**IMO FSI 21**

**Summary Report**

**Introduction**

The 21st session of the IMO Sub-Committee on Flag State Implementation (FSI 21) took place from 4 to 8 March 2013, at the IMO headquarters in London. This briefing summarises the subjects discussed which are relevant to the work of Lloyd’s Register.

**Responsibilities of governments and measures to encourage flag State compliance (Agenda item 3)**

FSI 21 agreed in principle to a detailed technical review of GlobalReg which is a set of standards and harmonised regulations under development by the IMO for national legislation for ships which are not covered by the 1974 SOLAS convention.

New information was provided during the meeting for analysis which will be reviewed at FSI 22. The additional provisions for passenger ships of 24m and above will also be considered at FSI 22.

FSI 21 deferred any decisions relating to GlobalReg for ships engaged in inland waterways, fishing vessels and cargo vessels more than 12m in length until the end of the review process.

FSI requested that MSC 92 extends the target completion date to 2017.

**Casualty statistics and investigation (Agenda item 5)**

FSI 21 reviewed the report of the correspondence group on casualty analysis. Some recent findings relating to fires on ro-ro ferry vehicle decks were highlighted and it was decided that MSC should be requested to task the DE, SLF and FP sub-committees with reviewing aspects that are relevant to them.

**Harmonization of port State control activities (Agenda item 6)**

FSI 21 considered the following elements:

- **Progress report on regional PSC agreements**
  The MoU regions presented their activities and annual reports to FSI 21 and they were invited to continue doing so to future sessions of FSI.

- **Latest development on the Equasis system**
  The 2012 annual statistics for year 2011 are now available on the Equasis website (www.equasis.org).

- **Draft guidelines for port State control officers relating to ISM code**
  The development of the draft guidelines for port State control officers relating to the ISM code was deferred to FSI 22 with a view to establishing a working group at the next meeting.

**PSC Guidelines on seafarers’ hours of rest and PSC guidelines in relation to the Maritime Labour Convention, 2006 (Agenda item 7)**

FSI 20 highlighted some parts of the draft guidelines where an in-depth review may be necessary. FSI 21 recognised the need for a more detailed technical review but did not have the capacity to establish a working
group under this agenda, therefore the item has been deferred to FSI 22 and the target completion date extended to 2014.

Development of guidelines on port State control under the 2004 BWM Convention (Agenda item 8)

FSI 21 considered the outcome of BLG17 which recognised that standard sampling and analysis methods do not currently exist. A proposal was developed at BLG 17 for the introduction of a trial period commencing from the date that the BWM Convention enters into force. It was agreed the trial period would be for two to three years and that during this port State control would refrain from applying criminal sanctions or detaining a ship on the basis of sampling. Considering this FSI 21 established a correspondence group with instructions to draft the IMO guidelines on port State control under the 2004 BWM Convention and submit the draft work to FSI 22. The correspondence group will not begin to work until after the outcome of MEPC 65 in May 2013.

Review of the Survey Guidelines under the HSSC and the annexes to the Code for the Implementation of Mandatory IMO Instruments (Agenda item 10)

FSI 21 considered the following

- List of certificates and documents to be carried on board ships
  FSI 21 discussed the term “original” certificate in relation to port State control inspections. FSI agreed that certificates carried on board have to be valid and drawn up in the form corresponding to the model where required by the relevant international convention. FSI 21 also agreed that a certificate may be considered as “original” when containing an “authorised” electronically applied signature or stamp. FSI 21 agreed to draft amendments to relevant circulars for further approval.

- Proposal for exemption of survey and certification requirements under the MARPOL Convention for unmanned and non-self-propelled barges
  FSI 21 considered the exemption of survey and certification requirements for unmanned and non-self-propelled barges with no machinery. It was decided that a correspondence group should be established for further detailed discussions.

- Clarification of "periodical survey" mentioned in SOLAS chapter XII
  FSI 21 considered the consequences of the consistency of the meaning of “periodical survey” being used in SOLAS chapter XII with a different meaning from that in the Survey Guidelines under the Harmonised System of Surveys and Certification (HSSC) 2011 or the International Code on the Enhanced Programme of Inspections during Surveys of Bulk Carriers and Oil Tankers, 2011 (2011 ESP Code)
  FSI 21 agreed that the term “periodical survey” in the context of SOLAS regulations XII/3, XII/7 and XII/11 should be interpreted as either being the intermediate survey or the renewal survey to retain flexibility in the application. FSI agreed to the text of a draft MSC Circular with a view to approval by MSC 92.

- Amendments to Survey Guidelines under the Harmonized System of Survey and Certification (HSSC), 2011, resolution A.1053(27)
  FSI 21 was tasked with further developing the draft amendments to the Survey Guidelines to include requirements deriving from amendments to the relevant IMO instruments.

FSI 21 reviewed the following:

MSC.1/Circ 1416 concerning the arrangements for steering capability and function on ships with alternative propulsion and steering arrangements and MSC.1/Circ 1425 on sea trials with the ship not at the deepest sea going draught. They were reviewed for their relevance for Survey Guidelines. FSI 21 agreed to refer both circulars in a footnote to the existing related survey items or Cargo Ship Safety Construction Survey and Passenger Ship Safety Survey without amending the content of the survey items.

MSC.1/Circ 1426 on the interpretation of SOLAS regulation II-1/3-5 and MSC.1/Circ.1379 on asbestos on board ships in relation to issuing asbestos-free declarations to demonstrate compliance with SOLAS regulation II-1/3-5. FSI 21 decided that this does not demonstrate compliance. Therefore it was agreed to reference this non-mandatory instrument in a footnote to existing survey items for Cargo Ship Safety Construction and Passenger Ship Safety Survey, to indicate that non-mandatory guidance on this matter is provided in the circular.

FSI agreed the draft amendments to the Survey Guidelines under the Harmonized System of Survey and Certification, 2011 (resolution A.1053(27)). FSI 21 finalised the list of amendments to mandatory instruments which are not yet included in the Survey Guidelines with a view to maintaining the status of mandatory items for future amendments.

FSI 21 concluded that it is necessary to continue developing the respective survey items deriving from amendments to mandatory IMO instruments which enter into force or are expected to enter into force on or after 1 January 2014, for inclusion in the Survey Guidelines in order to keep them updated in future. In this respect FSI 21 recommended the re-establishment of the correspondence group.