

SUB-COMMITTEE ON SHIP DESIGN AND  
CONSTRUCTION  
8th session  
Agenda item 4

SDC 8/4/3  
26 November 2021  
Original: ENGLISH  
Pre-session public release:

**MANDATORY INSTRUMENT AND/OR PROVISIONS ADDRESSING SAFETY  
STANDARDS FOR THE CARRIAGE OF MORE THAN 12 INDUSTRIAL PERSONNEL ON  
BOARD VESSELS ENGAGED ON INTERNATIONAL VOYAGES**

**Clarifications on the Industrial Personnel (IP) Code**

**Submitted by the International Marine Contractors Association (IMCA)**

**SUMMARY**

*Executive summary:* This document comments on the report of the Intersessional Meeting of the Working Group on Carriage of more than 12 Industrial Personnel (IP) on Board Vessels Engaged on International Voyages (SDC 8/4/1), established at MSC 102 (ISWG-IP 1), and proposes additional text in both the draft SOLAS chapter [XV] and the draft IP Code for the sake of clarification

*Strategic direction, if applicable:* 2

*Output:* 2.4

*Action to be taken:* Paragraph 7

*Related documents:* SDC 8/4/1; ISWG-IP 1/WP.1/Rev.1 and SDC 8/4/7

**Introduction**

1 This document is submitted in accordance with the provisions of paragraph 6.12.5 of the *Organization and method of work of the Maritime Safety Committee and the Marine Environment Protection Committee and their subsidiary bodies* (MSC-MEPC.1/Circ.5/Rev.2) and comments on the discussions held at the first meeting of the Intersessional Working Group on Carriage of more than 12 Industrial Personnel (IP) on Board Vessels Engaged on International Voyages, established at MSC 102 (ISWG-IP 1), and its report in documents ISWG-IP 1/WP.1/Rev.1 and SDC 8/4/1.

**Background**

2 The Sub-Committee will recall that the Maritime Safety Committee, at its 102nd session, established the Intersessional Working Group on Carriage of more than 12 Industrial Personnel on Board Vessels Engaged on International Voyages (ISWG-IP), which met from 8 to 12 March 2021.

3 IMCA participated in the ISWG-IP and is appreciative of the hard work of all those involved and the progress made during that meeting. However, having reconsidered the report of the ISWG-IP 1 (SDC 8/4/1), IMCA considers that some of the clarifications which were discussed and agreed upon during ISWG-IP are not fully reflected in the draft texts of SOLAS Chapter [XV] and the IP Code.

4 In this regard, IMCA would draw attention to A.1103(29) 'Principles to be considered when drafting IMO Instruments', in particular sub-paragraph .6 of the annex to A.1103(29) which states that:

**"Regulation should be clear**

Regulation should be written in simple, unambiguous language that allows for a clear understanding of the requirement and facilitates implementation, compliance and enforcement. It should state the aims clearly and transparently with the objective of reducing the risk of misinterpretation or misinformation, and should be available and easily accessible to interested stakeholders."

### **Discussions and proposals**

5 It is not IMCA's intention to reopen previous discussions but simply to capture the discussion which took place in the Working Group by including some clarifying text in both the draft text of SOLAS Chapter [XV] and the draft text of the IP Code, in order to prevent future ambiguity and differences in interpretation by Member States and recognized organizations.

6 On the basis of paragraph 5, the annex contains proposed text which is intended to provide clarification on the following (with further information in document SDC 8/4/7):

- .1 Definitions;
- .2 Categories of persons on board;
- .3 Applicability of the IP Code;
- .4 Passenger ships;
- .5 Compliance with the SPS Code;
- .6 Survey and certification with regard to failure of the transfer arrangement;  
and
- .7 Carriage of Dangerous Goods.

### **Action requested of the Sub-Committee**

7 The Sub-Committee is invited to consider the proposed amendments to the text of SOLAS Chapter [XV] and to the proposed text of the IP Code as set out in the annex and take action, as deemed appropriate.

\*\*\*

## ANNEX

### PROPOSED TEXT OF NEW DRAFT SOLAS CHAPTER [XV] (SAFETY MEASURES FOR SHIPS CARRYING INDUSTRIAL PERSONNEL)

[Proposed additional text below]

#### Regulation 1 – Definitions

For the purpose of this chapter:

1.1 A characteristic of *industrial personnel* is that they do not work on board the ship they are transported or accommodated on.

1.2 Persons that do work on board the ship, and are carried on board the ship in connection with the special purpose of the ship or because of special work carried out aboard the ship are considered *special personnel*<sup>1</sup>.

<sup>1</sup> As defined in the Code of Safety for Special Purpose Ships, 2008.

#### Regulation 2 – General

2.1 In terms of familiarity with the ship and knowledge of safety and lifesaving procedures, the categories of persons that may be on board a ship certified under this chapter can be ranked as:

**.1 Members of the crew**

Are familiar with the ship (ISM Code par. 6), trained in emergency response and personal survival as required by the STCW Code. Members of the crew form the emergency response organization of the ship.

**.2 Special personnel**

Have a fair knowledge of the ship and received training in safety procedures, personal survival and handling of the ship's safety equipment (2008 SPS Code, paragraph 1.3.11).  
Special personnel can be included in the emergency response organization of the ship when trained appropriately in accordance with the STCW Code.

**.3 Industrial personnel**

Have a basic knowledge of the ship (IP Code reg. III/1.5) and received training in safety procedures, personal survival and handling of the ship's personal lifesaving equipment (IP Code reg. III/1.3). Industrial Personnel will not be part of the ship's emergency response organization.

**.4 Passengers**

Have a limited knowledge of the ship and its safety procedures (SOLAS reg. III/8.4 and reg. III/19.2) and are not otherwise trained in emergency response and personal survival.

### Regulation 3 – Application

1.1 Where the aggregate number of industrial personnel, special personnel and passengers on board (as per regulation 2.3) is more than 12, there should be at least one industrial personnel on board in order for this chapter to become applicable to the ship.

1.2 Notwithstanding that this chapter and the IP Code apply to cargo ships; passenger ships certified in accordance with SOLAS reg. I/12(a)(i) are considered able to transport and/or accommodate industrial personnel.

### Regulation 5 – Requirements

3 Ships certified in accordance with this chapter and the IP Code are deemed to comply with the requirements of Code of Safety for Special Purpose Ships, 2008. Such ships should not be required to carry a Certificate of Safety for Special Purpose Ships in addition to the IP Safety Certificate.

## PROPOSED TEXT OF THE NEW DRAFT INTERNATIONAL CODE OF SAFETY FOR SHIPS CARRYING INDUSTRIAL PERSONNEL (IP CODE)

[Proposed additional text highlighted in grey]

### PART I.2 – Definitions

2.4.1 A characteristic of *industrial personnel* is that they do not work on board the ship they are transported or accommodated on.

2.4.2 Persons that do work on board the ship, and are carried on board the ship in connection with the special purpose of the ship or because of special work carried out aboard the ship, are considered *special personnel*.<sup>1</sup>

<sup>1</sup> As defined in the Code of Safety for Special Purpose Ships, 2008.

### PART I.3 – Certificate and survey

3.6 If failure of the personnel transfer arrangement results in the functional requirements of Part II.2.2.2 and Part II.2.2.3 no longer to be complied with, the ship shall not be allowed to perform transfers with the transfer arrangement until the failure has been rectified. Such limitation shall be recorded on the ship's IP Safety Certificate.

### PART III Regulation 8 – Dangerous Goods

8.1.2 On ships carrying both *industrial personnel* and *special personnel*, reference is made to chapter 7 of the 2008 SPS Code in relation to dangerous goods carried on board the ship in connection with the special purpose of the ship or because of special work carried out aboard the ship.