

MSC 105 ( $20^{th} \sim 29^{th}$  Apr 2022)

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#### **Subject: Newsfinal of MSC 105**

The 105<sup>th</sup> session of Maritime Safety Committee (hereinafter referred to as MSC) was convened as a remote meeting from 20<sup>th</sup> to 29<sup>th</sup> April 2022 to discuss a wide range of issues under the purview of the Committee. Due to the time constraints, MSC 105 deferred some of agenda items to the next session.

In particular, the situation in Ukraine and its consequent impact on the maritime industry have led to lengthy discussion at this session, after which MSC 105 adopted resolution MSC 495(105) on "Actions to facilitate the urgent evacuation of seafarers from the war zone area in and around the Black Sea and the Sea of Azov as a result of the Russian Federation aggression against Ukraine".

This news briefing, however, intends to brief on technical matters amongst the results of MSC 105, for reader's reference.

# 1. The amendments to mandatory and non-mandatory IMO instruments arising from the GMDSS modernization (Agenda 3)

1.1 It is recalled that, after years of works at the NCSR Sub-Committee, MSC 104 held in October 2021 approved, in general or principle, the amendments to mandatory and non-mandatory IMO instruments arising from the GMDSS modernization. Consequently, MSC 105 concluded its long standing project by finally adopting or approving the amendments to the related IMO instruments, with a view towards the implementation on 1 Jan 2024, and established the foundation to accommodate existing and future GMDSS technologies, for instance, by generalizing the expressions, changing the definitions, relocating the existing provisions, etc.

1.2 In this regard, the amendments to mandatory IMO instruments, i.e. **SOLAS 1974, SOLAS 1988 Protocol, the 1994 HSC Code, and the 2000 HSC Code**, were adopted at this session for entry into force on 1 Jan 2024. (Refer to resolution MSC.496(105), 497(105), 498(105) and 499(105) contained in **Annexes 3 to 6 of document MSC 105/20**)

| Amended mandatory | Brief descriptions of the amendments                                     |  |  |
|-------------------|--|--|--|
| IMO Instruments   |  |  |  |
| SOLAS Convention  | SOLAS Chapters II-1, III, IV and V were amended.                         |  |  |
|                   | • SOLAS IV (GMDSS) now uses generalized terms and expressions to address |  |  |
|                   | existing and/or future GMDSS technologies.                               |  |  |



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| Amended mandatory   | Brief descriptions of the amendments  |  |  |  |  |
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| IMO Instruments     |   |  |  |  |  |
|                     | <ul> <li>The provisions of two-way VHF radio telephone apparatus and SART were entirely deleted from SOLAS III/Reg.6.1 and 6.2, and consolidated in SOLAS IV/Reg.7 (GMDSS). The two equipment are no longer under the purview of SE certificate, but only remains under the purview of SR certificate.</li> <li>VHF-EPIRB will be no longer accepted in lieu of satellite EPIRB for sea area A1 (SOLAS IV/Reg.8)</li> <li>Sea areas were respectively changed from A1+A2, A1+A2+A3 and</li> </ul> |  |  |  |  |
|                     | <ul> <li>A1+A2+A3+A4 to A2, A3 and A4 (SOLAS IV/Reg.9, 10 and 11)</li> <li>The coverage of sea area A3 became variable by the type of Recognized Mobile Satellite Service SES (SOLAS IV/Reg.2)</li> <li>MF/HF radio installation is no longer categorized as an equipment for sea area A3 but remains only for sea area A4 (SOLAS IV/Reg.10 and 11)</li> <li>MF/HF NBDP for distress and safety purpose is no longer required (SOLAS IV/Reg.11)</li> </ul>  |  |  |  |  |
| 1994/2000 HSC Codes | <ul> <li>Chapter 8 (LSA) and Chapter 14 (Radio-communication) were re-written in line<br/>with the amendments to SOLAS 1974</li> </ul>  |  |  |  |  |

NB: Forms of related certificates were consequently changed (Passenger Ship Safety Certificate, Cargo Ship Safety Equipment Certificate, Cargo Ship Safety Radio Certificate, Cargo Ship Safety Certificate, HSC Safety Certificates, etc., and their records of equipment)

1.3 In addition, the non-mandatory Codes, i.e. **1983/2008 SPS Codes and 1979/1989/2009 MODU Codes**, were amended, for the application from 1 Jan 2024, to remain in line with the amendments to the SOLAS Convention. (Refer to resolutions MSC.502(105), 503(105), 504(105), 505(105) and 506(105) contained in Annexes 9 to 13 of MSC 105/20)

1.4 To supplement the GMDSS modernization, all 13 non-mandatory IMO instruments, including various guidelines and Performance standards, were adopted or approved at this session for the application from 1 Jan 2024, as follows:

- Resolution MSC.507(105) on *System performance standard for the promulgation and coordination of MSI using HF NBDP* (Annex 14 of MSC 105/20)
- Resolution MSC.508(105) on *Performance standards for the reception of MSI and Search and Rescue related information by MF (NAVTEX) and HF* (Annex 15 of MSC 105/20)



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- Resolution MSC.509(105) on Provision of radio services for the GMDSS (Annex 16 of MSC 105/20)
- Resolution MSC.510(105) on Performance standards for Search and Rescue Radar Transponders (Radar SART) (Annex 17 of MSC 105/20)
- Resolution MSC.511(105) on *Performance standards for shipborne VHF radio installations capable of voice communication and DSC* (Annex 18 of MSC 105/20)
- Resolution MSC.512(105) on Performance standards for shipborne MF and MF/HF radio installations capable of voice communication, DSC and reception of MSI and Search and Rescue related information (Annex 19 of MSC 105/20)
- Resolution MSC.513(105) on *Performance standards for INMARSAT-C Ship Earth Stations capable of transmitting and receiving direct-printing communications* (Annex 20 of MSC 105/20)
- Resolution MSC.514(105) on *Guidelines for the avoidance of false distress alerts* (Annex 21 of MSC 105/20)
- Resolution MSC.515(105) on Performance standards for survival craft portable two-way VHF radiotelephone apparatus (Annex 22 of MSC 105/20)
- Resolution MSC.516(105) on *Amendments to the performance standards for radio-communication* equipment (MSC Res.80(70)) (Annex 23 of MSC 105/20)
- Resolution MSC.517(105) on *Performance standards for a shipborne Integrated Communication System* (ICS) when used in the GMDSS (Annex 24 of MSC 105/20)
- MSC.1/Circ.803/Rev.1 on Participation of non-SOLAS ships in the GMDSS and guidance on the development of training materials for GMDSS operators on non-SOLAS ships
- MSC.1/Circ.1645 on *Guidance for the reception of MSI and Search and Rescue related information as required in the GMDSS*

1.5 Finally, MSC 105, after reviewing the proposal in document MSC 105/3/5, which was submitted by IACS et.al (proposed and drafted by KR), confirmed that, in accordance with MSC-MEPC.5/Circ.6, the re-issuance of relevant certificates, after entry into force of the amendments pertaining to the GMDSS modernization, would not be necessary until their expiry.



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#### **Implication Analysis**

• **Ship owners and/or operators** are recommended to **consider** the implication of the amendments, as listed below, and **take** actions as appropriate:

Where a ship (sea area A1) has VHF-EPIRB in lieu of satellite EPIRB, the VHF-EPIRB needs to be replaced by a satellite EPIRB before 1 Jan 2024 (Refer to SOLAS IV/Reg.8)

Where relevant, the sea area indicated in safety radio certificates or any safety certificates may need to be modified, due to the modified definition and equipment requirement of sea area A3. (Refer to SOLAS IV/Reg.2, 10 and 11) Nonetheless, the certificates need not be re-issued until their expiry dates, in accordance with MSC-MEPC.5/Circ.6, as confirmed at MSC 105 (Refer to paragraph 3.12 of MSC 105/20)

MF/HF NBDP for distress and safety purpose may be removed as of 1 Jan 2024. However, in this case, the safety radio certificate or any related safety certificates needs to be re-issued to update the record of equipment appended to the certificates (Refer to SOLAS IV/Reg.11)

New installation or replacement of GMDSS equipment, on or after 1 Jan 2024, should conform to the revised Performance standards (Refer to SOLAS IV/Reg.14)

- Ship builders are invited to note the amendments to SOLAS IV (GMDSS) in general, and apply them in new constructions, as appropriate. In particular, please note that GMDSS equipment installed on or after 1 Jan 2024 will need to comply with the revised Performance standards, which are newly adopted at this session and footnoted to SOLAS IV/Reg.14
- **Manufacturers** of GMDSS equipment are invited to **apply** the revised Performance standards, approved at this session, in producing their GMDSS equipment
- The **Administrations** are invited to **note** the amendments to SOLAS IV (GMDSS) in general, **consider** establishing their own national legislation, and, in particular, **follow** up, as appropriate, with the following revised Performance standards in providing their own radio services in accordance with SOLAS IV Part B:
  - System performance standard for the promulgation and coordination of MSI using HF NBDP, MSC Res.507(105); and
  - Provision of radio services for the GMDSS, MSC Res.509(105)



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#### 2. The amendments to the IMSBC Code (Agenda 3)

- 2.1 Subsequent to the submission from CCC 7 and E&T 35, MSC 105 adopted the amendments to the IMSBC Code (06-21) through resolution MSC.500(105). The amendments will enter into force on 1 Dec 2023, but may be early implemented by the Administration on a voluntary basis from 1 Jan 2023. (Refer to Annex 7 of MSC 105/20)
- 2.2 This amendment addresses the dynamic separation phenomenon and its associated risk by establishing the definition of "dynamic separation" and by consequently modifying the definition of "Group A". In addition, the individual cargo schedules in appendix 1 of the IMSBC Code were modified as shown below:
  - The individual schedule "Ammonium Nitrate Based Fertilizer (non-hazardous)" was deleted
  - The individual schedule "SUPERPHOSPHATE (triple, granular)" was re-written
  - The new individual schedules "Ammonium Nitrate Based Fertilizer", "Ammonium Nitrate Based Fertilizer
     MHB", "CLAM SHELL", and "LEACH RESIDUE CONTAINING LEAD" were established
- 2.3 In conjunction with the amendments to the IMSBC Code, the following two(2) circulars were approved at this session:
  - MSC.1/Circ.1600/Rev.1 on Guidance for conducting the refined MHB (CR) test
  - MSC.1/Circ.1395/Rev.5 on *Lists of solid bulk cargoes for which a fixed gas fire-extinguishing system may be exempted or for which a fixed gas fire-extinguishing system is ineffective*



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#### **Implication Analysis**

- Ship owners and/or operators are invited to note the updated individual schedules, and, where relevant and/or necessary, apply KR for a related survey and/or technical review of cargoes, with a view to updating the IMSBC SOC issued to their fleet, on or after [1 Dec 2023]\*.
- Ship owners and/or operators are also invited to note that SOLAS FFEA exemption certificates issued to their fleet may need to be re-issued in line with MSC.1/Circ.1395/Rev.5 and in conjunction with the reissuance of the IMSBC SOC, on or after [1 Dec 2023] \*.
- Ship builders are invited to pay attention to MSC.1/Circ.1395/Rev.2 in relation to the exemption of fixed fire-fighting for cargo holds.
- Where the IMSBC SOC and/or SOLAS FFEA exemption certificates are reissued or renewed on or after [1 Dec 2023]\*, the aforementioned may be taken up by KR as per the amendments.
- The Administrations are invited to note the amendments to the IMSBC Code amendments in general, and consider establishing their own national legislation and/or early implementing as of 1 January 2023.

#### 3. The amendments to the IMDG Code (Agenda 3)

- 3.1 Subsequent to the submission from CCC 7 and E&T 35, MSC 105 adopted the amendments to the IMDG Code (41-22) through resolution MSC.501(105). The amendments will enter into force on 1 Jan 2024, but may be early implemented by the Administration on a voluntary basis from 1 Jan 2023. (Refer to Annex 8 of MSC 105/20)
- 3.2 In conjunction with the amendments to the IMDG Code, the following two(2) circulars were approved at this session:
  - MSC.1/Circ.1588/Rev.2 on Amendments to Revised emergency response procedures for ships carrying dangerous goods (EmS Guide)
  - MSC.1/Circ.1361/Rev.1 on Revised recommendations on the safe use of pesticides in ships applicable to the fumigation of cargo transport units

<sup>\*</sup> The date [1 Dec 2023], which is the implementation date of the IMSBC Code amendments, may be changed subject to the need of early implementation.



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#### 4. Any other non-mandatory IMO instruments adopted or approved at MSC 105 (Agenda 4, 14, and 15)

4.1 MSC 105 adopted "Model Regulation on Domestic Ferry Safety", through resolution MSC.518(105), that may be used by Administrations in establishing their own national legislations for non-SOLAS domestic ferry safety. (Refer to Annex 26 of MSC 105/20) (Agenda 4)

- 4.2 Subsequent to the submission from CCC 7, MSC 105 approved the following circulars (Agenda 14)
  - MSC.1/Circ.1647 on Interim guidelines for the safety of ships using fuel cell power installation:

These Interim Guidelines have been developed to provide international standard for ships using fuel cell power installations. The goal of these Interim Guidelines is to provide criteria for the arrangement and installation of fuel cell power installations, regardless of fuel cell type and fuel, so as to ensure at least the same level of safety and reliability that conventional oil-fueled main and auxiliary machinery installations have. Depending on the fuel used, however, other regulations (e.g. IGF Code, part A, etc.) are applicable in addition to these Interim Guidelines.

- MSC.1/Circ.1648 on *Amendments on the Guidelines for the acceptance of alternative metallic materials* for cryogenic service in ships carrying liquefied gases in bulk and ships using gases or other low-flashpoint fuels (MSC.1/Circ.1622)
- MSC.1/Circ.1599/Rev.2 on *Revised guidelines on the application of high manganese austenitic steel for cryogenic service* (MSC.1/Circ.1599/Rev.1)

The revision now expands the application of high manganese austenitic steel for cryogenic service to the cargoes and/or fuels of Butane, Butane-propane mixture, Carbon Dioxide, Ethane, Ethylene, Methane (LNG), Pentane, and Propane from those of LNG.

- MSC.1/Circ.1649 on *Guidelines for the implementation of the inspection programmes for cargo transport units*
- MSC.1/Circ.1650 on *List of voluntary guidance on pest contamination*
- MSC.1/Circ.1625 on *Amendments to MSC.1/Circ.1625 on Unified interpretations on outer duct in gas fuel piping systems*:



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The unified interpretation clarifies the term "duct" used in the IGC Code 5.4.4 and 5.13.2.4 to include GVU (Gas Valve Unit) enclosure, structural pipe duct, etc.; and specifies the requirements of GVU rooms.

#### **Implication Analysis**

- Ship builders are invited to pay close attention to MSC.1/Circ.1647, MSC.1/Circ.1648, MSC.1/Circ.1599/Rev.2, and MSC.1/Circ.1625.
- Ship owners and/or operators are invited to note MSC.1/Circ.1650.
- 4.3 Subsequent to the submission from SDC 8, MSC 105 approved the following documents: (Agenda 15)
  - MSC.1/Circ.1652 on *Explanatory notes to the interim guidelines on the second generation intact stability criteria (MSC.1/Circ.1627)*

The Explanatory Notes provides clarifications and explanations to the elements in MSC.1/Circ.1627 pertaining to the second generation intact stability.

 MSC.1/Circ.1653 on Unified interpretation regarding timber deck cargo in the context of damage stability requirements

The unified interpretation supersedes MSC/Circ.988 and clarifies the application of the damage stability requirements to ships carrying timber deck cargoes, taking into consideration the buoyancy of such cargoes. It now applies the stowage, lashing and upright requirements of the 2011 TDC Code (resolution A.1048(27)), in lieu of the 1991 TDC Code (resolution A.715(17)), which was already revoked; and interprets that the height and extent of the timber deck cargoes needs to be in accordance with the 2008 IS Code, Part A, Section 3.3.2 (not the 2011 TDC Code), i.e. the alternative stability criteria for cargo ships carrying timber deck cargoes.

MSC.1/Circ.1654 on Unified interpretation on the noise level limit in workshops on board ships

For the application of the Noise Code, the expression "workshop other than those forming part of machinery spaces" means an enclosed workshop which is separated from the engine room with bulkheads, including sound-insulated access doors. In such a case, the limit for noise level 85 dB(A) applies. However,



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where the workshop forms part of machinery space other than the above, the limit for nose level 110 dB(A) should apply.

MSC.1/Circ.1535/Rev.2 on Unified interpretation relating to the ICLL 1988 Protocol

The document clarifies, for freeboard computation, whether the prohibition of the superstructure deduction in the Reg.37(3) of the ILLC 1988 Protocol is limited only to the forecastle or extended to other superstructure. The unified interpretation now interprets that the prohibition of the superstructure deduction applies to all superstructure.

MSC.1/Circ.1362/Rev.1 on Unified interpretation of SOLAS chapter II-1

The document provides interpretations on SOLAS II-1/Reg. 5.4 and 5.5, and EN to SOLAS II-1/Reg.5.4 (Res.MSC.429(98)/Rev.2). It establishes the definitions of the terms "lightweight calculation" and "stability information", and classifies the scenarios, where an inclining test, lightweight calculation or no action is required. In addition, it clarifies that a change of lightweight without an associated change of freeboard will result in a change of deadweight, which may have an impact on the compliance of other regulations, e.g. MARPOL Annex VI.

 Resolution MSC.188(79)/Rev.1 on Revised performance standards for water level detectors on ships subject to SOLAS regulations II-1/25, II-1/25-1 and XII/12 (Annex 35 of MSC 105/20)

The Performance standards was revised to further address the requirements of water level detectors under SOLAS II-1/Reg.25-1, adopted through resolution MSC.482(103) for the implementation as of 1 Jan 2024, in addition to those under SOLAS II-1/Reg.25 and XII/12. However, SDC 9 will revisit paragraph 2.2.2 of the appendix to the Revised performance standards (MSC.1/Circ.188(79)/Rev.1) to deal with the concern raised at MSC 105 on the height of water level detector's sensors.

#### **Implication Analysis**

- Ship builders are invited to pay close attention to MSC.1/Circ.1652, MSC.1/Circ.1653, MSC.1/Circ.1654, MSC.1/Circ.1535/Rev.2 and MSC.1/Circ.188(79)/Rev.1.
- Ship owners and/or operators are invited to pay close attention to MSC.1/Circ.1362/Rev.1. In particular, it should be noted that where ship's deadweight is modified subsequent to the change



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of lightweight due to retrofitting of equipment, other convention requirements subjected to the deadweight will need to be carefully verified.

#### 5. Approval of IMO instruments for subsequent adoption at MSC 106 (Agenda 3, 14, and 15)

MSC 105 approved the following instruments for subsequent adoption at MSC 106.

- The amendments to SOLAS II-2, to facilitate the compliance of oil fuel's flash point 60°C requirement (Expected implementation date: 1 Jan 2026) (Refer to Annex 27 of MSC 105/20)
- New SOLAS Chapter XV and the IP Code, to provide safety requirements for cargo ships and high-speed cargo craft, of 500 GT and upwards, which carry more than 12 industrial personnel (Expected implementation date: 1 Jul 2024) (Refer to Annexes 32 and 33 of MSC 105/20)
- The amendments to the IGC Code and the IGF Code, to permit the use of high-manganese austenitic steel as a cryogenic material (Expected implementation date: 1 Jan 2026) (Refer to Annexes 30 and 31 of MSC 105/20)
- The amendments to the 2011 ESP Code, to strengthen the inspection frequency of ballast tanks and double-sided void spaces for bulk carriers related to the coating condition and to clarify the application scope of the ESP Code, i.e. explicitly exempting oil tankers with independent tanks, such as asphalt carriers (Expected implementation date: 1 Jul 2024) (Refer to Annex 34 of MSC 105/20)
- The amendments to SOLAS 1978 Protocol, to revise the form of cargo ship safety equipment certificate in line with the one appended to SOLAS 1974, the amendment of which was adopted at this session with regard to the GMDSS modernization (Expected implementation date: 1 Jan 2026) (Refer to Annex 25 of MSC 105/20)

#### 6. New work programme (Agenda 18)

Given the time constraints, MSC 105 could not complete the discussion on all submitted proposal, and approved the following new output. Of an interest is that the new outputs pertaining to LH2, Ammonia, and the fire safety for carrying new energy vehicle (e.g. electronic car), which may be related to the global warming issue, were taken onboard at this session.



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| New outputs approved by MSC 105   | Respo | nsible bodies |
|---|-------|---------------|
| Development of amendments to chapter 6 of the 2009 MODU Code                  | SSE   | Post-biennial |
| regarding electrical equipment capable of operation after shutdown            |       |               |
| Development of amendments to chapter 15 of the FSS Code on enclosed           | SSE   | Post-biennial |
| spaces containing a nitrogen receiver or a buffer tank of nitrogen generator  |       |               |
| systems   |       |               |
| Review and update SOLAS regulation II-2/9 on containment of fire to           | SSE   | Post-biennial |
| incorporate existing guidance and clarify requirements                        |       |               |
| Development of guidelines for the use of Electronic Nautical Publications     | NCSR  | Post-biennial |
| (ENPs)  |       |               |
| Comprehensive review of the 1978 STCW Convention and Code                     | HTW 9 | Biennial      |
| Amendment to the revised ECDIS Performance Standards (resolution              | NCSR  | Post-biennial |
| MSC.232(82)) to facilitate a standardized digital exchange of ships' route    |       |               |
| plans   |       |               |
| Revision of SOLAS chapters II-1 (part C) and V, and related instruments       | SSE   | Post-biennial |
| regarding steering and propulsion requirements to address both traditional    |       |               |
| and non-traditional propulsion and steering systems                           |       |               |
| Development of guidelines for safety of ships using ammonia as fuel           | CCC 8 | Biennial      |
| Revision of the Interim recommendation for carriage of liquefied hydrogen in  | CCC 8 | Biennial      |
| bulk  |       |               |
| Scoping exercise and enhancement of the effectiveness of provisions on        | HTW   | Post-biennial |
| fatigue and seafarers' hours of work and rest                                 |       |               |
| Revision of the Guidelines for the application of plastic pipes on ships      | SSE   | Post-biennial |
| (resolution A.753(18))  |       |               |
| Evaluation of adequacy of fire protection, detection and extinction           | SSE   | Post-biennial |
| arrangements in vehicle, special category and ro-ro spaces in order to reduce |       |               |
| the fire risk of ships carrying new energy vehicles                           |       |               |

#### **Implication Analysis**

• All concerned parties are invited to note the approved new work programmes under the purview of MSC, and, where necessary, consider making an input to the discussion of the relevant Sub-Committees, through the IMO member States and/or international organizations to which they belong



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#### 7. Development of a goal-based instrument for MASS (Autonomous ships) (Agenda 6)

7.1 MSC 105 decided to develop a non-mandatory goal-based MASS Code, limited to cargo ships for the time being, as an interim solution prior to the adoption of a mandatory MASS Code.

7.2 The road map for developing a goal-based MASS Code was endorsed as found in Annex 28 of MSC 105/20. The milestones of the road map, which may be a living document subjected to regular updates, are;

- The approval and entry into effect of a non-mandatory MASS Code at MSC 109 in 2024; and
- The adoption of the mandatory MASS Code at MSC 110 in 2025 for entry into force in 1 Jan 2028

7.3 MSC 105 further agreed to remotely convene the first meeting of a Joint MSC/LEG/FAL MASS Working Group from 6 to 8 Sep 2022, subject to the concurrent approval by FAL 46 and C 127, to address common high-priority issues identified by the MASS regulatory scoping exercises done by the three(3) Committees.

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

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