

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

SDC 8/4/7
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**MANDATORY INSTRUMENT AND/OR PROVISIONS ADDRESSING SAFETY
STANDARDS FOR THE CARRIAGE OF MORE THAN 12 INDUSTRIAL PERSONNEL ON
BOARD VESSELS ENGAGED ON INTERNATIONAL VOYAGES**

Comments on document SDC 8/4/1

Submitted by the International Marine Contractors Association (IMCA)

SUMMARY

Executive summary: This document comments on document SDC 8/4/1 by providing additional information on the current text proposed, so as to clarify the application of the new SOLAS Chapter [XV] and the new draft Industrial Personnel (IP) Code intended to capture discussions which took place within the Intersessional Working Group on Industrial Personnel (ISWG-IP) which was held in March 2021

*Strategic direction, 2
if applicable:*

Output: 2.4

Action to be taken: Paragraph 12

Related documents: SDC 8/4/1; ISWG-IP/1/WP.1/Rev.1 and SDC 8/4/3

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) and comments on the discussions held at the first meeting of the Intersessional Working Group on Carriage of more than 12 Industrial Personnel 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 In its' submission, SDC 8/4/3, IMCA proposes additional text for both the new SOLAS Chapter [XV] and the new draft IP Code to provide clarification on the following issues:

- .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.

3 The additional text proposed intends to capture discussions which took place within the Intersessional Working Group on Industrial Personnel (ISWG-IP) and the following paragraphs provide background information on why additional text has been proposed and what purpose it is intended to serve.

Proposed amendments to SOLAS Chapter [XV]

Definitions

4 The text proposed in regulation 1 of the draft new SOLAS chapter [XV], as set out in the annex to document SDC 8/4/3, is intended to clarify the fact that Industrial Personnel do not work on board the ship they are transported or accommodated on and to clearly distinguish Industrial Personnel from Special Personnel.

5 This same text is also proposed to be included in the draft text of the IP Code in Part I.2. (Definitions).

Categories of persons on board

6 In terms of the different categories of persons which may be found on board IP Code ships, (i.e. members of the crew, Special Personnel, Industrial Personnel and Passengers), the text pertaining to regulation 2, set out in the annex to document SDC 8/4/3, identifies the key characteristics of each group in respect of work location, familiarity with the ship and knowledge of safety and life-saving procedures. These characteristics and their differences are well known to the Member States involved in the development of the IP Code, but may be less familiar to other Member States and other stakeholders in the industry. For this reason, IMCA considers it imperative that the text is clarified, as proposed in the annex to document SDC 8/4/3.

Applicability of the IP Code

7 In order to clarify the applicability of the IP Code, as set out in regulation 3 of the draft new SOLAS Chapter XV, in aggregating the number of persons on board, (i.e. Industrial Personnel, Special Personnel and passengers), which must be more than 12, the ISWG-IP confirmed that, at least one Industrial Personnel shall be on board for the IP Code to apply to the ship. The text proposed in the annex to document SDC 8/4/3 intends to capture this.

Passenger ships

8 The ISWG-IP clarified that passenger ships are permitted to transport and accommodate Industrial Personnel. The additional text proposed in the annex to document SDC 8/4/3 captures this. While this interpretation is reflected in paragraph 10 of the report of the ISWG-IP (ISWG-IP/1/WP.1/Rev.1), IMCA considers it beneficial to have it reflected in the text of SOLAS Chapter XV to ensure that this interpretation is clear to stakeholders in the industry.

Compliance with the SPS Code

9 The proposed amendment to the text of regulation 5 of draft new SOLAS chapter [XV], as set out in the annex to document SDC 8/4/3, clarifies that ships certified under that chapter are deemed to also comply with the requirements of the 2008 SPS Code and do not require an SPS Safety Certificate in addition to the IP Safety Certificate. This interpretation is reflected in paragraph 7 of document SDC 8/4/1.

Proposed amendments to the draft text of the IP Code

Survey and Certification

10 In terms of survey and certification, in a situation where the transfer arrangement breaks down or fails, the text proposed under part I.3 in annex II is intended to avoid the situation where suddenly IP are no longer allowed to be on board while the vessel is at sea because the IP Safety Certificate becomes invalid as a result of the failed transfer arrangement. This approach is similar to that taken in the work on lifting appliances. This interpretation was discussed and agreed in the ISWG-IP, but has not been recorded in document ISWG-IP/1/WP.1/Rev.1, SDC 8/4/1 or the draft text of the IP Code. For that reason, IMCA proposes the additional text contained in the annex to document SDC 8/4/3.

Carriage of dangerous goods

11 For a ship carrying both Industrial Personnel and Special Personnel, the proposed amendment to regulation 8 in part III of the draft IP Code clarifies that, for 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, reference should be made to chapter 7 of the 2008 SPS Code. The additional text proposed in the annex to SDC 8/4/3 is intended to remind stakeholders that the 2008 SPS Code contains provisions on 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, which may be relevant for IP Code ships as well.

Actions requested of the Sub-Committee

12 The Sub-Committee is invited to note the above information and clarifications and to consider them in conjunction with the proposed amendments to draft new SOLAS chapter [XV] and the draft new IP Code, as set out in document SDC 8/4/3.
