

**PRE-BRIEF**  
for the  
**8th session of the**  
**IMO SUB-COMMITTEE ON IMPLEMENTATION OF IMO INSTRUMENTS (III 8)**  
remotely from 25 to 29 July 2022

**Contents of this report:**

- Introduction
- Consideration and analysis of reports on alleged inadequacy of port reception facilities
- Lessons learned and safety issues identified from the analysis of marine safety investigation reports
- Measures to harmonize port State control (PSC) activities and procedures worldwide
- Updated Survey Guidelines under the Harmonized System of Survey and Certification (HSSC)
- Development of guidance on assessments and applications of remote surveys, ISM Code audits and ISPS Code verifications

## INTRODUCTION

### Key Topics

There are 66 papers to be considered under 18 agenda items at III 8. The following agenda items will be closely monitored and relevant outcome reported back to members after III 8 for reference:

- Agenda item 2 – Decisions of other IMO bodies
- Agenda item 3 – Consideration and analysis of reports on alleged inadequacy of port reception facilities
- Agenda Item 4 – Lessons learned and safety issues identified from the analysis of marine safety investigation reports
- Agenda Item 5 – Measures to harmonize port State control (PSC) activities and procedures worldwide
- Agenda Item 10 – Updated Survey Guidelines under the Harmonized System of Survey and Certification (HSSC)
- Agenda Item 12 – Development of guidance on assessments and applications of remote surveys, ISM Code audits and ISPS Code verifications

## DECISIONS OF OTHER IMO BODIES

### AGENDA ITEM 2      Decisions of other IMO bodies

Paper III 8/2/Add.1

- MSC 105 considered the proposal amend the Casualty Investigation Code to mandate a root cause investigation, and instructed the III Sub-Committee to assess the proposal, taking into account the concerns about the extent of investigation, in particular concerning proposed new paragraphs 6.3.1.8 and 6.3.2 of chapter 6 of the Casualty Investigation Code in terms of legal basis and possible conflicts with existing legislation, such as the GBS under the SOLAS Convention; and the STCW Convention.
- MSC 105 authorized the III Sub-Committee to review the Interim guidance on control and compliance measures to enhance maritime security (resolution MSC.159(78)) with a view to

inclusion as a new appendix to the Procedures for port State control in a future version, noting that the resolution made reference to IMO instruments which in the meantime had been revoked or superseded.

#### Paper III 8/2/2

- PPR 9 agreed to the draft texts of the 2022 Guidelines for brief sampling of anti-fouling systems on ships, the 2022 Guidelines for inspection of anti-fouling systems on ships and the 2022 Guidelines for survey and certification of anti-fouling systems on ships, together with the associated draft MEPC resolutions;
- PPR 9 invited MEPC to instruct the III Sub-Committee to review the 2022 Guidelines for inspection of anti-fouling systems on ships with a view to them being added as a new appendix to a future version of the Procedures for port State control.

#### Paper III 8/2/2/Add.1

- FAL 46 agreed to inform the III Sub-Committee about the approval of the new data set on "Port State control inspection history data" and invited the III Sub-Committee to examine the possibility of creating a unique identifier of a port State control inspection.

## CONSIDERATION AND ANALYSIS OF REPORTS ON ALLEGED INADEQUACY OF PORT RECEPTION FACILITIES

### **AGENDA ITEM 3**      **Consideration and analysis of reports on alleged inadequacy of port reception facilities (PRFs)**

There is only 1 paper under this agenda item, informing that 105 reports on alleged inadequacy of port reception facilities for 2021 submitted by eight flag States (the Bahamas, Denmark, Germany, Liberia, Malta, the Marshall Islands, Singapore and the United Kingdom), in accordance with MEPC.1/Circ.834/Rev.1. The Marshall Islands reported 68 out of the 105 cases. It provides a summary of the reported issues with PRFs as follows:

- 1) countries with the highest number of received reports on alleged inadequacies of PRFs were: China (19 reports), Mexico (12 reports), Japan and Saudi Arabia (9 reports, respectively), and Australia and the United States (7 reports, respectively);
- 2) in 34 out of the 105 cases, the concerned port States provided a response to the reported alleged inadequacy claim (nine were provided by Saudi Arabia and six by Mexico);
- 3) the alleged inadequacies per MARPOL annex are summarized as follows:
  - 12 reports covered more than one annex of MARPOL;
  - 3 reports related to MARPOL Annex I (oily waste) only;
  - 2 reports related to MARPOL Annex IV-related waste (sewage);
  - 88 reports related to MARPOL Annex V (garbage) only; and
  - 12 reports addressed both MARPOL Annex I (oily waste) and MARPOL Annex V (garbage) waste categories.
- 4) the most frequently reported waste categories under MARPOL Annex I were sludge and oily tank washings; whereas, as far as MARPOL Annex V is concerned, the most recurrent waste categories relate to plastics, food waste, domestic waste, incinerator ashes and operational waste;
- 5) in 57 cases, the problems encountered related to the unavailability of PRFs, while in 9 cases unreasonable charges for using the facilities were reported; and
- 6) a relatively high number of MARPOL Annex V-reported cases (44) related to the inability to deliver organic (food) waste.

## LESSONS LEARNED AND SAFETY ISSUES IDENTIFIED FROM THE ANALYSIS OF MARINE SAFETY INVESTIGATION REPORTS

### **AGENDA ITEM 4**      **Lessons learned and safety issues identified from the analysis of marine safety investigation reports**

There are 7 papers under this agenda item, including the INTERCARGO paper III 8/INF.3 providing information on bulk carrier casualty statistics and analysis between the years 2012 and 2021.

#### Paper III 8/4

This is the report of the Correspondence Group on Analysis of Marine Safety Investigation Reports, with lessons learned from 16 cases covering:

- analysis on pilot ladder-related safety issues
- analysis on collisions involving fishing vessels
- analysis on occupational accidents - falls from height
- analysis on ism code-related concern on unsatisfactory implementation of safety management systems

#### Paper III 8/4/1

This document contains the list of 35 marine safety investigation reports, related to 33 marine casualties, reviewed by the Correspondence Group, and provides information on how to access the analyses of the above-mentioned reports.

#### Paper III 8/4/2

This document provides information on the measures taken to support compliance with relevant reporting requirements by Member States and to increase the reporting rate. Flag States can access the list of their outstanding reports through the Dashboard contained in the GISIS module on reporting requirements.

#### Paper III 8/4/3

This is a paper on Inadequate standards and regulations for cargo handling spaces of **specialized self-unloading bulk carriers** from Austria, summarizing the findings from the investigation into the fire which resulted in a constructive total loss of the Australian flagged Iron Chieftain.

The investigation report identified that inadequate standards were a factor in at least three major fires on board SUL bulk carriers over a 25-year period, including Iron Chieftain.

**Comments:** in principle, bulk carrier industry supports the effort to enhance bulk carrier safety in a practical and effective way. As the paper intends to propose a new output (working program) without technical substances, INTERCARGO would closely monitor the debate and be prepared to join the discussion on the technical substances.

#### Paper III 8/4/4

This document contains safety issues identified during the marine safety investigation for maritime casualties involving the car carrier Auto Banner and the cable-laying ship Responder.

#### Paper III 8/INF.5

This document contains a list of new requirements adopted by MSC 103, MEPC 76, MSC 104, MEPC 77 and A 32, which may be relevant in the context of the review of the Survey Guidelines under the HSSC and the development of the tables of reference concerning new requirements relevant to port State control activities.

#### Paper III 8/4/4

This document provides the outcome of the analysis of the causes for two typical accidents involving entering enclosed spaces aboard ships and proposes measures to prevent similar accidents.

## **MEASURES TO HARMONIZE PORT STATE CONTROL (PSC) ACTIVITIES AND PROCEDURES WORLDWIDE**

### **AGENDA ITEM 5      Measures to harmonize port State control (PSC) activities and procedures worldwide**

Paper III 8/5

This document contains the report of the Correspondence Group on Measures to Harmonize Port State Control (PSC) Activities and Procedures Worldwide, covering:

- development of guidance for PSC officers (PSCOs) on suspension of inspection for inclusion in the Procedures
- amendment to the PSC inspection report in appendix 13 of the Procedures to include information concerning the validity period and contact information of financial security providers of the insurance certificates
- how PSCOs can best address cases where the absence of a valid required Statement(s) of Compliance – Fuel Oil Consumption Reporting covering the year 2019 and onwards from 1 June of each following year is identified with particular reference to the change of flag and/or company

Paper III 8/5/1

This document provides updated information on recent developments in port State control regimes.

Paper III 8/5/2

The document contains information on recent developments concerning Equasis (Electronic Quality Shipping Information System).

Paper III 8/5/1

This document proposes to introduce definitions and necessary guidelines for re-inspection and follow-up inspection and provides draft amendments to Procedures for port State control, 2021 (resolution A.1155(32)) with regard to procedures for rectification of deficiencies and release.

Paper III 8/5/5 and 8/5/7

Those papers provide comments on paper III 8/5.

## **UPDATED SURVEY GUIDELINES UNDER THE HARMONIZED SYSTEM OF SURVEY AND CERTIFICATION (HSSC)**

### **AGENDA ITEM 10      Updated Survey Guidelines under the Harmonized System of Survey and Certification (HSSC)**

Paper III 8/10

This document contains the report of the intersessional Correspondence Group on the Review of the Survey Guidelines under the HSSC and the Non-exhaustive list of obligations under instruments relevant to the IMO Instruments Implementation Code (III Code).

Paper III 8/10/1

It is related to III 8/INF.5 with a list of new relevant mandatory requirements, as well as non-mandatory requirements. It provides information on relevant new requirements adopted by MSC 103, MEPC 76, MSC 104, MEPC 77 and A 32 in order to facilitate the identification of those

requirements that may necessitate appropriate amendments to the Survey Guidelines under the Harmonized System of Survey and Certification (HSSC), 2021 (resolution A.1156(32)), and the development of the tables of reference concerning new requirements relevant to PSC activities.

Paper III 8/10/2

Due to the different practices of recording date around the globe, the date formats vary in a wide range of certificates. This document proposes to formulate a unified format of recording date in certificates, aiming at avoiding unnecessary misunderstanding.

Paer III 8/INF.18

This document provides information on three disputed cases arising from revalidation of certificates according to the Survey Guidelines under the Harmonized System of Survey and Certification (HSSC), 2021 (resolution A.1156(32)).

## **DEVELOPMENT OF GUIDANCE ON ASSESSMENTS AND APPLICATIONS OF REMOTE SURVEYS, ISM CODE AUDITS AND ISPS CODE VERIFICATIONS**

### **AGENDA ITEM 12    Development of guidance on assessments and applications of remote surveys, ISM Code audits and ISPS Code verifications**

Paper III 8/12

This document provides a draft guidance on assessments and applications of remote ISM Code audits, aiming to regulate the specific procedures of remote audits, ensure the safe operation of ships, and thus to safeguard maritime safety and prevent marine pollution from ships

Paper III 8/12/1

This document suggests to amend resolutions A.1118(30) and A.1156(32) to provide guidance on the use of remote audits and surveys, respectively. It also indicates principles that could be considered for the future development of guidance on assessments and applications of remote surveys, ISM Code audits and ISPS Code verifications.

Paper III 8/12/2

This document proposes a draft guidance on remote surveys to promote the development of a unified guidance on assessments and applications of remote surveys.

Paper III 8/12/3

This document provides comments on document III 8/12/1, in particular with regard to the content of the draft guidance.

Paper III 8/INF.2

This document contains technical information for developing guidelines for inspection techniques in support of remote inspections and informs, in particular, on current R&D activities to assess the effectiveness and reliability of inspections and surveys carried out with the assistance of digital and robotic technologies.

Paper III 8/INF.2 by IACS

This document provides the draft guidance on remote statutory surveys and draft guidance for performance of ISM/ISPS remote audits/verifications.

End

Encl. III 8 PROVISIONAL AGENDA

## **APPENDIX 1**

### **Provisional Agenda**

**for the eighth session of the Implementation of IMO Instruments Sub-Committee,  
to be held remotely<sup>1</sup> from Monday, 25 July to Friday, 29 July 2022**

**Session commences at 11 a.m. (UTC+1) on Monday, 25 July 2022**

- Opening of the session
- 1 Adoption of the agenda
  - 2 Decisions of other IMO bodies
  - 3 Consideration and analysis of reports on alleged inadequacy of port reception facilities (7.7)
  - 4 Lessons learned and safety issues identified from the analysis of marine safety investigation reports (7.4)
  - 5 Measures to harmonize port State control (PSC) activities and procedures worldwide (1.11)
  - 6 Development of an entrant training manual for PSC personnel (6.10)
  - 7 Identified issues relating to the implementation of IMO instruments from the analysis of PSC data (7.5)
  - 8 Analysis of consolidated audit summary reports (1.4)
  - 9 Development of guidance in relation to IMSAS to assist in the implementation of the III Code by Member States (1.14)
  - 10 Updated Survey Guidelines under the Harmonized System of Survey and Certification (HSSC) (7.27)
  - 11 Non-exhaustive list of obligations under instruments relevant to the IMO Instruments Implementation Code (III Code) (1.5)
  - 12 Development of guidance on assessments and applications of remote surveys, ISM Code audits and ISPS Code verifications (1.29)
  - 13 Unified interpretation of provisions of IMO safety, security and environment-related conventions (7.1)
  - 14 Follow-up work emanating from the Action Plan to Address Marine Plastic Litter from Ships (4.3)
  - 15 Biennial agenda and provisional agenda for III 9
  - 16 Election of Chair and Vice-Chair for 2023
  - 17 Any other business
  - 18 Report to the Committees