



IMO News Brief

III 10



The 10th session of the Sub-Committee on Implementation of IMO Instruments (hereinafter referred to as 'III 10') was convened as a hybrid meeting from 22th to 26th July 2024. This News Flash briefs on the main and summarized outputs of III 10.

1. Measures to Harmonize Port State Control (PSC) Activities and Procedures Worldwide (Agenda 5)

(Analysis of PSC Activities, Practices and Statistics) All PSC regimes are requested to submit annual reports to the Sub-Committee on an ongoing basis, using the form set out in Annex 3 of document FSI 20/WP.5. They are specifically asked to provide information on the evaluation of flag States and ROs, and to assist flag States in delegating high-performing ROs.

(Guideline and Procedures for PSCOs)

- **(Guidelines for control and compliance measures to enhance maritime security)** It has been decided that this guideline for maritime security(MSC.159(78)) will be revised in accordance with the Annex Form of the existing PSC Procedure, which will be added as an Annex to the PSC Procedure.
- **(Ensuring consistency between the sections of the appendices to detainable deficiencies)** To ensure consistent guidance between the PSC Procedures and Annexes, the contents of the detainable deficiencies in Annexes 2, 8, 9, 11, and 18 of the PSC Procedures were moved to Annex 2 (Guidelines for the Detention of Ships). The decision was made not to include "unless a daily break time record is on board" in the detainable deficiencies.
- **(Risk assessment)** The amendment requiring PSCOs to review the IGF Code-related risk assessment report during (or before) the PSC inspection will not be reflected in the PSC procedure.

2. Model Course 3.09(PSC Standard Training Course) (Agenda 6)

(Revision draft of Model Course 3.09) MLC-related matters will be included in the PSC Model Course 3.09. Given the importance of the PSC standard training course and the majority of delegates supporting the quality-first principle, it was agreed that developing, reviewing, and verifying the PSC standard training course would take considerable time, and a roadmap for this was developed and presented.

(Key Contents of Model Course 3.09)

- Part A. Course Framework
- Part B. General Outline
 1. Overview of PSC and PSC activities worldwide
 2. Explanation and implementation of the IMO Convention
 3. Inspection in accordance with relevant PSC Procedures

- 4. Inspection of the ship's documentation
- 5. PSC inspection of specific areas of the ship
- Part C. Detailed Outline
- Part D. Instructor Manual
- Part E. Evaluation and Assessment
- Appendix I. Guidance on the implementation of IMO model courses
- Appendix II. Instructor feedback on model course
- Appendix III. Instruction for writing case studies

3. Updated Survey Guidelines Under the HSSC (Harmonized System of Survey and Certification) and Non-Exhaustive List of Obligations Under Instruments Relevant to III Code (Agenda 10, 11)

Survey guidelines under the HSSC (Harmonized System of Survey and Certification) are continuously reviewed and updated to reflect new regulatory requirements. Currently, Res.A.1186(33) includes provisions that are effective until December 31, 2023.

(Analysis of Footnotes Contained in the Text of the Survey Guidelines under the HSSC)

III 10 reviewed the footnote analysis included in the text of the HSSC survey guidelines and identified and removed footnotes that were redundantly added to the guidelines, despite their presence in the text of the Convention.

(Review of the Outcome of the Preliminary Gap Analysis)

While discussing the survey items related to the review of certificates and records, it was noted that the item for verifying the validity period of IP Code certificates is not mandatory and it was proposed to be removed. Other certificates will also be reviewed for possible removal by the Correspondence Group in the next session.

(Amendments to Survey Guidelines under the HSSC)

In the survey items related to SOLAS II-1/3-8 regulations, amendments were made to align with the original text of the Convention, specifying that for ships 3,000 gross tonnage and above, the mooring arrangement is designed, and the mooring equipment, including lines, is selected based on the Guidelines developed by the Organization.

(Amendments to the Non-Exhaustive List of Obligations)

Due to time constraints, III 10 was unable to review the draft amendments to the non-exhaustive list of obligations, so it has been decided to re-establish the Correspondence Group. The identification of remaining items for further development of revisions to the list of mandatory requirements has been deferred to III 11.

4. Development of Guidance on Assessments and Applications of Remote Surveys, ISM Code Audits, and ISPS Code Verifications (Agenda 12)

(Title of the Guidance)

Considering the title of the guidance proposed by the Correspondence Group and to align with the relevant IMO conventions, the term "ISM Code audit" will be used instead of "ISM Code verification," and the footnote in the title will be retained for explanatory purposes.

(Acceptance of Eligible Items for Additional Remote Survey/Audit/Verification pertaining to Rectification of

Deficiencies Issued during PSC Inspections)

III 10 proposed the acceptance of eligible items for additional Remote Survey/Audit/Certification pertaining to rectification of deficiencies issued during PSC inspections, which should be jointly considered by the flag States and the port States. However, since the draft guidance is not appropriate for including matters related to Port State Control (PSC), III 10 decided to delete the PSC-related items and recommended that a new text be developed by the Correspondence Group.

(Specific Technical Requirements)

III 10 considered the necessity of developing specific technical requirements to achieve a level equivalent to in-person attendance for all Remote Survey/Audit/Certification. It is necessary to review the draft guidance to ensure that requirements such as the establishment of procedures for the Administration and Recognized Organizations (ROs) are consistent. It is recommended that the Correspondence Group review the section on technical requirements.

(Scope of Remote Verifications for Interim Safety Management Certificates (SMCs) and Documents of Compliance (DOCs))

III 10 considered the scope of remote surveys required to issue interim SMC and DoC under the ISM Code. Interim ISM SMC audits shall always be conducted in person, while the use of remote audits may be considered for interim DoC audits when new ship types are to be added to an existing DoC.

(Remote ISPS Code Verifications)

The application and scope of remote ISPS Code verification were considered during III 10, given the highly sensitive nature of the information addressed in ISPS verification, it was agreed that the use of remote verification instead of in-person attendance should be limited to exceptional circumstances. Due to time constraints, it was not possible to review the elements to be inspected during ISPS verification and the eligibility of remote verification as specified in the draft guidelines. It is recommended that the Correspondence Group review these elements, taking into consideration the outcomes of III 10.

5. Development of Guidance to Assist Competent Authorities in Implementing the Cape Town Agreement of 2012 (Agenda 14)

The applicability of the Cape Town Agreement of 2012(hereafter 'CTA'), the survey of fishing vessels and the relevant issues were discussed in the Working group during III 10. Member States agreed that the draft MSC resolution written by the Working group will be submitted for review and adoption to MSC 109.

(Applicability of the CTA for Existing Vessels)

The discussion about the applicability of the CTA for the existing vessels was conducted. With respect to this issue, Member States agreed that only the regulations of Rule 1 through 5 of Chapter 1 of the CTA apply to the existing vessels. They also consented to add the statement "consider establishing appropriate measures in order to ensure that compliance of existing fishing vessels with the relevant requirements of the CTA is documented, as appropriate" in the draft MSC resolution.

To help Member States understand the technical requirements on the CTA, especially the items that apply to the existing vessels, the Working group summarized and added the technical requirements of Chapters 2 through 10

of the CTA that apply to the existing vessels as well as the items regarding the 'progressive implementation' in a table as follows.

Chapters	Regulations in CTA	Requirements		Progressive implementation	
		Length (L) ≥ 24 m (300 GT) but < 45 m (950 GT)	Length (L) ≥ 45 m (950 GT)	Length (L) ≥ 24 m (300 GT) but < 45 m (950 GT)	Length (L) ≥ 45 m (950 GT)
Construction, watertight integrity and equipment (Chapter II)	None	✗	✗	✗	✗
Stability and associated seaworthiness (Chapter III)	None	✗	✗	✗	✗
Machinery and electrical installations and periodically unattended machinery spaces (Chapter IV)	None	✗	✗	✗	✗
Fire protection, fire detection, fire extinction and fire fighting (Chapter V)	None	✗	✗	✗	✗
Protection of the crew (Chapter VI)	None	✗	✗	✗	✗
Life-saving appliances and arrangements (Chapter VII)	VIII/13 and 14	✗	✓	✗	✓ No more than 5 years
Emergency procedures, musters and drills (Chapter VIII)	VIII/1-4	✓	✓	✓ No more than 5 years	✓ No more than 5 years
Radiocommunications (Chapter IX)	IX/1-16	✗	✓	✗	✓ No more than 10 years
Shipborne navigational equipment and arrangements (Chapter X)	X/1-5 (However, some requirements apply only to vessels ≥ 35 m; vessels ≥ 45 m (950 GT); or vessels ≥ 75 m (3000 GT criterion))	✓	✓	✓ No more than 5 years	✓ No more than 5 years
	X/6(1)(a) and (b) where practicable (length and GT criteria)	✗	✓	✗	✓ No more than 5 years

〈Overview of the Technical Requirements of the Cape Town Agreement of 2012 for Existing Vessels〉

(Application of CTA in Case of Conflicts with Domestic Laws)

Citing the case of EU Members such as Ireland, which have the domestic laws that is higher than the requirements of CTA and already apply the relevant regulations to fishing vessels based on their domestic laws, Member States decided to add a statement to the draft MSC resolution indicating that the higher level of regulation applies when domestic laws and the requirements of CTA differ.

(Deletion of Fishing Vessels Remote Survey Items)

Member States agreed to delete contents related to Remote Inspection in the draft MSC resolution, judging that allowing Remote Inspection of fishing vessels is not appropriate due to the absence of risk assessments and ISM, which are applicable to cargo ships and passenger ships, are not implemented for fishing vessels.

Should you have inquiries, please contact P.I.C.

Thank you.

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