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Circular Letter No.3451
20 May 2014

To: All IMO Members
Contracting Governments to the International Convention for the Safety of
Life at Sea, 1974

Subject: **Amendments to the International Convention for the Safety of Life at
Sea, SOLAS 1974, as amended**

**Amendments to the International Code on the Enhanced Programme of
Inspections during Surveys of Bulk Carriers and Oil Tankers, 2011
(2011 ESP Code), as amended**

1 The Maritime Safety Committee, at its ninety-third session (14 to 23 May 2014)
approved:

- .1 draft amendments to chapters II-2, VI and XI-1 of, and the appendix to the
annex to, the International Convention for the Safety of Life at Sea
(SOLAS), 1974, as amended, set out in annex 1;
- .2 the draft new chapter XIV of the International Convention for the Safety
of Life at Sea (SOLAS), 1974, as amended, set out in annex 2; and
- .3 draft amendments to the International Code on the Enhanced Programme
of Inspections during Surveys of Bulk Carriers and Oil Tankers, 2011
(2011 ESP Code), as amended, set out in annex 3,

for circulation with a view to adoption at its ninety-fourth session (17 to 21 November 2014).

2 The Secretary-General has the honour to transmit herewith, in accordance with
article VIII(b)(i) of the International Convention for the Safety of Life at Sea, 1974, the text of
the aforementioned proposed amendments to the Convention and the 2011 ESP Code,
given in annexes 1 to 3, respectively, for consideration with the view to adoption by the
Committee at its ninety-fourth session, in accordance with article VIII(b)(iv) of the
Convention.

ANNEX 1

**DRAFT AMENDMENTS TO THE INTERNATIONAL CONVENTION FOR THE
SAFETY OF LIFE AT SEA, 1974, AS AMENDED**

**CHAPTER II-2
CONSTRUCTION – FIRE PROTECTION, FIRE DETECTION
AND FIRE EXTINCTION**

**Part C
SUPPRESSION OF FIRE**

Regulation 10 – Fire fighting

1 The title of existing paragraph 5.2 is replaced by the following:

"5.2 Machinery spaces of category A containing internal combustion machinery"

**CHAPTER VI
CARRIAGE OF CARGOES AND OIL FUELS**

**Part A
General Provisions**

Regulation 2 – Cargo information

2 The following new paragraphs 4, 5 and 6 are added after the existing paragraph 3:

"4 In the case of cargo carried in a container^{*}, except for containers carried on a chassis or a trailer when such containers are driven on or off a ro-ro ship engaged in short international voyages as defined in regulation III/3, the gross mass according to paragraph 2.1 of this regulation shall be verified by the shipper, either by:

- .1 weighing the packed container using calibrated and certified equipment; or
- .2 weighing all packages and cargo items, including the mass of pallets, dunnage and other securing material to be packed in the container and adding the tare mass of the container to the sum of the single masses, using a certified method approved by the competent authority of the State in which packing of the container was completed.

5 The shipper of a container shall ensure the verified gross mass^{**} is stated in the shipping document. The shipping document shall be:

- .1 signed by a person duly authorized by the shipper; and

.2 submitted to the master or his representative and to the terminal representative sufficiently in advance, as required by the master or his representative, to be used in the preparation of the ship stowage plan^{***}.

6 If the shipping document, with regard to a packed container, does not provide the verified gross mass and the master or his representative and the terminal representative have not obtained the verified gross mass of the packed container, it shall not be loaded on to the ship.

* The term "container" has the same meaning as that term is defined and applied in the International Convention for Safe Containers (CSC), 1972, as amended, taking into account the *Guidelines for the approval of offshore containers handled in open seas* (MSC.1/Circ.860) and the Revised Recommendations on harmonized interpretation and implementation of the International Convention for Safe Containers, 1972, as amended (CSC.1/Circ.138/Rev.1).

** Refer to the Guidelines regarding the verified gross mass of a container carrying cargo (MSC.1/Circ.[...]).

*** This document may be presented by means of EDP or EDI transmission techniques. The signature may be electronic signature or may be replaced by the name in capitals of the person authorized to sign."

CHAPTER XI-1 SPECIAL MEASURES TO ENHANCE MARITIME SAFETY

3 The following new regulation 7 is added after existing regulation 6:

"Regulation 7

Atmosphere testing instrument for enclosed spaces

Every ship to which chapter I applies shall carry an appropriate portable atmosphere testing instrument or instruments^{*}. As a minimum, these shall be capable of measuring concentrations of oxygen, flammable gases or vapours, hydrogen sulphide and carbon monoxide prior to entry into enclosed spaces^{**}. Instruments carried under other requirements may satisfy this regulation. Suitable means shall be provided for the calibration of all such instruments.

* Refer to the *Guidelines to facilitate the selection of portable atmosphere testing instruments for enclosed spaces* (MSC Circ...).

** Refer to the *Revised Recommendations for entering enclosed spaces aboard ships*, adopted by the Organization by resolution A.1050(27)."

APPENDIX
CERTIFICATES

Form of Safety Equipment Certificate for Cargo Ships
Form of Safety Certificate for Cargo Ships

4 The Record of Equipment for the Cargo ship Safety Equipment Certificate (Form E) and the Record of Equipment for the Cargo Ship Safety Certificate (Form C), in section 2, item 2, is amended as follows:

"2 ***Details of life-saving appliances***

1 Total number of persons for which life-saving appliances are provided	Port Side	Star-board Side
2 Total number of <u>davit launched</u> lifeboats
2.1 Total number of persons accommodated by them		
2.2 Number of totally enclosed lifeboats (regulation III/31 and LSA Code, section 4.6)		
2.3 Number of lifeboats with a self-contained air support system (regulation III/31 and LSA Code, section 4.8)		
2.4 Number of fire-protected lifeboats (regulation III/31 and LSA Code, section 4.9)		
2.5 Other lifeboats		
2.5.1 Number		
2.5.2 Type		
2-6 <u>3</u> Total number of freefall lifeboats	
3.1 <u>3.1</u> Total number of persons accommodated by them		
2-6.4 <u>3.2</u> Number of totally enclosed lifeboats (regulation III/31 and LSA Code, section 4.7)		
2-6.2 <u>3.3</u> Number of lifeboats with a self-contained air support system (regulation III/31 and LSA Code, section 4.8)		
2-6.3 <u>3.4</u> Number of fire-protected lifeboats (regulation III/31 and LSA Code, section 4.9)		

The subsequent items are renumbered accordingly.

ANNEX 2

DRAFT AMENDMENTS TO THE INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974, AS AMENDED

A new chapter XIV is added after the existing chapter XIII, as follows:

"CHAPTER XIV SAFETY MEASURES FOR SHIPS OPERATING IN POLAR WATERS

Regulation 1 – Definitions

For the purpose of this chapter:

1 *Polar Code* means the International Code for Ships Operating in Polar Waters, consisting of an introduction and part I-A (the provisions of which shall be treated as mandatory) and an introduction and part II-A (the provisions of which should be treated as mandatory under the relevant annexes of the Protocol of 1978 relating to the International Convention for the Prevention of Pollution from Ships, 1973) and parts I-B and II-B (the provisions of which should be treated as recommendatory), as adopted by resolutions [MSC....(...) and MEPC....(...)], as may be amended by the Organization, provided that:

- .1 amendments to the safety-related provisions of the introduction and part I-A of the Polar 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; and
- .2 amendments to part I-B of the Polar Code are adopted by the Maritime Safety Committee in accordance with its Rules of Procedure.

2 *Antarctic area* means the sea area south of latitude 60° S.

3 *Arctic waters* means those waters which are located north of a line from the latitude 58°00.0' N and longitude 042°00.0' W to latitude 64°37.0' N, longitude 035°27.0' W and thence by a rhumb line to latitude 67°03.9' N, longitude 026°33.4' W and thence by a rhumb line to Sørkapp, Jan Mayen and by the southern shore of Jan Mayen to the Island of Bjørnøya, and thence by a great circle line from the Island of Bjørnøya to Cap Kanin Nos and hence by the northern shore of the Asian Continent eastward to the Bering Strait and thence from the Bering Strait westward to latitude 60°N as far as Il'pyrskiy and following the 60th North parallel eastward as far as and including Etolin Strait and thence by the northern shore of the North American continent as far south as latitude 60°N and thence eastward along parallel of latitude 60°N, to longitude 56°37.1' W and thence to the latitude 58°00.0' N, longitude 042°00.0' W.

4 *Polar waters* means Arctic waters or the Antarctic area.

5 *Ship constructed* means a ship the keel of which is laid or which is at a similar stage of construction.

- 6 *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.

Regulation 2 – Application

1 Unless expressly provided otherwise, this chapter applies to ships operating in polar waters, certified in accordance with chapter I.

2 Ships constructed before [*date of entry into force*] shall meet the relevant requirements of the Polar Code by the first intermediate or renewal survey, whichever occurs first, after [*one year after the date of entry into force*].

3 In applying part I-A of the Polar Code, consideration should be given to the additional guidance in part I-B of the Polar Code.

4 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.

5 Nothing in this chapter shall prejudice the rights or obligations of States under international law.

Regulation 3 – Requirements for ships to which this chapter applies

1 Ships to which this chapter applies shall comply with the requirements of the safety-related provision of the introduction, part I-A of the Polar Code and shall, in addition to the requirements of regulation I/7, I/8, I/9, and I/10, as applicable, be surveyed and certified, as provided for in that Code.

2 Ships to which this chapter applies holding a certificate issued pursuant to the provisions of paragraph 1 shall be subject to the control established in regulations I/19 and XI-1/4. For this purpose, such certificates shall be treated as a certificate issued under regulation I/12 or I/13.

Regulation 4 – Alternative design and arrangement

1 The goal of this regulation is to provide a methodology for alternative design and arrangements for structure, machinery, and electrical installations, fire safety and life-saving appliances and arrangements.

2 Structural arrangements, machinery and electrical installation, fire safety design and arrangement measures and as well as life-saving appliances and arrangements may deviate from the prescriptive requirements set out in chapters 3, 6, 8 and 9 of the Polar Code, provided that the alternative design and arrangements meet the intent of the goal and functional requirements concerned and provide an equivalent level of safety to those chapters.

3 When alternative designs or arrangements deviate from the prescriptive requirements of chapters 3, 6, 8 and 9 of the Polar Code, an engineering analysis, evaluation and approval of the design and arrangements shall be carried out based on the Guidelines approved by the Organization¹.

4 Any alternative designs or arrangement deviating from the prescriptive requirements shall be recorded in the Polar Ship Certificate and the ship's Polar Water Operational Manual, as required by the Polar Code, also defining the technical and operational measures and conditions for the allowed deviation."

¹ Refer to the *Guidelines for the approval of alternatives and equivalents as provided for in various IMO instruments (MSC.1/Circ.1455)*, the *Guidelines on alternative design for SOLAS chapters II-1 and III (MSC.1/Circ.1212)* and the *Guidelines on alternative design and arrangements for fire safety (MSC/Circ.1002)*, as applicable."

ANNEX 3

**DRAFT AMENDMENTS TO THE INTERNATIONAL CODE ON THE
ENHANCED PROGRAMME OF INSPECTIONS DURING SURVEYS OF
BULK CARRIERS AND OIL TANKERS, 2011 (2011 ESP CODE)**

ANNEX A

**CODE ON THE ENHANCED PROGRAMME OF INSPECTIONS DURING SURVEYS OF
BULK CARRIERS**

Part A

**CODE ON THE ENHANCED PROGRAMME OF INSPECTIONS DURING SURVEYS OF
BULK CARRIERS HAVING SINGLE-SIDE SKIN CONSTRUCTION**

- 1 The text in paragraph 5.3.2.3 is replaced by the following:

".3 hydraulic arm vehicles such as conventional cherry pickers, lifts and moveable platforms;"
- 2 The following new paragraph 5.5 is added after the existing paragraph 5.4:

"5.5 Rescue and emergency response equipment

If breathing apparatus and/or other equipment is used as "Rescue and emergency response equipment" then the equipment should be suitable for the configuration of the space being surveyed."
- 3 The existing paragraphs 5.5 and 5.6 are renumbered, respectively.
- 4 The following new paragraph 6.1.3 is added after the existing paragraph 6.1.2:

"6.1.3 For bulk carriers subject to SOLAS regulation II-1/3-10, the owner should arrange the updating of the Ship Construction File (SCF) throughout the ship's life whenever a modification of the documentation included in the SCF has taken place. Documented procedures for updating the SCF should be included within the Safety Management System."
- 5 The existing text under paragraph 6.3 is numbered as paragraph 6.3.1 and the following new paragraph 6.3.2 is added at the end of paragraph 6.3:

"6.3.2 For bulk carriers subject to SOLAS regulation II-1/3-10, the Ship Construction File (SCF), limited to the items to be retained on board, should be available on board."
- 6 The existing text under paragraph 6.4 is numbered as paragraph 6.4.1 and the following new paragraphs 6.4.2 and 6.4.3 are added at the end of paragraph 6.4:

"6.4.2 For bulk carriers subject to SOLAS regulation II-1/3-10, on completion of the survey, the surveyor should verify that the update of the Ship Construction File (SCF) has been done whenever a modification of the documentation included in the SCF has taken place.

6.4.3 For bulk carriers subject to SOLAS regulation II-1/3-10, on completion of the survey, the surveyor should verify any addition and/or renewal of materials used for the construction of the hull structure are documented within the Ship Construction File list of materials."

Part B

CODE ON THE ENHANCED PROGRAMME OF INSPECTIONS DURING SURVEYS OF BULK CARRIERS HAVING DOUBLE-SIDE SKIN CONSTRUCTION

7 The text in paragraph 5.3.2.3 is replaced by the following:

"3 hydraulic arm vehicles such as conventional cherry pickers, lifts and moveable platforms;"

8 The following new paragraph 5.5 is added after the existing paragraph 5.4:

"5.5 Rescue and emergency response equipment

If breathing apparatus and/or other equipment is used as "Rescue and emergency response equipment" then the equipment should be suitable for the configuration of the space being surveyed."

9 The existing paragraphs 5.5 and 5.6 are renumbered, respectively.

10 The following new paragraph 6.1.3 is added after the existing paragraph 6.1.2:

"6.1.3 For bulk carriers subject to SOLAS regulation II-1/3-10, the Owner should arrange the updating of the Ship Construction File (SCF) throughout the ship's life whenever a modification of the documentation included in the SCF has taken place. Documented procedures for updating the SCF should be included within the Safety Management System."

11 The existing text under paragraph 6.3 is numbered as paragraph 6.3.1 and the following new paragraph 6.3.2 is added at the end of paragraph 6.3:

"6.3.2 For bulk carriers subject to SOLAS regulation II-1/3-10, the Ship Construction File (SCF), limited to the items to be retained on board, should be available on board."

12 The existing text under paragraph 6.4 is numbered as paragraph 6.4.1 and the following new paragraphs 6.4.2 and 6.4.3 are added at the end of paragraph 6.4:

"6.4.2 For bulk carriers subject to SOLAS regulation II-1/3-10, on completion of the survey, the surveyor should verify that the update of the Ship Construction File (SCF) has been done whenever a modification of the documentation included in the SCF has taken place.

6.4.3 For bulk carriers subject to SOLAS regulation II-1/3-10, on completion of the survey, the surveyor should verify any addition and/or renewal of materials used for the construction of the hull structure are documented within the Ship Construction File list of materials."

ANNEX B

**CODE ON THE ENHANCED PROGRAMME OF INSPECTIONS
DURING SURVEYS OF OIL TANKERS**

Part A

**CODE ON THE ENHANCED PROGRAMME OF INSPECTIONS
DURING SURVEYS OF DOUBLE-HULL OIL TANKERS**

13 The text in paragraph 2.6.1 is replaced by the following new text:

"2.6.1 The minimum requirements for ballast tank pressure testing at the renewal survey are given in 2.6.3 and in annex 3.

The minimum requirements for cargo tank testing at renewal survey are given in 2.6.4 and annex 3.

Cargo tank testing carried out by the vessel's crew under the direction of the Master may be accepted by the surveyor provided the following conditions are complied with:

1. tank testing procedure has been submitted by the owner and reviewed by the Administration or Society prior to the testing being carried out;
2. there is no record of leakage, distortion or substantial corrosion that would affect the structural integrity of the tank;
3. the tank testing has been satisfactorily carried out within special survey window not more than 3 months prior to the date of the survey on which the overall or close up survey is completed;
4. the satisfactory results of the testing is recorded in the vessel's logbook; and
5. the internal and external condition of the tanks and associated structure are found satisfactory by the surveyor at the time of the overall and close up survey."

14 The text in paragraph 5.3.2.3 is replaced by the following:

".3 hydraulic arm vehicles such as conventional cherry pickers, lifts and moveable platforms;"

15 The following new paragraph 5.5 is added after the existing paragraph 5.4:

"5.5 Rescue and emergency response equipment

If breathing apparatus and/or other equipment is used as "Rescue and emergency response equipment" then the equipment should be suitable for the configuration of the space being surveyed."

16 The existing paragraphs 5.5 and 5.6 are renumbered, respectively.

17 The following new paragraph 6.1.3 is added after the existing paragraph 6.1.2:

"6.1.3 For oil tankers subject to SOLAS regulation II-1/3-10, the Owner should arrange the updating of the Ship Construction File (SCF) throughout the ship's life whenever a modification of the documentation included in the SCF has taken place. Documented procedures for updating the SCF should be included within the Safety Management System."

18 The existing text under paragraph 6.3 is numbered as paragraph 6.3.1 and the following new paragraph 6.3.2 is added at the end of paragraph 6.3:

"6.3.2 For oil tankers subject to SOLAS regulation II-1/3-10, the Ship Construction File (SCF), limited to the items to be retained on board, should be available on board."

19 The existing text under paragraph 6.4 is numbered as paragraph 6.4.1 and the following new paragraphs 6.4.2 and 6.4.3 are added at the end of paragraph 6.4:

"6.4.2 For oil tankers subject to SOLAS regulation II-1/3-10, on completion of the survey, the surveyor should verify that the update of the Ship Construction File (SCF) has been done whenever a modification of the documentation included in the SCF has taken place.

6.4.3 For oil tankers subject to SOLAS regulation II-1/3-10, on completion of the survey, the surveyor should verify any addition and/or renewal of materials used for the construction of the hull structure are documented within the Ship Construction File list of materials."

Part B

CODE ON THE ENHANCED PROGRAMME OF INSPECTIONS DURING SURVEYS OF OIL TANKERS OTHER THAN DOUBLE-HULL OIL TANKERS

20 The text in paragraph 2.6.1 is replaced by the following new text:

"2.6.1 The minimum requirements for ballast tank pressure testing at the renewal survey are given in 2.6.3 and in annex 3.

The minimum requirements for cargo tank testing at renewal survey are given in 2.6.4 and annex 3.

Cargo tank testing carried out by the vessel's crew under the direction of the Master may be accepted by the surveyor provided the following conditions are complied with:

1. tank testing procedure has been submitted by the owner and reviewed by the Administration or Society prior to the testing being carried out;

2. there is no record of leakage, distortion or substantial corrosion that would affect the structural integrity of the tank;
3. the tank testing has been satisfactorily carried out within special survey window not more than 3 months prior to the date of the survey on which the overall or close up survey is completed;
4. the satisfactory results of the testing is recorded in the vessel's logbook; and
5. the internal and external condition of the tanks and associated structure are found satisfactory by the surveyor at the time of the overall and close up survey."

21 The text in paragraph 5.3.2.3 is replaced by the following:

".3 hydraulic arm vehicles such as conventional cherry pickers, lifts and moveable platforms;"

22 The following new paragraph 5.5 is added after the existing paragraph 5.4:

"5.5 Rescue and emergency response equipment

If breathing apparatus and/or other equipment is used as "Rescue and emergency response equipment" then the equipment should be suitable for the configuration of the space being surveyed."

23 The existing paragraphs 5.5 and 5.6 are renumbered, respectively.
