



MARINE & OFFSHORE DIVISION MANAGEMENT
L-C&R

III 5 - 24 TO 28 SEPTEMBER 2018
MAJOR OUTCOMES OF THE 5TH SESSION OF THE IMO SUB-COMMITTEE ON
IMPLEMENTATION OF IMO INSTRUMENTS (III)

SUMMARY

The Sub-Committee on Implementation of IMO Instruments held its fifth session (III 5) from 24 to 28 September 2018, under the chairmanship of Mr Jean-Luc Le Liboux (vice-admiral) head of the French MAIB.

III 5 agreed that the draft amendments to the 2017 procedures for port state control (A1119(30)) should be referred to the Correspondence Group on Measures to Harmonize Port State Control (PSC) Activities and Procedures Worldwide for finalization (**item 5**).

III 5 prepared the text of draft amendments to the Survey Guidelines under the harmonized system of survey and certification (HSSC), derived from the amendments to the relevant IMO instruments entering into force up to and including 1 January 2019.

It agreed in particular to consequential amendments in relation to Unified interpretations of the IGC and IGF Codes (MSC.1/Circ.1590 and MSC.1/Circ.1591), in particular unified interpretation of "each dry-docking".

III 5 agreed to the content of an unified interpretation related to SOLAS regulation III/20.11 to which examinations, overhauls and operational tests carried out at intervals of at least once every five years should be done in the presence of the surveyor in order to verify that the relevant equipment had been maintained and tested satisfactorily (**item 8**).

III 5 has drafted amendments to MARPOL Annexes I, IV and VI concerning the exemption of unmanned non-self-propelled (UNSP barges) from survey and certification requirements, together with an associated draft Guidelines for exemption of unmanned non-self-propelled (UNSP) barges from the survey and certification requirements under the MARPOL Convention.

III 5 agreed to the draft amendments to the 2017 Non-exhaustive list of obligations (resolution A.1121(30)), deriving from amendments to the relevant mandatory IMO instruments that will enter into force up to and including 1 January 2020 (**item 9**).

III 5 has agreed to a draft MSC-MEPC.5 circular on the revised Model Agreement for the authorization of recognized organizations acting on behalf of the Administration with a view to submitting to MEPC 74 and MSC 101 for approval (**item 11**).

Item 5 - Measures to harmonize port state control (PSC) activities and procedures worldwide

Amendments to the Procedures for port state control, 2017 (resolution A.1119 (30))

III 5 had for its consideration draft amendments to the 2017 procedures for port state control (A1119(30)).

The work on revising the 2017 Procedures was progressed.

III 5 agreed that the draft revision of the Procedures for port State control, 2017 be referred to the Correspondence Group on Measures to Harmonize Port State Control (PSC) Activities and Procedures Worldwide for finalization.

Fire integrity of the bulkheads between the wheelhouse and a toilet inside the wheelhouse, the location of manually operated call points and the minimum width of external escape routes (appendix 6 of the Procedures)

Some delegations considered that the proposed text on these matters should be located in the main body of the Procedures rather than in appendix 6.

Thus, III 5 agreed to insert a new paragraph under section 1.2 "Application" of the Procedures for port State control, 2017.

Guidelines for control of operational requirements (appendix 7 of the Procedures)

Australia proposed to III 5 to consider developing additional guidance under appendix 7 of the annex to resolution A.1119(30) in order to assist port State control officers (PSCOs), using professional judgement, to assess whether the operational proficiency of a crew is sufficient to allow the ship to sail without danger and to clarify the role of the flag State to ensure that any serious operational deficiencies identified by the port State are addressed

III 5 invited Australia and other interested delegations, in particular PSC regimes having developed similar guidance, to submit to III 6 developed and detailed text amending the Guidelines for control of operational requirements.

Guidelines for port State control officers on the ISM Code (appendix 8 of the Procedures)

III 5 agreed to refer the draft amendments to the Guidelines for port State control officers on the ISM Code and the Guidelines for port State control officers on certification of seafarers, manning and hours of rest to HTW 6 for technical review and advice to III 6, subject to concurrence by MSC 101.

2009 Guidelines for port state control under the revised Marpol Annex VI

III 5 had for its consideration draft amendments to the 2009 Guidelines for port State control under the revised MARPOL Annex VI (resolution MEPC.181(59)) (2009 PSC Guidelines), taking into account the latest amendments to MARPOL Annex VI.

MEPC 70 and MSC 97 concurred with the methodology developed by III 3 that, in the context of the Procedures for PSC, the Organization should avoid issuing individual guidelines as stand-alone instruments and should develop them as appendices of the Procedures.

Hence, III 5 agreed that the *revised 2009 Guidelines for port State control under the revised MARPOL Annex VI* should be inserted as an appendix in the Procedures for port State control, and

to refer them to PPR 6 for further technical review and advice to III 6, subject to concurrence by MEPC 74.

IMO workshop for PSC MOU/agreement secretaries and database managers

IACS urged III 5 to endorse the importance of the availability of data from PSC inspections, in a format that facilitates its analysis – not only PSC regimes but by industry stakeholders in the non-commercial work they undertake to support the goals of facilitating the safety of life at sea and protection of the marine environment. IACS concurred with the view expressed by France in plenary that "open data is useful to the industry".

IACS also IACS urged III 5 to consider the benefits of a global and uniform means of promulgating the details of the procedures for identifying RO related deficiencies, and the details of the calculations of the ship risk profile, and the performance of flag Administrations and ROs.

The Plenary agreed to the recommendation to request the future PSC Workshop to consider statistical analysis of PSC data and development of a methodology appropriate for processing the statistical data.

Item 7 - Analysis of consolidated audit summary reports

MEPC 72 and MSC 99 had referred to III 5 for consideration and analysis the first Consolidated Audit Summary Report (CASR), annexed to Circular Letter No.3772, containing lessons learned from 18 audits completed under the IMO Member State Audit Scheme (IMSAS) in 2016.

III 5 noted that most of the findings and observations, in the flag State area, were found in implementation, enforcement, flag State surveyors and delegation of authority.

In the common areas, most of the findings and observations relate to initial actions (legislation), communication of information, the analysis of the distribution of findings by mandatory IMO instruments and the breakdown per instrument indicate that the most commonly used references are related to SOLAS 1974, MARPOL and STCW 1978.

The most frequent root causes contributing to lack of effective implementation in the major areas identified in audits were related to the lack of national provisions; lack of policies; lack of awareness, understanding or interpretation of the requirements; lack of established written procedures; lack of management system; insufficient human and financial resources; lack of technical capability (trained personnel, hardware/equipment); and insufficient capacity to promulgate national legislation and keep it updated.

Item 8 - Updated survey guidelines under the harmonized system of survey and certification (HSSC) and other topics

Review of the Survey Guidelines under the HSSC

III 5 prepared the text of *draft amendments to the Survey Guidelines under the harmonized system of survey and certification (HSSC)*, derived from the amendments to the relevant IMO instruments entering into force up to and including 1 January 2019.

III 5 agreed that the draft amendments to the Survey Guidelines needed to be further developed to include the requirements deriving from amendments to relevant IMO instruments entering into force up to and including 31 December 2019, with a view to submission of draft amendments to III 6 for consideration prior to potential direct submission in consolidated form to A 31 for adoption, subject to approval by the Committees.

Therefore, III 5 tasked the coming CG to continue to develop draft amendments to the Survey Guidelines under the Harmonized System of Survey and Certification, 2017, deriving from the amendments to the relevant mandatory instruments due to enter into force up to and including 31 December 2019 for finalization at III 6 with a view to submitting a consolidated form for adoption at A 31.

It has also tasked this CG to develop further draft amendments to the Survey Guidelines as a result of amendments to the relevant IMO instruments entering into force between 1 January 2020 and 31 December 2021 inclusive.

The following topics must be underlined.

Draft MSC circular on unified interpretations of the IGF and IGC Codes

CCC 4 invited MSC 99, subject to the draft unified interpretations of paragraphs 13.3.5 of the IGC Code and 15.4.2.3 of the IGF Code being approved by the Committee, to task III 5 with considering consequential updates to the Survey Guidelines under the HSSC.

MSC 99, having approved MSC.1/Circ.1590 on Unified interpretation of paragraph 13.3.5 of the IGC Code and MSC.1/Circ.1591 on Unified interpretation of the IGF Code, instructed III 5 to consider consequential updates to the Survey Guidelines under the HSSC, 2017 (resolution A.1120(30)).

III 5 has considered consequential amendments in relation to Unified interpretations of the IGC and IGF Codes (MSC.1/Circ.1590 and MSC.1/Circ.1591), in particular unified interpretation of "each dry-docking" in the provisions on the testing of high liquid level alarm, as required in paragraph 13.3.5 of IGC Code and paragraph 15.4.2.3 of IGF Code.

The following amendments were agreed :

- move the existing item (GIn) 2.3.2.6 to (GR) 2.4.2.4 with footnote referring to MSC.1/Circ.1590;
- add footnote referring to MSC.1/Circ.1591 to existing item (CR) 2.4.6.13; and
- add footnote referring to MSC.1/Circ.1591 to existing item (PR) 5.2.3.31.

Review of the Survey Guidelines under the HSSC in relation to the BWM Convention in light of the 2016 Guidelines (G8)

III 4, having recognized the complications arising from the fact that there are three different versions of Guidelines (G8) that may be applicable to BWMS installed on board existing and new ship (i.e. resolutions MEPC.125(53), MEPC.174(58) and MEPC.279(70)), and different requirements among these versions, had requested MEPC 72 to consider whether a review of the Survey Guidelines under the HSSC in relation to the BWM Convention is required in light of the 2016 Guidelines for approval of ballast water management systems (G8).

III 5 has agreed that comprehensive and in-depth review was necessary. Due to the tight time period available at that session, the Group recommended that the

Hence, III 5 has decided that the review of the Survey Guidelines under the HSSC in relation to the BWM Convention in light of the 2016 Guidelines (G8) be referred to a correspondence group.

Compliance for the SEEMP part II

III 5 agreed to the inclusion of new items regarding confirmation of compliance for the SEEMP part II, as required by amendments to MARPOL, as adopted by resolution MEPC.278(70) and

paragraph 3 of circular MEPC.876 on Sample format for the confirmation of compliance, early submission of the SEEMP part II on the ship fuel oil consumption data collection plan and its timely verification pursuant to regulation 5.4.5 of MARPOL Annex VI.

Exemption of survey and certification requirements under the MARPOL Convention for UNSP barges

III 1 considered a draft MEPC circular on Guidelines for exemption of the survey and certification requirements under the MARPOL Convention for unmanned and non-self-propelled barges.

III1 invited MEPC 67, in the context of the draft guidelines 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

At III 2, The following views were also expressed during the debate:

- the conditions under which the exemption was granted should be contained in the Convention itself rather than in the guidelines so that the scope of the exemption could not be extended;
- if an exemption is granted to UNSP barges, effective control and supervision over UNSP barges would be required; concerns were raised about the potential administrative burden.

In considering the proposals in the aforementioned documents, MEPC 69 discussed several outstanding issues raised relating to the draft MARPOL amendments and the associated draft Guidelines and agreed that:

- any exemption should be limited to no more than five years;
- exemption certificates should be provided under individual MARPOL annexes;
- MARPOL Annex IV should be included in the exemption from survey and certification requirements

III 3 agreed to the recommendation that the exemption certificates for UNSP barges should be part of the individual MARPOL Annexes I, IV and VI rather than appendices to an MEPC circular

III 4, having noted the absence of submission to this 4th session, invited interested delegations to make relevant submissions to its next session, in order to facilitate the work on this item

III 5 has drafted amendments to MARPOL Annexes I, IV and VI concerning the exemption of UNSP barges from survey and certification requirements, together with an associated *draft Guidelines for exemption of unmanned non-self-propelled (UNSP) barges from the survey and certification requirements under the MARPOL Convention.*

III 5 agreed to task a correspondence group to conduct a comprehensive review of MARPOL Annexes I, IV and VI to identify any gaps in the draft amendments that might result in UNSP barges having to comply with various technical requirements, and to propose amendments to resolve this issue, with a target for submission for consideration at III 6, and report to MEPC 74 on the progress made as appropriate.

There are still important pending issues as the issue regarding whether different definitions of UNSP barges under each individual MARPOL Annex or a unified definition for all MARPOL Annexes I, IV and VI needed to be further considered Individual exemption certificates under MARPOL Annexes I, IV and VI, and the one on the legal implication and responsibility on the introduction of new exemption structures within MARPOL. If exemption certificates are included in the appendix of the MARPOL Convention, an appropriate provision for issuing the exemption certificates should be clearly provided in the Convention from a legal perspective.

Consistency of in-water survey (IWS) provisions for passenger and cargo ships

The *Survey guidelines under the harmonized system of survey and certification (HSSC), 2017 (resolution A.1120(30))* and the *Guidelines for the assessment of technical provisions for the performance of an in-water survey (IWS) in lieu of bottom inspection in dry-dock to permit one dry-dock examination in any five-year period for passenger ships other than ro-ro passenger ships (MSC.1/Circ.1348)* are said to contain misaligned provisions for the measurement of rudder bearing clearances not only between cargo and passenger ships, but also for passenger ships themselves (SSE 5/17, paragraph 16.5).

MSC 99 had endorsed the invitation by III 4 to the SDC and SSE Sub-Committees to provide technical input on issues related to the consistency of provisions on in-water surveys for passenger and cargo ships.

SDC 5, having considered information provided by the IMO Secretariat regarding the outcome of III 4 on measurements of the rudder bearing clearances of cargo ships and related discrepancies between the *Survey Guidelines under the Harmonized System of Survey and Certification (HSSC), 2015 (resolution A.1104(29))* and the *Guidelines for the assessment of technical provisions for the performance of an in-water survey in lieu of bottom inspection in dry-dock to permit one dry-dock examination in any five-year period for passenger ships other than ro-ro passenger ships (MSC.1/Circ.1348)*, endorsed the view that the problem was only related to "rudder bearing clearances" and, therefore, should be addressed by the SSE Sub-Committee.

SSE 5 noted that no analysis had been submitted which was able to substantiate proposals to predict rudder bearing clearances based on operating history and onboard testing. Although cases of rudder bearing clearances exceeding allowable maximum values were infrequent, they did, however, still occur and might be identified by the in-water measurements which had been taken at two-and-a-half year intervals.

Since there had been no analysis available to support the effectiveness of monitoring the condition of rudder bearings using operating history and onboard testing, SSE 5 decided not to take action in this regard and did not agree with the proposal and requested the Secretariat to inform III 5 of the outcome related to the measurement of rudder bearing clearances for passenger and cargo ships.

The Plenary, having considered that the technical outcome of SSE 5 provided in reply to the request of III 4 that technical advice should be considered as binding, concurred with SSE 5 for reporting to MSC 101 the lack of agreement with the IACS proposal.

Draft unified interpretation relating to SOLAS regulation III/20.11

SSE 5 had for its consideration a *draft unified interpretation regarding maintenance, thorough examination, operational testing, overhaul and repair of lifeboats, rescue and fast rescue boats, launching appliances and releasing gear*, subsequent to the amendments to SOLAS regulation III/20.11, adopted by resolution MSC.404(96), based on the latest version of IACS unified interpretation S C144.

This UI is intended to clarify that examinations, overhauls and operational tests carried out at intervals of at least once every five years should be done in the presence of the surveyor in order to verify that the relevant equipment had been maintained and tested satisfactorily.

SSE 5 did not endorse the proposed unified interpretation and invited III 5 to consider the concern that, bearing in mind that the thorough examination, operational testing and overhaul should be carried out in accordance with the Requirements for maintenance, thorough examination,

operational testing, overhaul and repair of lifeboats and rescue boats, launching appliances and release gear (resolution MSC.402(96)).

SSE 5 asked III 5 to advise SSE 6 accordingly.

III 5 has agreed that it is a statutory necessity to have the presence of a surveyor under survey requirements of SOLAS chapter I.

IACS recalled that MSC.1/Circ.1392, as amended, on the Guidelines for evaluation and replacement of lifeboat release and retrieval systems provides provisions that all tests should be witnessed by the Administration, or by a recognized organization acting on its behalf, which should also verify that the installation complies in all respects with documentation submitted by the Company and approved by the Administration, or a recognized organization acting on its behalf.

Item 9 - Amendments to the 2017 Non-exhaustive list of obligations

A 30 adopted *resolution A.1121(30) on the 2017 Non-exhaustive list of obligations under instruments relevant to the IMO Instruments Implementation Code (III Code) (2017 Non-exhaustive list of obligations)*, which included the requirements deriving from all amendments to relevant mandatory IMO instruments that entered into force up to and including 1 July 2018.

III 4 had agreed that the annexes to the 2017 Non-exhaustive list of obligations needed to be further amended in order to keep them updated with amendments to the relevant mandatory IMO instruments entering into force up to and including 1 July 2020, with a view to the submission of draft amendments, finalized in a consolidated form, for adoption at A 31.

The Correspondence Group on the Review of the Survey Guidelines under the HSSC and the Non-exhaustive list of obligations was tasked by III 4 to continue to develop the draft amendments to the 2017 Non-exhaustive list of obligations.

III 5 agreed to the *draft amendments to the 2017 Non-exhaustive list of obligations (resolution A.1121(30))*, deriving from amendments to the relevant mandatory IMO instruments that will enter into force up to and including 1 January 2020.

III 5 also considered that the draft amendments to the *2017 Non-exhaustive list of obligations* need to be further developed after III 5 to include amendments due to enter into force up to 31 July 2010, with a view to submission of draft amendments to III 6 for consideration prior to potential direct submission in consolidated form to A 31 for adoption, subject to approval by the Committees.

Item 11 - Review the model agreement for the authorization of recognized organizations acting on behalf of the administration

III 4 had agreed to retain a Model Agreement for the authorization of recognized organizations acting on behalf of the Administration (Model Agreement) and to align it with the provisions of the RO Code, as necessary.

III 5 has agreed to a *draft MSC-MEPC.5 circular on the revised Model Agreement for the authorization of recognized organizations acting on behalf of the Administration* with a view to submitting to MEPC 74 and MSC 101 for approval.

The Committee had for its concern the following specific issues.

Resolution A.739(18) being referred to in the draft Model Agreement

References to resolutions A.739(18) and A.789(19) had been replaced in the text of the relevant provisions of SOLAS 1974, MARPOL Annexes I and II and LL PROT by the RO Code, when the amendments to SOLAS 1974, MARPOL Annexes I and II and LL PROT, as adopted by resolutions MSC.350(92), MEPC.238(65) and MSC.356(92), respectively, entered into force on 1 January 2015.

After discussion, III 5 invited MSC 101 and MEPC 74 to endorse its view that references to resolutions A.739(18) and/or A.789(19) in existing IMO instruments should be replaced with references to the RO Code, as appropriate.

III 5 recommended that resolutions A.739(18) and A.789(19) be revoked accordingly, since the two resolutions did not have any additional benefit after the entry into force of the RO Code.

Full, partial and limited authorizations

Russian Federation made the proposal to delete the reference to the "Limited" authorization, which might be granted by flag States to ROs, in the Model Agreement, in order to retain solely the "Full" and "Partial" authorizations.

Paragraph 1 of appendix 1 of the Model Agreement includes the following three types of authorizations, which have originated from the previous version of the Model Agreement, as contained in MSC/Circ.710-MEPC/Circ.307, with minor improvements:

F: Full authorization to perform, plan, review, carry out surveys, audits and inspections and issue and/or revoke necessary interim and full term certificates.

P: Partial Authorization to perform, plan, review, carry out surveys, audits and inspections and possible issue of interim certificates. (Specific guidance to be provided by the Administration and full term Certificate is to be issued by the Administration).

L: Limited Authorization to account for other special categories not covered by the above, such as case-by-case authorization or geographical limitations.

According to the Russian Federation, there is not much difference between them in essence. Both "P" and "L" provide limitations and require guidance to be provided to the RO by the Administration, either on possible issuance of certificates or on any other limitation that the Administration deems appropriate to impose. It means that, whatever the type of limitation, the main principle is the same, i.e. need for an instruction from the Administration on what exactly the scope of authorization to the RO is.

III 5, taking into account the variety of situations, including the use of the three different types of full, partial and limited authorizations, decided to retain the three options of authorization.

Various issues discussed

In considering if the term "should" or "shall" should be used, as it is a Model Agreement that would be binding on both sides of Parties who sign the agreement, the term "shall" should be used where appropriate

The term "vessels and mobile offshore unit" or "vessels" contained throughout the draft Model Agreement and its appendix was replaced by the term "ships" as the latter is well defined in IMO instruments, e.g. article 2(4) of MARPOL 73/78.

III 5 discussed in depth regarding the deletion of the terms "upon request" from the sentence "the Administration shall be granted access upon request to all plans and documents ..." in paragraph 7.2.2 of the draft Model Agreement, which were not in the existing Model Agreement. Some delegations, supporting the deletion of these terms, expressed that they have implications or impose limitations to flag Administration, and the Model Agreement should not limit the flag State's ability to access documents received or drawn up by the RO on behalf of the flag State

within the scope of the agreement. Other delegations, preferring to keep these terms, stated that, in practice, this work is usually done upon request, and that the terms, although not in the RO Code, add a level of practicality and realism whilst not providing any additional barriers to the flag States. Furthermore, if they were deleted, this might give a wrong signal to both Administrations and the ROs, while concluding new agreements and defining the scope of information to be provided. Finally, the text "upon request" in square brackets in paragraph 7.2.2 was retained from the practical and reasonable views that some of the information might be of the nature that make it impracticable to have it directly available.

III 5 agreed on the text in paragraph 8.4.1 of the draft Model Agreement, concerning liability and financial responsibility.

"In the context of this Agreement, if a liability is finally and definitively imposed by a court of law on the State of the Administration for loss or damage which is proved in a court of law to have been caused by any willful act, ~~or negligent act or omission~~ or gross negligence of ~~by~~ the RO, its officers, employees or others who were acting on behalf of the RO pursuant to ~~under~~ this Agreement, the Administration is entitled to seek from the RO compensation up to but not exceeding the amount of financial liability, as agreed bilaterally between the RO and the Administration, defined in the standard terms and conditions of the RO; and"

Paragraph 8.9 (new8.8) of the draft Model Agreement, regarding settlement of disputes, was modified

"~~8.89~~ Settlement of disputes

.1 The Agreement shall be governed by and construed in accordance with [Agreed State] law. Any dispute arising in connection with this Agreement which cannot be settled by private negotiations between the parties shall be settled finally by ~~the tribunal (arbitration or courts)~~ in Agreed location according to Agreed State law, or by the tribunal (courts). ~~accordance with the Rules of Conciliation and Arbitration of the International Chamber of Commerce in Agreed Location; and~~

~~.2 In the performance of statutory certification and services hereunder, the RO, its officers, employees and others acting on its behalf are entitled to all the protection of law and the same defences and/or counterclaims as would be available to the Administration and its own staff surveyors or employees if the latter had conducted the statutory certification and services in question;"~~

Paragraph 8.10.3 (now 8.9) of the draft Model Agreement, regarding use of subcontractors, was modified in the line of paragraph 5.9.1 of part 2, the RO Code

"~~8.910~~ Use of subcontractors

.1 The RO shall perform statutory certification and services by the use of only exclusive surveyors and auditors, being persons solely employed by the RO, duly qualified, trained and authorized to execute all duties and activities incumbent upon their employer, within their level of work responsibility.

.2 However, if the RO finds in exceptional and duly justified cases that its own exclusive surveyor is not available, the RO shall inform the Administration who may then nominate an exclusive surveyor of another ~~organization~~ RO.

[.3 In accordance with applicable instruments, ~~Where an~~ the RO may choose ~~chooses~~ to outsource any service that affects conformity to requirements or accepts work of a third party approved by the RO., The RO shall ensure that it fully controls the performance of such services through its quality management system. For the purpose of accountability to the flag State, the work performed by the sub-contracted organization or service supplier constitutes the work of the RO.]

.4 While still remaining responsible for the certification on behalf of the flag State, the RO may subcontract radio surveys to non-exclusive surveyors in accordance with the RO Code and the national requirements."

Item 14 – Any other business

Clarification of the terms "recommendation" and "condition of class" in the rules of classification societies

IACS provided information on the definitions and management of "recommendations" or "conditions of class" in the rules of classification societies. "Recommendations" and "conditions of

class" are to be read as being different terms used by classification societies for the same required action.

Reference is made to paragraph 3.9.2.1.4 of part 2 of the Code for recognized organizations (RO Code) (resolutions MSC.349(92) and MEPC.237(65)), regarding the requirement for an RO to report information on overdue recommendations or overdue conditions of class, i.e.:

"3.9.2 Communication/cooperation with flag State

3.9.2.1 The RO shall establish appropriate communication processes with the authorizing flag State that, inter alia, address the following:

.4 information on all overdue surveys, overdue recommendations or overdue conditions of class, operating conditions or operating restrictions issued against their classed ships that shall be made available upon request by the authorizing flag State; and

IACS members use one of the two terms in their rules: "recommendations" or "conditions of class". These are to be read as being different terms used by classification societies for the same required action to be completed in order to maintain class, i.e. requirements to the effect that specific measures, repairs, surveys are to be carried out within a specific time limit.

Having recognized that the matter remained under the responsibility of classification societies, III 5 encouraged IACS to consider the use of the terminology "condition of class" for all matters that must be attended with respect to the condition of the ship and which are not optional.

III 5 decided to establish the following intersessional correspondence group (CG) :

- .1 Lessons learned and safety issues identified from the analysis of marine safety investigation reports;
- .2 Measures to harmonize port State control (PSC) activities and procedures worldwide and identified issues relating to the implementation of IMO instruments from the analysis of PSC data;
- .3 Updated Survey Guidelines under the Harmonized System of Survey and Certification (HSSC) and non-exhaustive list of obligations under instruments relevant to the IMO Instruments Implementation Code (III Code).
