

SUB-COMMITTEE ON SHIP SYSTEMS AND
EQUIPMENT
1st session
Agenda item 13

SSE 1/WP.5
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**DEVELOPMENT OF REQUIREMENTS FOR ONBOARD LIFTING APPLIANCES
AND WINCHES**

Report of the Working Group

GENERAL

1 The Working Group on Onboard Lifting Appliances and Winches met from 10 to 12 March 2014, under the chairmanship of Mr. R.H.W. Lakeman (Netherlands).

2 The group was attended by delegates from the following Member Governments:

ANTIGUA AND BARBUDA
AUSTRALIA
CANADA
CHINA
DENMARK
FINLAND
FRANCE
GERMANY
GREECE
INDONESIA
JAPAN

MARSHALL ISLANDS
NETHERLANDS
NEW ZEALAND
NORWAY
REPUBLIC OF KOREA
SINGAPORE
SWEDEN
UNITED KINGDOM
UNITED STATES
VANUATU

by representatives from the following United Nations and specialized agencies:

INTERNATIONAL LABOUR ORGANIZATION (ILO)

and observers from the following non-governmental organizations:

INTERNATIONAL CHAMBER OF SHIPPING (ICS)
BIMCO
INTERNATIONAL ASSOCIATION OF CLASSIFICATION SOCIETIES (IACS)
ICHCA INTERNATIONAL LIMITED
INTERNATIONAL ASSOCIATION OF DRILLING CONTRACTORS (IADC)

THE INTERNATIONAL MARINE CONTRACTORS ASSOCIATION (IMCA)
INTERNATIONAL HARBOUR MASTERS' ASSOCIATION (IHMA)
THE ROYAL INSTITUTION OF NAVAL ARCHITECTS (RINA)
INTERNATIONAL TRANSPORT WORKERS' FEDERATION (ITF)
THE NAUTICAL INSTITUTE (NI)

TERMS OF REFERENCE

3 Taking into account the comments made and decisions taken in plenary, the working group was instructed to:

- .1 consider the scope and application of measures, identifying ranges of equipment and types of ship, taking into account all relevant incident reports and data, including those for the ships **Blest Marine** and **Creciente**, and those in document SSE 1/INF.3;
- .2 identify which elements of existing regulations and instruments (e.g. ILO Convention No.152, SOLAS, STCW, ISM Code, LSA Code, HSSC Guidelines, MODU Code, ISO Standards, etc.) could be cross-referenced in measures and any gaps to be covered, taking into account the information in documents SSE 1/13/1 and SSE 1/INF.4;
- .3 develop a detailed work plan for future course of action;
- .4 consider whether it is necessary to establish a correspondence group and, if so, prepare terms of reference for consideration by the Sub-Committee; and
- .5 submit a written report by Wednesday, 12 March 2014.

SCOPE AND APPLICATION

4 The group agreed that the incident data and analysis contained in document SSE 1/INF.3 (New Zealand) was valuable, but not sufficient on its own, for the group to make a strong recommendation on the scope and application of potential future measures for onboard lifting appliances and winches, and the necessity of specific measures. Furthermore, some delegations were doubtful as to the validity of some of the conclusions on the root causes of a number of incidents. Therefore, the group agreed that a more detailed consideration of all the incidents listed in SSE 1/INF.3 should be undertaken by a correspondence group, if established, including the detailed, background incident reports and investigations (see paragraph 29).

5 Some delegations stated that they were confident that additional incident data existed and therefore, this data should be considered before determining the scope and application of any potential measures. Thus, the group encouraged all Member States and international organizations having access to incident data and reports relevant to onboard lifting appliances and winches, particularly industry organizations such as ICHCA, whose members may have relevant marine claims at their disposal, to make them available to the correspondence group.

6 Many delegations stressed the importance of "near-miss" data in informing decisions on potential future regulations and the lack of publically available "near miss" data in the maritime field. In this respect, the group was reminded that Member States and international organizations could suggest improvements to marine accident reporting practices by submitting proposals to the Organization.

7 The group agreed that, in addition to the categorization of the causes of incidents presented in document SSE 1/INF.3, the following recommendations should be taken into account, when incident data involving onboard lifting appliances and winches are analysed:

- .1 common elements and trends in the incident reports should be identified;
- .2 where possible, the onboard lifting appliance operators (i.e. ship's crew or shore based personnel) should be determined;
- .3 where relevant data is available, the status of certification and test reports of onboard lifting appliances and winches should be determined;
- .4 possible misuse of equipment that may have contributed to the incident should be considered; and
- .5 incident reports could be classified according to the level of detail and completeness of information that they contain. However, care should be taken during such an exercise, since many incident reports that are not originally available in English, may not be provided in full. Reporting Administrations would have to exercise their judgement when selecting the relevant sections of a report that should be translated into English.

The Sub-Committee was invited to endorse the above recommendations.

8 Regardless of the necessity to receive and review additional incident data and reports, the group proceeded to make recommendations on the following items, based on the available data:

- .1 types of equipment;
- .2 types of ships;
- .3 the focus of the measures; and
- .4 whether the measures should apply to existing and/or new ships.

EQUIPMENT

9 Consensus was achieved in that the scope of the measures should be broad for initial consideration, and not limited to cargo-handling lifting appliances, based on the experience of some delegations that serious accidents and fatalities had resulted from failures in non-cargo handling lifting equipment. Therefore, proposals to include other types of onboard lifting appliances and winches, such as that submitted by Norway in document DE 56/22/4, regarding anchor winches, could be considered, as long as there was data available that could support the development of measures for such types of equipment. The delegation of Norway stated that from its point of view, regulations are needed when there are registered accidents and a lack of existing regulations is identified. Some other

delegations emphasised the importance of considering the proportionality and effectiveness of any proposed measures.

10 The group agreed that personnel/passenger elevators (lifts) and escalators on board ships should not be included in the scope of the application, as well as any equipment regulated by the LSA Code, in order to avoid duplication or conflicting requirements with other IMO instruments. However, the group noted that there are instances of equipment that have been tested and approved under existing mandatory instruments and regulations, such as the LSA Code, that have dual or multiple purposes. In these cases, the group recommended that the alternate uses of such equipment, not covered under existing regulations, should be considered when deliberating on the scope of potential measures for onboard lifting appliances and winches.

11 The group further agreed that, based on presently available data, onboard lifting appliances might be defined as stationary or mobile load-handling appliances used on board ships for suspending, raising or lowering loads, or moving loads from one position to another, while suspended. However, the group recognized that the above definition could be further expanded or refined by a correspondence group, based on further consideration of the data available.

TYPES OF SHIPS

12 In discussing the application of potential future measures, the group agreed that these should be considered for application to all ships to which SOLAS applies.

13 Regarding MOUs certified under the MODU Code, the group recognized that chapter 12 of the MODU Code covers lifting appliances and therefore, also in the absence of any incident data for lifting appliances on MOUs, the group concluded that the scope of application of further measures on onboard lifting appliances should not include these MOUs.

14 Considering that the group had previously agreed that potential measures should cover only ships to which SOLAS applies, the group agreed to leave fishing vessels out of the scope of the measures for the time being. Nevertheless, the group recognized that fishing vessels may need to be addressed in future.

NEW AND EXISTING SHIPS

15 The group agreed that the focus of potential measures would ultimately determine the decision on whether the measures should apply to existing ships only, or existing and new ships. If the measures address operation, maintenance, training, inspection, testing and certification, these provisions might be applicable to new and existing ships. However, if the measures address the issue of design and construction, such provisions might apply to newly-installed equipment, regardless of whether the equipment would be installed on new or existing ships.

16 With regard to the issue of certification, the group highlighted that in case this item is included within potential measures, a transitional period for existing ships should be considered.

FOCUS OF THE MEASURES

17 The group recognized that further detailed consideration of existing incident data, in addition to a review of supplementary incident data involving onboard lifting appliances and winches, was required in order to fully determine the focus of future measures. Nevertheless,

the group agreed that based on the presently available incident data, the following items stood out and could be further considered at this initial stage:

- .1 insufficient safety procedures in place;
- .2 lifting hooks not engaged properly;
- .3 training in operation and maintenance; and
- .4 operational and maintenance conditions that could induce failure of onboard lifting appliances and winches, and particularly wire rope.

18 With regard to training, the group recognized that ILO should be consulted and included in further consideration of potential measures, in order to avoid duplication of effort. In addition, national requirements for training should be taken into consideration.

19 The group agreed to refer these items for further consideration to a correspondence group. Furthermore, the group was of the view that the above list of items was not exhaustive and should not restrict the correspondence group from identifying and considering additional items based on further analysis of incident data (see paragraph 29).

STATUS OF THE MEASURES

20 The group was divided on the issue of whether potential future measures on onboard lifting appliances and winches should be developed as non-mandatory guidance to ship owners, ship's crew, and maritime Administrations, or developed with a view to becoming mandatory, through amendments to SOLAS or other mandatory IMO instruments.

21 Some delegations expressed the view that it was not feasible to consider the question of mandatory application of measures for lifting appliances and winches at this stage, since the scope of the measures, the range of equipment affected and the issues to be addressed, required further analysis and had not been fully defined.

22 Other participants in the group supported the principle of developing mandatory measures, and considering possible amendments to SOLAS or other mandatory IMO instruments, in parallel with the development of the measures, since any new provisions for onboard lifting appliances could not be enforced if they were not mandatory.

23 Given that consensus on the future status of the measures for onboard lifting appliances and winches could not be reached within the group, the group agreed that the issue of the future status of the measures for onboard lifting appliances and winches should be considered by the Sub-Committee at its second session after a draft framework had been produced, and the focus of the measures had been refined by the correspondence group (see paragraph 29).

24 The group briefly considered documents SSE 1/13/1 and SSE 1/INF.4 (Germany) and noted that some of the provisions in SSE 1/INF.4 could serve as a helpful reference when developing draft text for potential measures for onboard lifting appliances and winches. However, the group agreed that it was premature to consider detailed text proposals at this stage, and did not consider the documents further.

UPDATED ACTION PLAN

25 The group recalled that MSC 89 had instructed the DE Sub-Committee to first agree on the specific deliverables before undertaking any technical work, and seek the Committee's approval accordingly (MSC 89/25, paragraph 22.26). Since the group had concluded earlier that further analysis of incident data was required in order to determine the specific deliverables, the group agreed that as a next step, a framework of potential measures could be developed, based on the areas of focus identified through the root cause analysis of the incident reports.

26 The group agreed that in order to fully develop draft text of potential measures for onboard lifting appliances and winches, a clear direction on whether the potential measures should be mandatory or non-mandatory should be established by the Sub-Committee and endorsed by the Committee in 2015, after the scope and application of the measures had been determined.

27 The decision on the status of the potential measures affects the expected completion year for this output by one year. If the potential measures are not to be mandatory, then the relevant work item is expected to be completed in 2017, following submission to MSC 98 for approval. If the measures are to be mandatory, then amendments to existing mandatory IMO instruments would have to be developed, and submitted to MSC 98 for approval, with a view for adoption by MSC 99 in 2018.

28 In line with the terms of reference and to facilitate the understanding of the Sub-Committee, a detailed work plan, containing an estimated timetable, was elaborated by the group as contained in annex.

ESTABLISHMENT OF A CORRESPONDENCE GROUP

29 The group, taking into account the progress made at this session, agreed to recommend that a correspondence group be established, under the coordination of New Zealand*, to continue the work intersessionally, with the following terms of reference:

"Based on the report of the working group at SSE 1/WP.5, the correspondence group is instructed to:

- .1 collect and analyse additional incident reports and data related to onboard lifting appliances and winches, and review detailed background reports associated with all identified incidents, including the incidents listed in SSE 1/INF.3, and those for the ships **Blest Marine** and **Creciente**;
- .2 further consider the need, scope and application of potential measures for onboard lifting appliances and winches, identifying ranges of equipment and types of ships, and refine the focus of the measures based on the incident data analysis;

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- .3 where necessary, develop a framework for potential measures for onboard lifting appliances and winches, taking into account available standards such as those listed in annex 2 to document DE 57/WP.7, and identify additional elements of existing instruments that could be cross-referenced (e.g. ILO instruments, SOLAS, STCW, ISM Code, BLU Code, HSSC Guidelines, PSC Guidelines, etc.) and any gaps to be covered;
- .4 if time permits, develop draft text for a subset of the items identified in the framework to serve as examples, to assist the deliberations of the Sub-Committee; and
- .5 submit a report to SSE 2."

ACTION REQUESTED OF THE SUB-COMMITTEE

- 30 The Sub-Committee is invited to approve the report in general and, in particular, to:
- .1 note the discussion and conclusion of the group on the need for further consideration of available data involving onboard lifting appliances and winches, in order to confidently determine the scope and application of potential measures and the necessity for specific measures (paragraphs 4, 5 and 6);
 - .2 endorse the recommendations made by the group on incident analysis methodology (paragraph 7);
 - .3 endorse the view that initial consideration of the scope of potential measures for onboard lifting appliances and winches should be broad, and not limited to cargo-handling lifting appliances (paragraph 9);
 - .4 endorse the view that personnel/passenger elevators (lifts) and escalators on board ships should not be included in the scope of potential measures (paragraph 10);
 - .5 endorse the view that equipment regulated by the LSA Code should not be included in the scope of potential measures, unless such equipment has dual or multiple purpose, and the alternate uses are not covered by existing regulations (paragraph 10);
 - .6 note the discussion of the group regarding the preliminary definition of onboard lifting appliances, based on presently available incident data (paragraph 11);
 - .7 endorse the view that potential measures for onboard lifting appliances and winches should be considered for application to all ships to which SOLAS applies (paragraph 12);
 - .8 endorse the view that MOUs certified under the MODU Code should not be included in the scope of potential measures (paragraph 13);
 - .9 endorse the view that fishing vessels should be left out of the scope of potential measures at this stage, and note the group's view that these vessels may need to be addressed in the future (paragraph 14);

- .10 note the group's discussion regarding the application of potential measures to new and existing ships, and newly installed equipment (paragraph 15 and 16);
- .11 endorse the group's recommendations on the issues associated with the focus of potential measures that could be further considered, based on presently available incident data involving onboard lifting appliances and winches. (paragraph 17);
- .12 note the group's discussion regarding the mandatory or non-mandatory status of potential measures for onboard lifting appliances and winches (paragraphs 20, 21, 22 and 23);
- .13 agree, in principle, to the detailed work plan for developing measures for onboard lifting appliances and winches (paragraphs 25, 26, 27 and 28 and the annex);
- .14 consider the group's recommendation to establish a correspondence group based on the terms of reference prepared by the group, and take action as appropriate (paragraph 29); and
- .15 invite Member States and international organizations, including industry organizations such as ICHCA whose members may have access to marine claims data, to gather incident reports involving onboard lifting appliances and winches, and make them available to the recommended correspondence group, if established, as soon as possible after SSE 1 (paragraphs 5 and 29).

ANNEX

DETAILED WORK PLAN FOR DEVELOPING MEASURES FOR ONBOARD LIFTING
APPLIANCES AND WINCHES

TASKS FOR THE SUB-COMMITTEE			Deadline
1	a	Invites Member States and international organizations to make available collected incident reports involving onboard lifting appliances and winches.	2014 SSE 1
	b	Agrees to establish a correspondence group on onboard lifting appliances and winches.	
	c	The correspondence group is instructed to: <ul style="list-style-type: none"> ▪ analyse incident reports and data, ▪ where necessary, develop a framework for potential measures with particular emphasis, at first instance, on consideration of insufficient safety procedures in place, lifting hooks not engaged properly, training in operation and maintenance, and operational and maintenance conditions that could induce failure of onboard lifting appliances and winches, and particularly wire rope. 	
2	a	Considers report of the correspondence group and related new submissions.	2015 SSE 2
	b	Establishes a working group to further refine the draft framework and if necessary, to develop draft text for potential measures based on submissions to SSE 2.	
	c	Agrees on the scope and application of potential measures and provides firm guidance on their status (i.e. mandatory, non-mandatory) based on the work of the correspondence group established at SSE 1 and the working group established at SSE 2.	
	d	Establishes a correspondence group to further develop the draft text of measures.	
	e	Reports to MSC 95 on the specific deliverables expected for this output and requests approval of the proposed specific deliverables. Requests MSC 95 for extension of target completion year to 2017 or 2018, depending on the decision of the Sub-Committee on the status of potential measures.	

TASKS FOR THE SUB-COMMITTEE			Deadline
3	a	Considers report of the correspondence group and related new submissions on the content of measures. If determined by previous sessions and MSC concurrence that status should be mandatory, also considers submissions on possible amendments to existing mandatory IMO instruments.	2016
	b	Establishes a working group to consider and develop above items.	SSE 3
	c	If required, refers the draft measures to other Sub-Committees (e.g. HTW, III, CCC) and to the ILO for comments	
4	a	Considers the outcome from other IMO bodies and ILO.	
	b	Establishes a working/drafting group for finalization of the draft measures and if required, amendments to existing mandatory IMO instruments.	2017
	c	Submits the draft measures and the proposed draft amendments to existing IMO instruments (if required) to MSC 98, with a view to approval, and if measures are to be mandatory, subsequent adoption by MSC 99 (2018)	SSE 4