



# RESOLUTIONS ADOPTED BY THE 85TH SESSION OF THE MARITIME SAFETY COMMITTEE (MSC 85) OF IMO

**No.13 of 2009**

**06-04-2009**

**Applicable to:** This circular is for the attention of ship owners, managers, operators, agents, masters, crew members and surveyors

1 This circular informs the Shipping Community of the resolutions adopted by MSC 85, held from 26 Nov to 5 Dec 2008 and urges the Community to prepare for the implementation of these resolutions.

2 These resolutions are:

## (1) Amendments to mandatory instruments

MSC 85 adopted two new codes, under SOLAS:

- the International Code on Intact Stability 2008 (2008 IS Code) (MSC.267(85)); and
- the International Maritime Solid Bulk Cargoes (IMSBC) Code (MSC.268(85)).

Amendments to the following mandatory instruments were adopted:

- Amendments to the 1974 SOLAS Convention (MSC.269(85));
- Amendments to the Protocol of 1988 relating to the International Convention on Load Lines, 1966 (MSC.270(85));
- Amendments to the International Code of Safety for High-Speed Craft, 2000 (HSC Code) (MSC.271(85));
- Amendments to the International Life-Saving Appliance Code (LSA Code) (MSC.272(85));
- Amendments to the International Safety Management Code (ISM Code) (MSC.273(85));

The following summarised the key points relating to the resolutions:

- [Resolution MSC.267\(85\)-Adoption of the International Code on Intact Stability, 2008 \(2008 IS Code\)](#)

The existing Intact Stability Code (IS Code) was adopted in 1993 by resolution A.749(18) and later amended by the MSC in 1998 (Resolution MSC.75(69)). The new *International Code on Intact Stability, 2008* (2008 IS Code) is basically a revision and restructure of the existing IS Code. The general intact stability criteria for cargo and passenger ship are essentially the same as the existing code.

The 2008 IS Code is divided into two parts: Part A, which is mandatory, contains general intact stability criteria for cargo and passenger ships. Part B, which is recommendatory, contains intact stability criteria for certain types. New ships and high speed craft constructed on or after **1 Jul 2010** are to comply with Part A of the new Code.

One of the features of the new Code is that each ship is to be provided with a stability booklet with sufficient information to enable the master to operate the ship in compliance with the applicable requirements.

### *Related documents:*

1. In order to make part A of the 2008 IS Code mandatory, the Committee adopted amendments to both the 1974 SOLAS Convention and the 1988 Protocol relating to the Load Line Convention. (MSC.269(85) and MSC.270(85)).

2. The *Explanatory Notes to 2008 IS Code (MSC.1/Circ.1281)* has also been approved to provide Administrations and the shipping industry with specific guidance to assist in the uniform interpretation and application of the new Code. *The Explanatory Notes to 2008 IS Code should not be confused with resolution MSC.281(85)-Explanatory Notes to the SOLAS chapter II-1 Subdivision and Damage Stability regulations.* (see section 4 of this circular below)

3. Furthermore, Contracting Governments have the option (MSC.1/Circ.1292) to implement the Code in advance of the entry into force of the SOLAS amendments making its Part A mandatory.

*MPA allows the application of the new Code with effect from 5 Dec 2008 on a voluntary basis.*

- [Resolution MSC.268\(85\)-Adoption of the International Maritime Solid Bulk Cargoes \(IMSBC\) Code](#)  
The existing *Code of Safe Practice for Solid Bulk Cargo* (BC Code) has been completely revised by the IMO with a view to make the Code mandatory. The task was completed in 2008 and the revised code, renamed *International Maritime Solid Bulk Cargoes (IMSBC) Code*, was adopted by MSC 85, superseding the existing BC Code. The IMSBC Code will enter into force on **1 Jan 2011** on a mandatory basis for all ships carrying solid bulk cargoes.

The Code has undergone many changes, including the addition of the "Security Provisions" section relative to chapter XI-2 of SOLAS and provisions for the transport of cargoes not listed in the Code (e.g. tripartite agreement). New segregation requirements and shipment procedures have been introduced.

Not all of the IMSBC Code are mandatory as certain sections remain recommendatory, such as section 11, *Security, except as required by SOLAS*; section 12, *Stowage factor conversion tables*; and section 13, *References to related information and recommendations*.

*Related document:*

In order to make the IMSBC Code mandatory, the Committee adopted an amendment to the 1974 SOLAS Convention. (see **MSC.269(85)**)

*MSC 85 had agreed that Administrations may choose to apply the Code on a voluntary basis from 1 Jan 2009. For Singapore flag vessels, the BC Code is already mandatory; under Chapter VI (Carriage of Cargoes) of the Merchant Shipping (Safety Convention) Regulations, the BC Code is required to be complied with wherever applicable.*

*Therefore, the existing BC Code continues to be applicable for Singapore flag ships and the new IMSBC Code will be applicable with effect from 1 Jan 2011.*

*MPA has no objection to the issuance of Document of Compliance by class for owners of Singapore flag ships on a voluntary basis from 1 Jan 2009, as agreed by MSC 85.*

- [Resolution MSC.269\(85\)-Adoption of amendments to the International Convention for the Safety of Life at Sea, 1974](#)  
a) Mandatory application of 2008 IS Code and IMSBC Code

Amendments were adopted in order to make the *International Code on Intact Stability, 2008* (2008 IS Code) and the *International Maritime Solid Bulk Cargoes (IMSBC) Code* mandatory.

b) Amendments on fire protection

Various amendments were adopted to improve fire protection. Entry into force date is 1 Jul 2010.

- Construction of sills and dimensions of gaps under the doors and door frames in "A" and "B" class division
- Ventilation ducts of new ships are required to be made of steel or equivalent.
- Fire dampers are required to be installed at both ends of galley range exhaust ducts.
- Means for recharging air cylinders for emergency breathing apparatus are to be provided to new passengers

- [Resolution MSC.270\(85\)-Adoption of amendments to the Protocol of 1988 relating to the International Convention on Amendments](#)  
Amendments were adopted in order to make the *International Code on Intact Stability, 2008* (2008 IS Code) mandatory.

- [Resolution MSC.271\(85\)-Adoption of amendments \(carriage of dangerous goods\) to the International Code of Safety Code\)](#)

Additional carriage provisions for classes 2.3, 4.3, 5.2, 8 and 9 of dangerous goods have been added. These revisions impact the carriage requirements of dangerous goods for all ships, including HSC, constructed on or after **1 Jan 2011**.

*Related document:*

Consequently, the Document of Compliance (DOC) for special requirements for ships carrying dangerous goods under the provisions of Regulation II-2/19 has been updated and circulated as **MSC.1/Circ.1266**.

- [Resolution MSC.272\(85\)-Adoption of amendments to the International Life-Saving Appliances \(LSA\) Code](#)  
The assumed weight of a person on cargo ship lifeboats has been increased to 82.5 kg. The existing 75

kg assumed weight of a person on passenger ship lifeboats is retained. In addition the assumed weight of a person for all rescue boats is increased to 82.5 kg. Entry into force: **1 Jul 2010**.

*Related document:*

- [Resolution MSC.274\(85\)-Adoption of amendments to the revised Recommendation on Testing of Life-saving Appliances](#)  
Consequential amendments were made to the *Revised Recommendation on Testing of Life-saving Appliances (resolution MSC.81(70))* in order to align the prototype tests for life-saving appliances with the provisions of the LSA Code concerning the assumed average mass of a person.
- [Resolution MSC.273\(85\)-Adoption of amendments to the International Management Code for the Safe Operation of \(International Safety Management Code \(ISM Code\)\)](#)
- Various sections of the ISM Code were amended:
  - the internal audits on board and ashore should be carried out at intervals not exceed 12 months.
  - the requirements for the extension of the validity of the Safety Management Certificate are harmonized with International Ship Security Certificate (ISSC), i.e. introducing possible 3 months extension of certificate if :

Entry into force: **1 Jul 2010**.

*MPA will transpose the amendments into Singapore's national legislation and post them on MPA's website.*

## (2) Long-Range Identification and Tracking of Ships

- [Resolution MSC.275\(85\)-Appointment of the LRIT Coordinator](#)
- [Resolution MSC.276\(85\)-Establishment of the International LRIT Data Exchange on an interim basis](#)  
The first resolution named the International Mobile Satellite Organization (IMSO) as the appointed LRIT Coordinator, whose functions include the review of the performance of the LRIT system on an annual basis. The second resolution expressed appreciation of the USA for offering to host the International LRIT Data Exchange (IDE) on an interim basis until a permanent IDE can be established. The USA will host the IDE until **31 Dec 2011**.

*The two LRIT resolutions are for information only. MPA has issued separate shipping circulars to guide shipowners on the implementation of the LRIT system, including testing of shipboard equipment and survey and certification.*

## (3) Interpretation of IMO instruments

- [Resolution MSC.277\(85\)-Clarification of the term "bulk carrier" and Guidance for application of regulations in SOLAS cargoes in bulk and are not determined as bulk carriers in accordance with regulation XII/1.1 and chapter II-1](#)  
The definition of the term "bulk carrier" in SOLAS chapters XII and II-1 has over the years become subject to widely varying interpretations. As such, the MSC saw the need to provide a harmonized interpretation of the term, and in particular to guide Port State Control officers. The result is the current resolution adopted by MSC 85. Guidance for PSC will also be developed.

The resolution contains non-mandatory guidance which discerns between ships which are intended to primarily carry, versus those which occasionally carry, dry cargo in bulk.

The resolution is intended to be guidance only, but indicates its application to new ships keels of which are laid on or after **1 Jan 2009**. The intent is to facilitate the development of future amendments to SOLAS so as to mandate the recommendations contained in it.

*Related document:*

The MSC previously issued a circular (MSC.1/Circ.1199) to reaffirm the concept that interpretation of SOLAS requirements is a responsibility of the flag Administration and PSC officers should not question the flag Administration's interpretation.

*MPA accepts the provisions contained in the resolution on the application dates and interpretations. A statement of compliance attesting to the application of the provisions of the resolution may be issued by our Recognized Organizations and is to be kept on board.*

- [Resolution MSC.281\(85\)-Explanatory Notes to the SOLAS Chapter II-1 Subdivision and Damage Stability regulation](#)  
To minimize differences in the interpretations of the newly revised SOLAS chapter II-1, which may result in different levels of compliance and safety standards, MSC 85 adopted the Explanatory Notes to the SOLAS Chapter II-1 Subdivision and Damage Stability regulations. (see Shipping Circular No. 7 of 2009).

The amendments to SOLAS Chapter II-1 entered into force on **1 Jan 2009** and the MSC invited Administrations to note that the regulations should be applied in conjunction with the Explanatory Notes.

*For Singapore flag ships, the Explanatory Notes and the newly revised SOLAS Chapter II-1 shall be implemented together.*

*Note: The Explanatory Notes should not be confused with MSC.1/Circ.1281-Explanatory Notes to the International Code on Intact Stability, 2008*

#### (4) Safety of Navigation

- [Resolution MSC.278\(85\)-Adoption of the new mandatory ship reporting system "Off the coast of Portugal-COPREP"](#)  
Entry into force: **0000 hours UTC on 1 June 2009**
- [Resolution MSC.279\(85\)-Adoption of amendments to the existing Ship Reporting System for the "Papahānaumokuāi Particularly Sensitive Sea Area, "CORAL SHIPREP"](#)  
Entry into force: **0000 hours UTC on 1 June 2009**

The resolution amends resolution MSC.243(83), which was highlighted in MPA's Shipping Circular No. 20 of 2007.

- [Resolution MSC.280\(85\)-Adoption of amendments to the General provisions on Ships' Routeing \(resolution A.572\(1\)](#)  
The amendments align the General Provisions on Ships' Routeing to the specifications for routeing measures, boundary symbology and charting of archipelagic sea lanes adopted by IHO.

#### UNIFIED INTERPRETATIONS

3 In addition to the adoption of resolutions, MSC 85 also approved the following Unified Interpretations of SOLAS and MARPOL conventions and IS Code 2008.

- [MSC.1/Circ.1281](#)-Explanatory Notes to the International Code on Intact Stability, 2008
- [MSC.1/Circ.1284](#)-Interpretation of SOLAS regulations II-1/1.3 and II-1/3-6
- [MSC.1/Circ.1285](#)-Interpretation of SOLAS regulation III/16.1
- [MSC.1/Circ.1286](#)-Unified interpretation of SOLAS regulation II-1/32.1
- [MSC.1/Circ.1290](#)-Unified interpretation of the term "first survey" referred to in SOLAS regulations
- [MSC-MEPC.5/Circ.4](#)-Unified interpretation of the application of regulations governed by the building contract date, for the requirements of the SOLAS and MARPOL Conventions

4 The Unified Interpretations are acceptable to MPA and should be followed and applied in accordance with the recommended application dates mentioned in each of the circular. Shipowners are further advised to approach the nine approved classification societies to seek further guidance.

5 Queries relating to this circular should be directed to Mr Ong Hua Siong (Tel: 63756210). For queries on compliance with the respective resolutions, please contact the vessel's classification society

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