

SUB-COMMITTEE ON IMPLEMENTATION
OF IMO INSTRUMENTS
2nd session
Agenda item 9

III 2/9/4
14 May 2015
Original: ENGLISH

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

**Outcome of MEPC 68 concerning the exemption of UNSP barges from
survey and certification requirements of MARPOL**

Note by the Secretariat

SUMMARY

<i>Executive summary:</i>	This document provides the outcome of MEPC 68 concerning the exemption of unmanned non-self-propelled (UNSP) barges from the survey and certification requirements of MARPOL
<i>Strategic direction:</i>	2
<i>High-level action:</i>	2.0.1
<i>Planned output:</i>	No related provisions
<i>Action to be taken:</i>	Paragraph 6
<i>Related documents:</i>	Resolutions A.1053(27) and 1076(28); III 1/WP.6, III 1/18; MEPC 67/14/1; MEPC 68/12/4, MEPC 68/12/10 and MEPC 68/21, sections 12 and 14

Background

1 The Sub-Committee, at its first session, having noted that MARPOL Annexes I, IV and VI did not have specific provisions to allow an exemption from survey and certification requirements, although MARPOL Annexes I and VI did contain some regulations dealing with exemptions while MARPOL Annex IV did not contain any regulation on exemptions, invited MEPC 67, in the context of the draft *Guidelines for exemption of unmanned non-self-propelled (UNSP) barges from the survey and certification requirements under the MARPOL Convention* to be developed, to consider if it was necessary to develop amendments to MARPOL Annexes I, IV and VI or relevant unified interpretations, as appropriate, to allow the exemption of unmanned and non-self-propelled barges from survey and certification requirements (III 1/18, paragraph 10.8).

Exemption of UNSP barges from survey and certification requirements of MARPOL

2 MEPC 68, in its consideration of the above-mentioned draft guidelines together with documents MEPC 68/12/4 (Republic of Korea) and MEPC 68/12/10 (New Zealand), noted the support to develop amendments to relevant MARPOL Annexes to provide a legal basis for exempting UNSP barges from survey and certification requirements. A number of delegations considered the draft text in document MEPC 68/12/4 to be simple and pragmatic while, at the same time, expressing concerns on the use of the term "certain ship type" rather than "UNSP barges"; as this may lead to ambiguity and much broader interpretations. A number of other delegations, in supporting the alternative text provided in document MEPC 68/12/10, stressed that the conditions for the issue of an exemption should be included in the text of the MARPOL amendments rather than in the guidelines and that a renewal survey is necessary to confirm that conditions allowed for an exemption are continuously being met.

3 In the above context, MEPC 68 instructed III 2 to further consider, with a view to finalization, the draft amendments to MARPOL concerning the exemption of UNSP barges from survey and certification requirements, taking into account documents MEPC 68/12/4 and MEPC 68/12/10, and to finalize the associated draft guidelines, as contained in annex 7 to document III 1/18, ensuring consistency with the draft MARPOL amendments.

Proposed amendments to the 2011 HSSC Guidelines

4 MEPC 68 considered document MEPC 67/14/1 (Democratic People's Republic of Korea), identifying an incorrect reference to a regulation of MARPOL Annex I in the *Survey Guidelines under the Harmonized System of Survey and Certification (HSSC) 2011* (resolution A.1053(27)), caused by amendments to Annex I leading to a change in numbering of regulations, which first emerged in the 2003 version of the guidelines and has been carried over since.

5 Following consideration, the Committee, having concurred with the proposal contained in paragraph 9 of document MEPC 67/14/1 and having noted the following proposed amendments to paragraph 4.8.1 of the *2011 HSSC Guidelines*, instructed the III Sub-Committee to check all the references appearing in that paragraph of the guidelines, and to correct them as appropriate:

- .1 reference to regulation 1.5.1.3 of the IBC Code should read "regulation 1.5.1.4";
- .2 reference to regulation 3.4 of MARPOL Annex I should read "regulation 6.3.3"; and
- .3 a reference to regulation 8.2.5 of MARPOL Annex II should be included.

Action requested of the Sub-Committee

6 The Sub-Committee is invited to note the information provided above and take action as appropriate.