



MARITIME SAFETY COMMITTEE
88th session
Agenda item 11

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SAFETY OF NAVIGATION

Comments on the report of the fifty-sixth session of the Sub-Committee on Safety of Navigation

Submitted by the International Transport Workers' Federation (ITF) and
International Federation of Shipmasters' Association (IFSMA)

SUMMARY

Executive summary: This document comments on the recommendation of STW 41 and NAV 56 to remove the agenda item, "mandatory requirement for determining safe manning", based on amendments to SOLAS regulation V/14 proposed by STW 41

Strategic direction: 5.2

High-level action: 5.2.2

Planned output: 5.2.2.4

Action to be taken: Paragraph 8

Related documents: STW 39/8/1, STW 38/12, STW 40/8/1, STW 40/14; MSC 84/22/22, MSC 84/24; STW 41/8/1; NAV 55/21; STW 41/8, STW 41/16, STW 41/WP.6 and NAV 56/20

1 This document makes comment on the proposed amendments to SOLAS regulation V/14 intended to introduce a mandatory requirement for determining safe manning.

2 In their submission STW 39/8/1 ITF and IFSMA proposed prescriptive process to determine manning, closely reflecting the management, verification and auditing process contained within the ISM Code by developing a Manning Code. In their submission MSC 84/22/22 the United Kingdom proposed a new work programme item to undertake a review of SOLAS regulation V/14 with a view to making the formal process for the determination of safe manning levels of vessels mandatory. MSC 84 agreed (MSC 84/24, paragraph 22.68) to include this item in the work programme of the STW Sub-Committee, in cooperation with the NAV Sub-Committee.

3 At NAV 55 the Sub-Committee considered a preliminary draft of revised resolution A.890(21), which included a revised SOLAS regulation V/14 and minor amendments were made to regulation SOLAS V/14, approved by the Sub-Committee and this was forwarded by STW 41.

4 At STW 41 France and the United Kingdom submitted document STW 41/8/1, calling for an auditable, verifiable and transparent procedure for establishing vessels' safe manning levels so that, as far as practicable, a global and consistent level of manning was met. ITF and IFSMA spoke in support of this document (STW 41/16), along with the Member States of Ireland, Denmark and Belgium. However, on this item the working group subsequently made substantial amendments to the draft of SOLAS regulation V/14 that removed all wording that would make this a mandatory process.

5 In plenary the delegations of the United Kingdom and France expressed the opinion that the fact that the Sub-Committee did not address the substantive issue relating to determining safe manning and in particular, the decision to delete the word auditable was regrettable, especially in light of the Secretary-General's opening remarks, (STW 41/16, paragraph 8.16). The Sub-Committee was invited to delete this item from the agenda and Malta expressed the opinion that they did not believe that the development of a mandatory procedure had been completed and objected to the deletion of this item from the work programme. The draft amended text of SOLAS regulation V/14 (annex) was forwarded to the NAV Sub-Committee for its consideration and its comments to then be forwarded to MSC 88 for appropriate action.

6 The NAV Sub-Committee at its fifty-sixth session decided not to review the outcomes of STW 41, despite the intervention of the ITF and IFSMA informing the Sub-Committee that there had been substantial amendments to the preliminary draft previously considered by the NAV Sub-Committee, and this new text did not have any mandatory requirements. The ITF expressed the view that the subsequent amended text did not address the original task of the Sub-Committees and will do nothing to improve the safety of navigation or the safety of the seafarer in the "Year of the Seafarer" (NAV 56/20, paragraph 13.7).

7 It is the view of the ITF and IFSMA that if we take into consideration the original undertaking of making the formal process for the determination of safe manning levels of vessels mandatory, the final text that was forwarded to NAV 56 and the expressed reservations of some delegates at STW 41, the NAV Sub-Committee should have given full consideration of the revised text. We do not accept sufficient consideration has been given to this important issue and believe the considerations of a mandatory process to determine safe manning should remain on the agenda for further consideration. The ITF and IFSMA do not support the amendments shown in the annex.

Action requested of the Committee

8 The Committee is invited to instruct the STW and NAV Sub-Committees to continue a review of SOLAS regulation V/14 with a view to amendments for making a formal process for the determination of safe manning levels that are truly mandatory and effective.

ANNEX

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

CHAPTER V

SAFETY OF NAVIGATION

REGULATION 14

Ships' manning

1 The existing paragraph 2 is replaced by the following new paragraph:

"2 Every ship to which chapter I applies the Administration shall:

- .1 establish appropriate minimum safe manning following ~~an auditable and~~ a transparent procedure ~~in accordance with~~ taking into account the relevant guidance ~~set out in resolution A.890(21), as amended~~^{*} adopted by the Organization; and
- .2 issue an appropriate minimum safe manning document or equivalent as evidence of the minimum safe manning considered necessary to comply with the provisions of paragraph 1."

* Refer to the Principles of Minimum Safe Manning adopted by the Organization by resolution A....(27).