

SUB-COMMITTEE ON SHIP DESIGN AND  
EQUIPMENT  
55th session  
Agenda item 7

DE 55/7/1  
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**MAKING THE PROVISIONS OF MSC.1/CIRC.1206/REV.1 MANDATORY**

**Establishment of adequate global coverage of suitable service providers**

**Submitted by Panama, ICS, IFSMA and ITF**

**SUMMARY**

*Executive summary:* The co-sponsors advise that one of the essential prerequisites for the consideration of a mandatory application of MSC.1/Circ.1206 agreed by DE 50, the establishment of adequate global coverage of suitable service providers, remains unfulfilled and that therefore mandating the provisions of the circular remain premature. The delay and difficulty in establishing the required global coverage of suitable service providers casts reasonable doubt that this necessary prerequisite agreed by DE 50, will be achieved. It is proposed that the Committee is advised of this reality to ensure that measures to appropriately apply MSC.1/Circ.1206/Rev.1 may be further considered.

*Strategic direction:* 5.1

*High-level action:* 5.1.2

*Planned output:* 5.1.2.1

*Action to be taken:* Paragraph 11

*Related documents:* MSC 81/25; MSC 82/10/2, MSC 82/10/10, MSC 82/10/11, MSC 82/24, MSC 82/10/5, MSC 82/10/7, MSC 82/10/8; MSC 83/9/5, MSC 83/28; MSC 86/26, MSC 86/12/1, MSC 86/12/2, MSC 86/12/5; DE 50/12/6; DE 51/8/6; and DE 51/28

**Introduction**

1 Discussion during previous sessions of the DE Sub-Committee and of MSC itself, led to consolidation of IMO guidance regarding lifeboat training and maintenance in MSC.1/Circ.1206. Some members and NGOs proposed making elements of the circular mandatory, other members and many shipping industry representatives opposed this primarily on the grounds that there was no proven need to mandate the measures but even more importantly they expressed concern that, no global network of service providers existed. To have mandated the provisions of MSC.1/Circ.1206 would have required compliance by ships before a means to achieve compliance was available.

2 DE 50 agreed that an essential prerequisite for the consideration of a mandatory application of MSC.1/Circ.1206 is the establishment of adequate global coverage of suitable service providers and recalled that it had requested ILAMA to report on progress in establishment of such global coverage, including co-ordination with non-ILAMA members. The Sub-Committee reiterated that request, and also requested information concerning the availability of training for certification of service personnel.

3 Norway, in document MSC 86/12/1 advised that many of the barriers to mandating the circular, including "progress of the establishment of worldwide servicing coverage by manufacturers ... and the latest amendments to MSC.1/Circ.1206 have solved the main problems raised in connection with making MSC.1/Circ.1206 mandatory". The Sub-Committee however agreed with ICS (MSC 86/12/2) that a mandatory provision was premature and that insufficient information was available regarding an adequate global network of service providers.

### **Discussion**

4 The advice provided in document MSC 86/12/2 remains as valid today as when first submitted to the Committee, namely that "the successful implementation of MSC.1/Circ.1206 (now MSC.1/Circ.1206/Rev.1) and the supporting MSC.1/Circ.1277 is of great importance to shipowners, ship operators, the crews of ships and to Administrations. It is clear that this interest is best served by the pro-active involvement in the design, fitting, operation, servicing and maintenance of lifeboats and associate equipment by all whose primary interest in regard to this matter is the prevention of accidents to lifeboats and of injury to ships' crews. It has not been sufficiently demonstrated that mandating MSC.1/Circ.1206 will improve or enhance the implementation of these MSC circulars. The co-sponsors consider that maintaining the recommendatory status of the information will not detract at all from its effectiveness but will continue to provide the opportunity for further development and amendment of the circular as may be found appropriate from time to time".

5 In addition to the continuing validity of document MSC 86/12/2, the preconditions, considered essential by DE 50 prior to further consideration of mandating MSC.1/Circ.1206 have not yet been achieved. Ship owner representatives continue to report that, despite some progress an effective global network of service providers is not in place and that information regarding such service provision remains incomplete and difficult to access. Without access to information regarding appropriate service provision and depending on the trading patterns of particular ships it can be extremely difficult for the company to access inspection and service provision as required by MSC.1/Circ.1206/Rev.1.

6 MSC.1/Circ.1206/Rev.1 requires that, "service providers carrying out the thorough examination, operational testing, repair and overhaul of lifeboats, launching appliances and on-load release gear should be authorized in accordance with MSC.1/Circ.1277". It has been reported that original equipment manufacturers of LSA equipment often fail to cooperate with third party service providers seeking to achieve authorization in accordance with MSC.1/Circ.1277. This reported lack of cooperation further inhibits the establishment of a global service provision.

7 Measures to ensure that onboard LSA equipment is inspected and maintained as required by the Organization should be fully supported, however the co-sponsors are unable to support mandating the use of such facilities and services that are not globally available. There is continued concern that efforts to remove the onerous burden on ship owners and ship operators, that of being required to contract service providers to travel to regions and ports that do not have a sufficient inspection and service provision, has yet to be realized.

8 When a sufficient and appropriately validated service provision is achieved, it may become appropriate to consider whether or not there is any value in seeking to mandate the provisions of MSC.1/Circ.1206/Rev.1. Once the required inspection and service facilities are in place globally and confirmation has been received from ship owners and ship operators that the provision is sufficient and appropriate validation is received from Port State Control, the value of the circular will have been achieved. To mandate the provision before such validation would remain premature, to mandate it following such validation would be unnecessary.

### **Proposal**

9 Noting that the Organization previously agreed that an essential prerequisite for the consideration of a mandatory application of MSC.1/Circ.1206 is the establishment of adequate global coverage of suitable service providers and that it had also requested ILAMA to report on progress in establishment of such global coverage, it is proposed that, the membership of ILAMA is requested, once again to provide details of the global service provision for relevant LSA, including by non-ILAMA members and that list is then validated by the Organization as being sufficient and complete.

10 It is proposed that once a sufficient and appropriately validated service provision is achieved that the Committee may then find it appropriate to reconsider whether or not a need exists for mandating the provisions of MSC.1/Circ.1206/Rev.1.

### **Action requested of the Sub-Committee**

11 The Sub-Committee is invited to consider this proposal, and decide as appropriate.

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