**Round 3 Summary - round 2 – matrix**

**Correspondence group on carriage of more than 12 industrial personnel on international voyages**

**Draft new SOLAS chapter**

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| **Round 2 Questions/proposals** | **Round 3 Comments coordinator** | **Summary Comments members round 2** | **Action taken** |
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| Do you support the inclusion of a definition for passenger applicable to this chapter only? | Please see separate document Summary comments round 3 –proposals/comments coordinator. | Please see separate document Summary comments round 3 –proposals/comments coordinator | Various proposals included in the draft text for your consideration. |
| Do you agree that our terms of reference is to develop measures for international voyages as defined in SOLAS only? | Please see separate document Summary comments round 3 –proposals/comments coordinator. | Agreed.  It is also support for having some text in the preamble and a text has been proposed. | The proposed text will be inserted in the preamble of the draft IP code or further considerations. |
| Do you agree that we, at this stage concentrate on new ships of 500 gross tonnes and above and decide on exiting and smaller ships at a later stage? | Please see separate document Summary comments round 3 –proposals/comments coordinator. | The majority accepts that we concentrate on new ships of 500 GT and above for the time being.  It is also suggested to add the following:  “In case of repairs, alterations and modifications of a major character and outfitting related thereto of existing vessels, it shall be ensured that areas, in which changes have been made, meet the requirements of this Code for new vessels, insofar as the Administration deems reasonable and practicable.” | The draft new chapter reflects this decision.  I have included the proposed text slightly amended as I think it should refer to the chapter, for your consideration. |
| Do you prefer to require cargo ship certification as the bottom line and require an associated certificate for the carriage of IPs or would you prefer a single certificate solution? | It proposed to have either cargo ship standard or passenger ship standard as the bottom line. It is my understanding that the passenger ship standard is the upper line.  I would ask for some clarification on this. Is it the intention that IPs cannot be carried on passenger ships? | The multiple solution is supported with SOLAS Cargo ship certification as the bottom line. | I have included two possible sets of wording for the application to reflect this decision.  As pointed out by the majority, the requirements themselves (certification and inspection) will be in the IP Code. |
| Can you agree that rather than require passenger ship certification at an agreed maximum number of IPs carried, we require passenger ship standard | How this will look in the IP Code remains to be seen, however the principle is agreed. |  | I have deleted all “requirements” in the draft SOLAS amendments as you want requirements in the IP Code, hence this is not reflected in the SOLAS amendments |
| Regarding how this chapter works together with the other chapters of SOLAS (IACS comments), please see my comments in coordinator’s remarks. | Please see separate document Summary comments round 3 –proposals/comments coordinator. |  |  |
| Though carriage of multiple categories of persons may be a relevant issue, can you agree that we concentrate on our task, namely IPs at this stage? | Please see separate document Summary comments round 3 –proposals/comments coordinator.  If you agree to use “n”, I propose that we consider using n in the IP code not in the SOLAS amendments.  As always, I stand to be corrected, but if we use “n” in th SOLAS amendments we will have a chapter for ships carrying more than “n” persons on board and I am not quite sure how to specify that this “n” encompass a very specific group of persons and not just anyone. | Agreed except for the issue of pax +IP.  It is also proposed to use “n” – numbers of persons on board. | Some text related to pax+IP included for your consideration in the application paragraphs.  If you want to use “n” in the draft new SOLAS chapter, please provide proposals. |
| Do you prefer to have goal(s) and functional requirements in SOLAS or in the IP-Code? | I hope you can accept the majority decision as, if not, we will be a trial group for the future SOLAS, and that could seriously delay our work. | The majority is in favour of having goals and functional requirements in the IP Code | Draft SOLAS amendments adjusted accordingly. |
| Could the SPS code work as a benchmark? I know it not a mandatory code, but could you agree that in addition to having the cargo ship standard as the lower standard, we should not go below the guidance in that code? | Even if I was not looking for a decision at this point, you all seems to agree to use the SPS code as a bench-mark and the majority is in favour of not going below the SPS-Code requirements.  As in the SPS Code, I would recommend that we use references to SOLAS where there are relevant requirements in SOLAS. Be it in chapters I-VI or in chapter X. If we copy and paste, there will be more “maintenance” required. | Agreed  It is also a request to consider if the IP Code should be a stand alone instrument or use references to SOLAS. | The decision will be used in the development of the IP Code.  I will try to work on a skeleton for the IP code towards the next round as an attempt to have something to work on at SDC if we get a working group. |
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| **Draft SOLAS amendments** |  |  |  |
| "**CHAPTER XV**  **SAFETY MEASURES FOR SHIPS CARRYING MORE THAN 12 INDUSTRIAL PERSONNEL ON INTERNATIONAL VOYAGES** | This is the majority view, however, if we decide to refer to ships certified in accordance with chapter one, we may need to keep “cargo”.  Following the same approach as the Polar Code, the IP code will be an add on to the cargo ship certificate. I do not see it as an add on to a passenger ship certificate as they can carry IPs as passengers. | The majority is in favour of deleting “cargo” and “vessel” and keep “ships”. | Draft SOAS amendments adjusted accordingly, but please see my comments |
| **Regulation 1 – Definitions** For the purpose of this chapter: |  | Agreed to list in alphabetical order. |  |
| 1 *Crew* means all persons carried on board the ship to provide navigational and maintenance of the ship, its machinery, systems and arrangements essential for propulsion and safe navigation or to provide services for other persons on board. | I would like to point out that we are not having a manning discussion here. I also agree that we need to be careful as the MLC has a definition of seafarer. | The majority prefers not to include this. | Deleted in the round 3 draft SOLAS amendments. |
| 2 *Industrial Personnel (IP)* means all persons who are transported or accommodated on board for the purpose of offshore industrial activities performed [on board] [aboard and/or on board] other vessels and/or other offshore facilities and meet the criteria set out in [chapter [x] of the IP-Code] [regulation y below].  Alternative proposal:  *Industrial personnel* means personnel that are expected to be able bodied with fair knowledge of the layout of the ship and are to have received some training associated with working offshore as well as general information concerning safety procedures and the handling of the ship’s safety equipment before leaving port. | Please see separate document Summary comments round 3 –proposals/comments coordinator and the new draft SOLAS amendments for the new proposals. | The alternative proposal did not get much support.  Some amendments to the original definition have been suggested | Additional proposals included in the round 3 draft SOLAS amendments and in the round 3 matrix for further discussion. |
| 3 *IP-Code* means the International Code of Safety for [Cargo Ships] [vessels] carrying more than 12 Industrial Personnel on international voyages, as adopted by resolutions MSC.xxx(yy)as amended, provided that:  .1 amendments to the IP-Code, are adopted, brought into force and take effect in accordance with the provisions of article VIII of the present Convention concerning the amendment procedures applicable to the annex other than chapter. | I have aligned the text with the majority view for the heading in the round 3 draft SOLAS amendments and taken on board the additional wording “as may be amended”. | Agreed | Please see round 3 draft SOLAS amendments and the round 3 matrix. |
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| 4 *Mobile offshore drilling units (MODU)* as defined in regulation IX/1.7 | The reason for the proposal in the first place was some fear that offshore workers would be considered IPs when on board MODUs.  As pointed out by some of you, if a MODU carries IPs it should not be excluded from these requirements.  This may be the case for some multipurpose ships.  For the purpose of this code, a “pure” MODU is “the other ship or installation”. The IP Code is for the transportation only. | There is a slight majority to delete 2.4 and hence we do not need this definition. | Has been deleted in the draft SOLAS amendments. |
| *5 Offshore industrial activities* mean the construction, maintenance, operation or servicing of offshore facilities related, but not limited, to exploration, the renewable or hydrocarbon energy sectors, aquaculture, ocean mining or similar activities. |  | Inclusion supported.  Also proposed to include the word decommissioning, | Additional proposal included in the round 3 draft SOLAS amendments for yurconsideration. |
| 6 *Passenger* means every person other than  .1 the master and the members of the crew;  .2 a child under one year of age; and  .3 industrial personnel | Please see separate document Summary comments round 3 –proposals/comments coordinator and the new draft SOLAS amendments for the new proposals. | Inclusion not supported. | Round 3 draft SOLAS amendments amended accordingly. |
| 7 *Ship constructed* means a ship the keel of which is laid or which is at a similar stage of construction. | I tend to agree that this may not be needed, but it has been included for example in the Polar Code amendments. | Inclusion supported | Kept as is |
| 8 *At a similar stage of construction* means the stage at which:  .1 construction identifiable with a specific ship begins; and  .2 assembly of that ship has commenced comprising at least 50 tonnes or 1% of the estimated mass of all structural material, whichever is less. | As above | As above | As above |
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| **Regulation 2 Application** |  |  |  |
| 1 Unless expressly provided otherwise, this chapter applies to [ships] [vessels] constructed on or after [dd.mm.yyyy] carrying more than 12 industrial personnel. |  | Agreed and it is preferred to use ships as in the heading. | Draft SOLAs amendments amended accordingly.  Please see round 3 draft SOLAS amendments and round 3 matrix. |
| **2** This chapter shall not apply to ships owned or operated by a Contracting Government and used, for the time being, only in Government non-commercial service. However, ships owned or operated by a Contracting Government and used, for the time being, only in Government non-commercial service are encouraged to act in a manner consistent, so far as reasonable and practicable, with this chapter. | . | Agreed to be included | Kept as is in the draft amendments. |
| 3 Nothing in this chapter shall prejudice the rights or obligations of States under international law. |  | Agreed | Kept as is in the draft amendments. |
| 4 This chapter does not apply to mobile offshore drilling units. | See discussion under the proposed definition.  In addition, we cannot refer to non-binding codes in the main text of a binding IMO instrument (Ref proposals on “subject to the MODU-code”)  Again, we are referring to the transportation mode from one ship to another. | I slight preference to delete. | Deleted in the draft SOLAS amendments. |
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| **Regulation 3 Requirements** | First of all, my apologies for messing section up with my use of numbers and with the application part.  I agree that it is much tidier for the SOLAS amendments to simply requirement compliance with the IP Code, and then the IP code itself will have the relevant criteria for application. In particular given that you prefer to have the goals and the functional requirements in the IP Code. | Though there are some support for the text below, I think it mirror the decision to use the SPS code as a bench mark and it will be treated as such when we develop the IP Code. | The content of this regulation has either been removed or amended.  Please see round 3 draft amendments and the round 3 matrix. |
| 1 [Ships] [Vessels] of 500 gross tonnage an above, regardless of date of construction, carrying less than [240] IPs shall meet all the relevant requirements for cargo ships in the present convention. | How and if we include this will be discussed in the body of the IP Code.  I also agree that the word relevant is not good. The point was that not all requirements are applicable to all cargo ships and I should have use the word applicable. |  | Removed from the SOLAS amendments |
| 2 In addition, [ships] [vessels] of 500 gross tonnage and above, constructed on or after [dd.mm.yyyy], carrying [36] or more [but not more than [240]] IPs shall meet the requirements of the IP code. | This has been completely changes as can be seen in the new draft amendments.  The only requirements we should have here is the requirement to comply with the IP Code, as we did for the Polar Code. And the applicable limit is 12 pax+IP, 12 IPs or n persons, pending what we agree above. |  | Amended |
| 3 [Ships] [Vessels] of 500 gross tonnage and above, constructed on or after [dd.mm.yyyy], carrying more than [240] IPs shall meet all the relevant requirements for passenger ships in the present convention. |  |  | Removed |
| 4 [Ships] [Vessels] built prior to [dd.mm.yyyy] carrying [36] or more [but not more than [240]] IPs, shall meet the requirements of the IP Code far as reasonable and practicable. | Please note that in the round 3 draft amendments the issue of existing and smaller vessels has been included under application and are only considered placeholders that we will revert to |  | Moved to application and amended |
| 5 [Ships] [Vessels] of less than 500 gross tonnage regardless o date of construction carrying [36] or more [but not more than [240]] IPs, shall meet a standard acceptable to the Administration taking into account the goal and functional requirements of [this chapter] [the IP Code]. | As above |  | As above |
| As an alternative to 4 and 5 above, the following has been proposed:  4 While the IP Code applies to [ships] [vessels] of 500 gross tonnage and above [constructed on or after [dd.mm.yyyy]], Administrations may also consider the application of the IP code to [ships] [vessels] constructed prior to [dd.mm.yyyy] and [ships] [vessels] of lesser gross tonnage. | As above | As above | Asabove |
| 6 In order to be considered industrial personnel in the context of this chapter a person shall:  .1 be not less than 16 years of age;  .2 prior to boarding the ship, receive appropriate safety training, meeting the standard in paragraph 2.1 of section A-VI/1 of the STCW Code. Administrations may accept other industrial training standards such as those of the Global Wind Organisation (GWO), Offshore Petroleum Industry Training Organisation (OPITO), Basic Offshore Safety Induction and Emergency Training (OPITO accredited), if they consider these appropriate alternatives;  .3 receive on board ship specific safety familiarization that includes, but is not limited to, the layout of the ship, and handling of the safety equipment, as appropriate. The standard in paragraph 1 of section A-VI/1 of the STCW Code, or equivalent, should be used as the standard;  .4 be familiarized with specific procedures, e.g. transfer procedures on and off the ship while at sea, as appropriate;  .5.1 be accounted for in the ship's life-saving equipment; and  .5.2 be equipped with personal protective clothing and equipment suitable for the safety risks to be encountered both while on board the ship and being transferred at sea; and  .6 meet appropriate medical standards. The standard in section A-I/9 of the STCW Code, applicable to engineers, or equivalent, may be used as a standard. | I have amended the text and kept in the SOLAS amendments for your consideration.  I need a clear view where you want this to go.  SOLAS or the IP Code | There is a slight preference for keeping this in SOLAS if I understand your comments correctly.  It is also commented that it is unclear where the responsibility lies in terms of verifying that a person comply with the IP requirements. | **Kept and modified, please see round 3 draft amendments and matrix.** |
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| Reg 4, 5 and 6 | Regarding deciding later, I think it is helpful to have an agreement now, and I am happy with having goals and functional requirements in the IP Code.  We have SOLAS chapter III that will be the real test for the “new GBS SOLAS” and I would not like trying to beat SOLAS chapter III on that through this work. | Preference for having the goals and functional requirements in the IP Code.  It is commented that we should use MSC.1/Circ.1394/Rev.1 in the development and that we make that clear in the report. | Reg 4 and 5 has been removed. Alternative design is kept in for a later decision. |