addressed to the IMO member State Governments and their Port State Control authorities and it underlines unlawfulness of blanking of the bilge discharge piping systems in port because it reduces safety of ships in case of incidents associated with fire, water ingress etc.

Unified Interpretation of the Application of Regulations Governed by the Building Contract Date, the Keel Laying Date and the Delivery Date for the Requirements of the SOLAS and MARPOL Conventions (MSC-MEPC.4/Circ.3, para 10.17 MSC 85/26)

This circular is addressed to all interested parties for practical use of the relevant requirements of the SOLAS and MARPOL Conventions.

### **COLREG and SN circulars**

New and Amended Traffic Separation Schemes (COLREG.2/Circ.60 – para 11.2 MSC 85/26)

This circular contains information on three new and four amended vessel traffic separation schemes.

Corrigenda to the Guidelines for the Installation of a Shipborne Automatic Identification System (AIS) (SN.1/Circ.227/Corr.1, para 11.2 MSC 85/26)

Corrigenda shows changes in the categorization of noxious liquid substances from 'A', 'B', 'C' and 'D' to 'X', 'Y', 'Z' and 'OS' (Resolution MEPC.118(52)).

Corrigenda to the Guidelines for the Presentation of Navigation-Related Symbols, Terms and Abbreviations (SN.1/Circ.243/Add.1, para 11.32 MSC 85/26)

A new symbol is introduced designating the AIS transponder used for search and rescue purposes (AIS-SART).

Ship Routes Other Than the Traffic Separation Schemes (SN.1/Circ.272, para 11.4 MSC 85/26)

By this circular MSC informed of its decision to introduce five new ship routes as well as their effective dates.

Mandatory Ship Reporting Systems (SN.1/Circ.273, paras 11.6 and 11.7 MSC 85/26)

By this document MSC informed of the implementation of one new system and adoption of amendments to one existing system of mandatory ship reporting – see also comments to Res. MSC.277(85) and MSC.279(85) above.

Guidelines for Application of the Modular Concept to Performance Standards (SN.1/Circ.274, para 11.8 MSC 85/26)

This Circular notifies all interested parties, in particular, designers of systems and equipment intended for ensuring navigation safety and ship steering – of the necessity to apply the modular concept while designing such systems and equipment.

Amendments to the General Provisions on Ship's Routing (SN.1/Circ.275, para 11.9 MSC 85/26)

See comments to para 1.14 above.

Transition from Paper Chart to Electronic Chart Display and Information Systems (ECDIS) Navigation (SN.1/Circ.276, para 11.31 MSC 85/26)

By this circular MSC informs of the general principles of transitioning from paper charts to ECDIS; detailed requirements are to be developed at later stages.

#### **4. DRAFT AMENDMENTS TO THE SOLAS CONVENTION**

Amendments specified in the next three paragraphs are expected to be approved at the next MSC 86th session (May – June 2009). It is proposed to approve the remaining (fourth paragraph) amendments at the 86th session with a view to adopt them at one of further MSC sessions.

Draft Amendments to Regulations VI/1 and VI/5-1 of the SOLAS Convention (paras 3.47-3.49 MSC 85/26 and Annex 1 to MSC 85/26/Add.1)

Draft amendments provide for elimination of inaccuracies committed while adopting the amendments to regulations VI/1 and VI/5-1 of the SOLAS Convention (Resolution MSC.239(83)) in respect of the Material Safety Data Sheets and addition of fuel oils to the list of cargoes which are covered by Annex I to MARPOL.

Draft Amendments to Regulation II-1/3-5.2 of the SOLAS Convention (para 7.6 MSC 85/26 and Annex 12 to MSC 85/26/Add.1)

This draft amendments propose a full prohibition of installation on board ships of any products and installations containing asbestos.

Draft Amendment to Regulation V/19 of the SOLAS Convention with a Purpose to Introduce Requirements for the Alarm System for the Navigational Equipment and ECDIS (see Annex 19 to MSC 85/26/Add.1 and paras 11.10 and 11.30 MSC 85/26)

Amendments proposed for approval at MSC 86 provide for phasing-in plan of implementation of requirements for the installation of the said system on board ships, availability of ECDIS, and contain performance requirements for these alarm systems.

Draft Amendment for Regulation II-1/2 and new Regulation II-1/3-10 of the SOLAS Convention (Goal-Based Standards) (Annex 1 to MSC 85/26/WP.5 and paras 5.42 to 5.50 MSC 85/26)

Amendments proposed for approval at MSC 86 require mandatory compliance of new bulk carriers and tankers with the goal-based standards.

## **5. Other important decisions taken at MSC 85**

Information which is to be collected on IMO instruments with a recommendatory status (paras 7.9, 10.4 and 20.5 MSC 85/26) – MSC asked IMO member States to direct information on the implementation of instruments with a recommendatory status to the IMO Secretariat using GISIS information resource, as well as to forward texts of relevant national regulatory documents, if appropriate.

The strategy of development and implementation of the e-navigation (Annex 20 to MSC 85/26/Add.1) and the Structure of the Process of Implementation of E-navigation (Annex 21 to MSC 85/26/Add.1); ref. also paras 11.18 to 11.24 MSC 85/26) MSC approved a general concept of the e-navigation aimed at further improvement of the safety of

shipping and prevention of maritime pollution by means of implementation of measures at the level of IMO and national Administrations on collection, exchange, generalization and analyses of the national information by electronic means of storage and processing data on board and ashore. It is expected that the e-navigation implementation plan would be reviewed and approved in general at MSC 86.

## **6. PREPARATIONS FOR THE MSC 86**

6.1 The 86<sup>th</sup> session of MSC is scheduled to be held on May 27 – June 5, 2009 in London at the IMO Headquarters (circular letters №№ 2935 and 2936 dated January 2009 and para 23.56 MSC 85/26).

Three working groups (WG) will be established during that session on the following topics:

WG1 – on Goal-Based Standards for the design and construction of ships;

WG2 – on LRIT system;

WG3 – on the formal safety assessment (FSA),

as well as two drafting groups (DG) on:

DG1: piracy and armed robbery against merchant ships;

DG2: review and approval of amendments to the mandatory IMO instruments/ capacity build-up.

Draft amendments to mandatory instruments which are meant for adoption at the 86<sup>th</sup> session of MSC were circulated by IMO circular letter №2916 (SOLAS Convention).

Draft amendments which are scheduled for approval at the 86<sup>th</sup> session of MSC are contained in Appendix 1 to the document of the 85<sup>th</sup> session, MSC 85/WP.5 (in respect of the Goal-Based Standards, see also comments to the paragraph of Section 4 above).