

Explanatory Statement 10 of 2023

AMENDMENT TO THE INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974

MSC.521(106)

Practical and legal effect

The proposed treaty action is the amendment of the *International Convention for the Safety of Life at Sea 1974* (SOLAS) by resolution MSC.521(106) adopted by the Maritime Safety Committee (MSC) of the International Maritime Organization (IMO) on 10 November 2022 (Amendment). The main objective of SOLAS is to specify minimum standards for the construction, equipment and operation of ships to ensure their safety. The Amendment would insert into SOLAS a new chapter, Chapter XV, titled 'Safety measures for ships carrying industrial personnel', applicable where vessels are engaged on international voyages.

The Amendment would be expected to have only minor practical, legal and financial effect on Australia. Rarely, if ever, would a vessel be carrying industrial personnel to an Australian offshore facility from overseas. Furthermore, Australia's existing regulatory arrangements for the safety of vessels engaged in offshore operations likely already meet, if not, exceed, the Amendment's effect. Nevertheless, Australia's accession to the Amendment would provide for vessels to be certified against SOLAS's requirements and for domestic seafarers to be trained in accordance with its standards.

The Office of Impact Analysis considers the Amendment is unlikely to have a more than minor impact (OIA23-05892). Consequently, an Impact Analysis is not required.

Nature and timing of proposed treaty matter

The provisions of the new chapter to be inserted into SOLAS by the Amendment would primarily apply to ships and high-speed cargo craft of 500 gross tonnage or more, constructed on or after 1 July 2024, which carry more than 12 industrial personnel. The Amendment would define industrial personnel as 'all persons transported or accommodated on board for the purpose of offshore industrial activities performed on board other ships and/or offshore facilities'.

The carriage of industrial personnel differs to the carriage of other passengers, with the vessels used primarily being offshore support vessels, and the transfer of industrial personnel occurring in challenging environments, such as from a moving vessel to an offshore platform. This requires specialist skills and control measures not required in usual passenger operations.

The Amendment includes requirements to comply with the International Code of Safety for Ships Carrying Industrial Personnel, adopted by the MSC in resolution MSC.527(106) on 10 November 2022 (the Code), which will take effect from 1 July 2024. While resolution MSC.527(106) does not amend SOLAS, the Code is referred to in the new chapter.

The Amendment would insert into SOLAS the requirement for specified vessels to apply the Code on international voyages. The Code sets out requirements for vessel stability, machinery and electrical installations, unattended machinery spaces, fire safety, life-saving appliances and arrangements, and carriage of dangerous goods. The Code also includes requirements relating to the training and safe transfer of industrial personnel.

The Amendment would enter into force on 1 July 2024 (Article 3 of MSC.521(106)) unless, prior to 1 January 2024, the Secretary-General of the IMO had been notified of objections to the Amendment by: (i) more than one third of all Contracting Governments to SOLAS; or (ii) Contracting Governments to SOLAS whose combined merchant fleets constitute not less than 50 per cent of the gross tonnage of the world's merchant fleets (Article 2 MSC.521(106)).

Reasons for Australia to take the proposed action relating to the treaty matter

Australia's acceptance of the Amendment would enable compliance with the new international obligations created by the Amendment and the safety standards it establishes when the Amendment enters into force generally.

It would also help to ensure that regulated Australian vessels continue to meet international standards, are interoperable with foreign vessels and are able to access international commercial opportunities. Similarly, it would ensure that the training of Australian seafarers remains in line with the standards established by SOLAS, enhancing their access to international employment opportunities.

Implementing Legislation

Minor amendments to the *Navigation Act 2012* (Act) would be required to give effect to the Amendment. This would involve amending section 14 of the Act to exclude industrial personnel from the existing definition of *passenger*, and section 339 of the Act to authorise the making of regulations in relation to industrial personnel vessels.

Maritime Shipping

The Department of Infrastructure, Transport, Regional
Development and Communications and the Arts

Submitted to JSCOT
December 2023

ANNEX 3

**RESOLUTION MSC.521(106)
(adopted on 10 November 2022)**

**AMENDMENTS TO THE INTERNATIONAL CONVENTION FOR THE
SAFETY OF LIFE AT SEA, 1974 (CHAPTER XV)**

THE MARITIME SAFETY COMMITTEE,

RECALLING Article 28(b) of the Convention on the International Maritime Organization concerning the functions of the Committee,

RECALLING ALSO article VIII(b) of the International Convention for the Safety of Life at Sea, 1974 ("the Convention"), concerning the amendment procedure applicable to the annex to the Convention, other than to the provisions of chapter I,

HAVING CONSIDERED, at its 106th session, amendments to the Convention proposed and circulated in accordance with article VIII(b)(i) of the Convention,

1 ADOPTS, in accordance with article VIII(b)(iv) of the Convention, amendments to the Convention the text of which is set out in the annex to the present resolution;

2 DETERMINES, in accordance with article VIII(b)(vi)(2)(bb) of the Convention, that the said amendments shall be deemed to have been accepted on 1 January 2024, unless, prior to that date, more than one third of the Contracting Governments to the Convention or Contracting Governments the combined merchant fleets of which constitute not less than 50% of the gross tonnage of the world's merchant fleet have notified the Secretary-General of their objections to the amendments;

3 INVITES Contracting Governments to the Convention to note that, in accordance with article VIII(b)(vii)(2) of the Convention, the amendments shall enter into force on 1 July 2024 upon their acceptance in accordance with paragraph 2 above;

4 REQUESTS the Secretary-General, for the purposes of article VIII(b)(v) of the Convention, to transmit certified copies of the present resolution and the text of the amendments contained in the annex to all Contracting Governments to the Convention;

5 ALSO REQUESTS the Secretary-General to transmit copies of this resolution and its annex to Members of the Organization which are not Contracting Governments to the Convention.

ANNEX

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

**CHAPTER XV
SAFETY MEASURES FOR SHIPS CARRYING INDUSTRIAL PERSONNEL**

The following new chapter XV (Safety measures for ships carrying industrial personnel) is added after existing chapter XIV (Safety measures for ships operating in polar waters):

**"CHAPTER XV
Safety measures for ships carrying industrial personnel**

Regulation 1 - Definitions

For the purpose of this chapter:

1 *Industrial personnel (IP)* means all persons transported or accommodated on board for the purpose of offshore industrial activities performed on board other ships and/or offshore facilities.

2 *IP Code* means the International Code of Safety for Ships Carrying Industrial personnel, as adopted by the Maritime Safety Committee by resolution MSC.527(106), as may be amended, provided that such amendments are adopted, brought into force and take effect in accordance with the provisions of article VIII of the present Convention concerning the amendment procedures applicable to the annex other than chapter I.

3 *Offshore industrial activities* mean the construction, maintenance, decommissioning, operation or servicing of offshore facilities related, but not limited to, exploration and exploitation of resources by the renewable or hydrocarbon energy sectors, aquaculture, ocean mining or similar activities.

4 *HSC Code* means the International Code of Safety for High-Speed Craft, 2000, adopted by the Maritime Safety Committee by resolution MSC.97(73), as may be amended, provided that such amendments are adopted, brought into force and take effect in accordance with the provisions of article VIII of the present Convention concerning the amendment procedures applicable to the annex other than chapter I.

Regulation 2 - General

1 Wherever in the IP Code a reference is made to passenger ship requirements, the corresponding cargo ship requirements are deemed to be complied with.

2 For the purpose of this chapter, industrial personnel shall not be treated or considered as passengers.

3 Wherever in this chapter, or in the IP Code, the number of industrial personnel appears as a parameter, it shall be the aggregate number of industrial personnel, special personnel¹ and passengers carried on board, where the number of passengers shall not exceed 12.

4 Notwithstanding the provisions of regulation 2.1 above, for high-speed craft to which chapter X applies and notwithstanding the provisions of chapters 2 to 12 and 18 of the HSC Code, a ship certified in accordance with the requirements of this chapter and the IP Code shall be deemed to have complied with the requirements of chapters 2 to 12 and 18 of the HSC Code.

¹ Refer to the Code of Safety for Special Purpose Ships, 2008.

Regulation 3

Application

1 Unless expressly provided otherwise, this chapter applies to cargo ships and high-speed cargo craft, of 500 gross tonnage and upwards, constructed on or after 1 July 2024 which carry more than 12 industrial personnel.

2 Cargo ships constructed before 1 July 2024, authorized by the Administration to carry more than 12 industrial personnel in accordance with the recommendations developed by the Organization, shall comply with regulations III/1, III/2 (except for paragraph 2.1.7), IV/7 and IV/8 of the IP Code by the first intermediate or renewal survey, whichever occurs first, after 1 July 2024.

3 High-speed cargo craft constructed before 1 July 2024, authorized by the Administration to carry more than 12 industrial personnel in accordance with the recommendations developed by the Organization,² shall comply with regulations III/1, III/2 (except for paragraph 2.1.7), V/7 and V/8 of the IP Code by the third periodical or first renewal survey, whichever occurs first, after 1 July 2024.

4 Cargo ships and high-speed cargo craft, irrespective of date of construction, which prior to the 1 July 2024 have not been authorized by the Administration to carry more than 12 industrial personnel based on the recommendations developed by the Organization,² shall comply and be certified in accordance with this chapter and the IP Code prior to the carriage of more than 12 industrial personnel on board.

² Refer to the *Interim recommendations on the safe carriage of more than 12 industrial personnel on board vessels engaged on international voyages* (resolution MSC.418(97)).

5 For the purpose of this chapter, the expression *constructed* refers to the description given in regulations:

- .1 II-2/1.1.2.1, as complemented by regulation II-2/1.1.3 for cargo ships; and
- .2 X/1.4, as complemented by regulation X/1.5 for high-speed cargo craft.

Regulation 4 - Application of other chapters

1 The regulations for cargo ships contained in the other chapters of the present Convention apply to ships described in regulation 3.1 above, except as modified by this chapter.

2 Notwithstanding the provisions of regulation 4.1 above, for high-speed craft to which the HSC Code applies, the regulations for cargo craft in that Code apply except as modified by this chapter.

Regulation 5 - Requirements

- 1 Ships and high-speed craft to which this chapter applies shall:
 - .1 be certified as a cargo ship or high-speed cargo craft in accordance with either chapter I or chapter VIII or chapter X, as applicable;
 - .2 meet the requirements of the IP Code; and
 - .3 in addition to the requirements of regulations I/8, I/9 and I/10 or of sections 1.5 to 1.9 of the HSC Code, as applicable, be surveyed and certified, as provided for in the IP Code.

- 2 Ships and high-speed craft to which this chapter applies, holding a certificate issued pursuant to the provisions of regulation 5.1 above, shall be subject to the control established in regulation I/19 or XI-1/4, and in 1.10 of the HSC Code, as applicable. For this purpose, such certificates shall be treated as a certificate issued under regulation I/12 or I/13."

ANNEX 9

**RESOLUTION MSC.527(106)
(adopted on 10 November 2022)**

**INTERNATIONAL CODE OF SAFETY FOR SHIPS
CARRYING INDUSTRIAL PERSONNEL (IP CODE)**

THE MARITIME SAFETY COMMITTEE,

RECALLING Article 28(b) of the Convention on the International Maritime Organization concerning the function of the Committee,

RECOGNIZING the need for a mandatory code for the safe carriage of industrial personnel on ships and for ensuring their safety during personnel transfer operations to and from other ships and/or offshore facilities,

NOTING resolution MSC.521(106), by which it adopted chapter XV of the International Convention for the Safety of Life at Sea, 1974 ("the Convention") to make the provisions of the International Code of Safety for Ships Carrying Industrial Personnel (IP Code) mandatory under the Convention,

HAVING CONSIDERED, at its 106th session, the IP Code,

- 1 ADOPTS the IP Code, the text of which is set out in the annex to the present resolution;
- 2 INVITES Contracting Governments to the Convention to note that the IP Code will take effect on 1 July 2024 upon entry into force of chapter XV of the Convention;
- 3 ALSO INVITES Contracting Governments to consider the voluntary application of the IP Code, as far as practicable, to ships of less than 500 gross tonnage and to ships not operating on international voyages;
- 4 REQUESTS the Secretary-General of the Organization to transmit certified copies of the present resolution and the text of the IP Code, contained in the annex, to all Contracting Governments to the Convention;
- 5 ALSO REQUESTS the Secretary-General of the Organization to transmit copies of the present resolution and the text of the IP Code contained in the annex to all Members of the Organization which are not Contracting Governments to the Convention.

ANNEX

**INTERNATIONAL CODE OF SAFETY FOR SHIPS
CARRYING INDUSTRIAL PERSONNEL (IP CODE)**

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Appendix

**Model Industrial Personnel Safety Certificate
Record of Equipment for the Industrial Personnel Safety Certificate (Form IP)**

Preamble

1 As the maritime offshore and energy sectors are expanding, new offshore industrial activities have emerged. This in turn has created a growing demand to provide for the safe carriage of industrial personnel to and from other ships and/or offshore facilities.

2 It is recognized that the safety standards in the existing IMO instruments do not fully cover specific risks of maritime operations within the offshore sectors, such as personnel transfer operations.

3 Furthermore, it is recognized that, at the time of developing this Code, industrial personnel are a special category of persons yet to be defined in regulation I/2 of the International Convention for the Safety of Life at Sea (SOLAS), 1974.

4 However, the difficulties caused by the lack of a clear definition for industrial personnel and the lack of an international safety standard for the carriage of industrial personnel on board in the existing IMO instruments are also recognized.

5 The International Code of Safety for Ships Carrying Industrial Personnel (IP Code) has been developed to supplement existing IMO instruments in order to meet the demand from the offshore and energy sectors and overcome these difficulties. The Code, in addition to the cargo ship requirements in SOLAS regulations, provides an international standard of safety for ships carrying industrial personnel which will facilitate safe carriage and safe personnel transfer by addressing additional risks connected to such operations.

6 The Code has been developed for ships operating on international voyages as defined in SOLAS regulation I/2(d). However, it is recognized that the transport of a large number of industrial personnel will take place either within the confines of a particular coastal State or between a base port and an offshore installation outside territorial waters. To facilitate international movement and safe operations of ships carrying industrial personnel, Administrations are encouraged to apply this Code also to ships operating only on such voyages.

7 The Code applies to ships of 500 gross tonnage and upwards. However, it is recognized that ships below 500 gross tonnage may also carry an aggregated number of passengers, special personnel and industrial personnel in excess of 12. In such cases the Administration may apply the goals and functional requirements of the Code as far as practicable. If such ships are in compliance with the IP Code, Administrations may consider issuing an Industrial Personnel Safety Certificate for a ship carrying more than 12 industrial personnel, as long as all relaxations are indicated in this certificate.

PART I GENERAL

1 Goal

The goal of this Code is to provide for the safe carriage of industrial personnel on ships and their safety during personnel transfer operations by addressing any risks present not adequately mitigated by the applicable safety standards in the International Convention for the Safety of Life at Sea (SOLAS), 1974.

2 Definitions

2.1 *Carriage* means transportation, accommodation or both.

2.2 *Essential systems* mean systems referred to in SOLAS regulation II-2/21.4.

2.3 *HSC Code* means the International Code of Safety for High-Speed Craft, 2000, as adopted by the Maritime Safety Committee of the Organization by resolution MSC.97(73), as amended.

2.4 *Industrial personnel (IP)* means all persons transported or accommodated on board for the purpose of offshore industrial activities performed on board other ships and/or offshore facilities.

2.5 *IP area* is every area or space where IP are normally intended to stay during voyage or are allowed to access.

2.6 *Offshore industrial activities* mean the construction, maintenance, decommissioning, operation or servicing of offshore facilities related, but not limited, to exploration and exploitation of resources by the renewable or hydrocarbon energy sectors, aquaculture, ocean mining or similar activities.

2.7 *Personnel transfer* means the full sequence of the operation of transferring personnel and their equipment at sea to or from a ship to which this Code applies and from or to another ship or an offshore facility.

2.8 *SOLAS* means the International Convention for the Safety of Life at Sea, 1974, as amended.

3 Certificate and survey

3.1 Every ship to which this Code applies shall have on board a valid Industrial Personnel Safety Certificate.

3.2 The Industrial Personnel Safety Certificate shall be issued after an initial or renewal survey to a ship which complies with the requirements of this Code.

3.3 The certificate referred to in this regulation shall be issued either by the Administration or by an organization recognized by it in accordance with SOLAS regulation XI-1/1. In any case, the Administration assumes full responsibility for the certificate.

3.4 The Industrial Personnel Safety Certificate shall be drawn up in a form corresponding to the model given in the appendix to this Code. If the language is not English, French or Spanish, the text shall include translation into one of these languages.

3.5 The Industrial Personnel Safety Certificate validity, survey dates and endorsements shall be harmonized with the relevant SOLAS certificates in accordance with the provisions of SOLAS regulation I/14 or X/3.2, as appropriate. The certificate shall include a supplement recording equipment required by the present Code.

3.6 The Industrial Personnel Safety Certificate and the Record of Equipment shall be issued in addition to the relevant certificates required in SOLAS regulation XV/5.1.1.

PART II GOALS AND FUNCTIONAL REQUIREMENTS

1 Industrial personnel

1.1 Goal

The goal of this chapter is to provide:

- .1 for safe operations during the carriage of industrial personnel; and
- .2 that industrial personnel are medically fit and familiar with the hazards associated with the operational environment including the risks associated with personnel transfer operations.

1.2 Functional requirements

In order to achieve the goal set out in paragraph 1.1 above, the following functional requirements are embodied in the regulations in part III:

Means shall be provided to ensure that industrial personnel:

- .1 are medically fit;
- .2 are able to communicate with the ship's crew;
- .3 have received appropriate safety training;
- .4 have received onboard ship-specific safety familiarization; and
- .5 have received onboard familiarization with the ship's transfer arrangements and equipment.

2 Safe transfer of personnel

2.1 Goal

The goal of this chapter is to provide for the safety of all persons involved in personnel transfer, including safe and suitable means of transfer and the capability of safely carrying out the operations connected to personnel transfer.

2.2 Functional requirements

In order to achieve the goal set out in paragraph 2.1 above, the following functional requirements are embodied in the regulations in part III:

2.2.1 Means shall be provided to avoid injuries during personnel transfer.

2.2.2 Arrangements for personnel transfer shall be:

- .1 designed, constructed and maintained to withstand the loads they are subjected to;
- .2 designed and engineered to fail to a safe condition in the event of a loss or reduction in their associated functionality; and
- .3 capable of safely returning persons in transfer to a safe location after loss of power.

2.2.3 Means for position keeping shall be provided and arranged in a manner that prevents accidents during transfer of personnel and is suitable for the mode of operation and interactions with other ships or offshore facilities.

2.2.4 Means shall be provided to ensure that the information on the number of industrial personnel on board and their identity is kept updated to assist in ensuring that the actual number of persons on board is known at all times.

3 Subdivision and stability

3.1 Goal

The goal of this chapter is to provide for adequate stability of the ship, in both the intact and damaged conditions, taking into consideration the total number of persons on board.

3.2 Functional requirement

In order to achieve the goal set out in paragraph 3.1 above, the ship shall be designed with weathertight and watertight boundaries providing for an adequate stability standard, in both the intact and damaged conditions, taking into account the total number of persons on board. This functional requirement is embodied in the regulations in parts IV and V.

4 Machinery installations

4.1 Goal

The goal of this chapter is to provide for machinery installations capable of delivering the required functionality to ensure safe navigation and safe carriage of persons on board both during normal operation and in any emergency situation, taking into account the total number of persons on board.

4.2 Functional requirements

In order to achieve the goal set out in paragraph 4.1 above, the following functional requirements are embodied in the regulations in parts IV and V:

- .1 where the capacity needed to ensure the required functionality of any machinery system is dependent on the number of persons on board (e.g. bilge pumping systems), necessary additional capacity shall be provided;
- .2 steering gear systems shall be capable of maintaining steerage after any incident affecting machinery installations; and

- .3 essential systems shall have the necessary redundancy or isolation, or a combination thereof, in order to ensure the capability of safely accommodating persons on board after any incident affecting machinery installations, taking into account the number of persons on board.

5 Electrical installations

5.1 Goal

The goal of this chapter is to provide for:

- .1 emergency sources of power capable of delivering the required functionality of essential systems in emergency situations, taking into account the total number of persons on board; and
- .2 protection of all persons on board from electrical hazards.

5.2 Functional requirements

In order to achieve the goal set out in paragraph 5.1 above, the following functional requirements are embodied in the regulations in parts IV and V:

- .1 emergency power supply to essential systems shall have the necessary redundancy or isolation, or a combination thereof, to ensure the capability of safely accommodating persons on board after damage, taking into account the number of persons on board and the time for orderly evacuation; and
- .2 precautions against shock, fire and other hazards of electrical origin shall be provided.

6 Periodically unattended machinery spaces

6.1 Goal

The goal of this chapter is to ensure that, if and when a machinery space is periodically unattended, this does not impair the safety of the ship or the persons on board.

6.2 Functional requirements

In order to achieve the goal set out in paragraph 6.1 above, the following functional requirements are embodied in the regulations in parts IV and V:

- .1 periodically unattended machinery spaces shall provide safe operations, taking into account the number of persons on board; and
- .2 a periodically unattended machinery space shall be equipped with additional controls, monitoring and alarm systems to provide safe operation, taking into account the number of persons on board, in order to achieve a safety equivalent to that of a normally attended machinery space.

7 Fire safety

7.1 Goal

The goal of this chapter is to fulfil the fire safety objectives of SOLAS or the basic fire safety principles of the HSC Code, taking into account the number of persons on board.

7.2 Functional requirement

In order to achieve the goal set out in paragraph 7.1 above, the means to fulfil the fire safety functional requirements of SOLAS or the basic fire safety principles of the HSC Code, taking into account the number of persons on board, are embodied in the regulations in parts IV and V.

8 Life-saving appliances and arrangements

8.1 Goal

The goal of this chapter is to provide for appropriate and sufficient means to ensure safe abandonment of the ship and recovery of persons.

8.2 Functional requirements

In order to achieve the goal set out in paragraph 8.1 above, the following functional requirements are embodied in the regulations in parts IV and V:

- .1 the capacity of the survival craft shall be sufficient to accommodate all persons on board;
- .2 appropriate and sufficient personal life-saving appliances shall be available for all persons on board;
- .3 sufficient space for assembling and mustering must be ensured;
- .4 onboard communication and alarm systems shall be provided to ensure emergency communication to all persons on board; and
- .5 means shall be provided to ensure the safe recovery of persons.

9 Dangerous goods

9.1 Goal

The goal of this chapter is to provide for the safe carriage of industrial personnel while transporting and handling dangerous goods on ships certified in accordance with this Code, taking into consideration the total number of persons on board.

9.2 Functional requirement

In order to achieve the goal set out in paragraph 9.1 above, any hazard caused by the transportation and handling of dangerous goods shall be taken into account and the risk to all persons on board shall be minimized, having regard to the nature of the dangerous goods. This functional requirement is embodied in the regulations in parts IV and V.

PART III REGULATIONS

Regulation 1 - *Industrial personnel*

1.1 In order to meet the functional requirements set out in paragraph II/1.2.1, all industrial personnel shall be at least 16 years of age and documentary evidence shall be made available to the master that they are physically and medically fit to fulfil all the requirements in this regulation, based on a standard acceptable to the Administration.

1.2 In order to meet the functional requirements set out in paragraph II/1.2.2, all industrial personnel shall demonstrate adequate knowledge of the working language on board in order to be able to communicate effectively and understand any instructions given by the ship's crew.

1.3 In order to meet the functional requirements set out in paragraph II/1.2.3, all industrial personnel shall, prior to boarding the ship, receive training or instruction with respect to:¹

- .1 personal survival that includes:
 - .1 knowledge of emergency situations that may occur on board a ship;
 - .2 the use of personal life-saving equipment;
 - .3 safely entering the water from a height, and survival in the water; and
 - .4 boarding a survival craft from the ship and water while wearing a lifejacket;
- .2 fire safety that includes knowledge of the types of fire hazards on board ships and precautionary measures to be taken to prevent a fire; and
- .3 personal safety and social responsibilities that include:
 - .1 understanding the authority of the master or their representative on board;
 - .2 complying with instructions provided by the shipboard personnel; and
 - .3 understanding safety information symbols, signs and alarm signals found on board ships.

1.4 No industrial personnel shall be carried on board the ship unless the master has been provided with documentation confirming that such personnel have received the training or instructions required by this regulation.

1.5 In order to meet the functional requirement set out in paragraph II/1.2.4, all industrial personnel shall, prior to leaving port or immediately after boarding, receive onboard ship-specific safety familiarization that includes:

- .1 the layout of the ship;
- .2 the location of personal life-saving appliances, muster and embarkation stations, emergency escape routes and first aid stations;

- .3 the safety information, symbols, signs and alarms on board; and
- .4 action to be taken in the event of an alarm sounding or the declaration of an emergency.

1.6 In order to meet the functional requirement set out in paragraph II/1.2.5, all industrial personnel shall, prior to being transferred, receive familiarization in the ship's procedures, arrangements and any additional safety measures or equipment for the transfer of personnel to other ships and/or offshore facilities.

¹ Personnel meeting the training requirements in paragraph 5.5 of the *Recommendations for the training and certification of personnel on mobile offshore units* (resolution A.1079(28)) or industrial training standards, such as those of the Global Wind Organization (GWO), Offshore Petroleum Industry Training Organization (OPITO) or Basic Offshore Safety Induction and Emergency Training (OPITO-accredited), may be considered as meeting the requirements of this section.

Regulation 2 - Safe transfer

- 2.1 In order to meet the functional requirement in paragraph II/2.2.1, the following applies:
- .1 Personnel transfer appliances and arrangements shall be kept clean, properly maintained and regularly inspected to ensure that they are safe to use.
 - .2 The rigging and use of the personnel transfer arrangements shall be supervised by a responsible officer and operated by properly trained personnel. Safety procedures shall be established and followed by personnel engaged in rigging and operating any mechanical equipment.
 - .3 Means of communication shall be provided between the supervising responsible officer and the navigation bridge.
 - .4 All personnel transfer arrangements shall be permanently marked to enable identification of each appliance for the purposes of survey, inspection and record-keeping. A record of use and maintenance shall be kept on board the ship.
 - .5 Prior to commencing personnel transfer operations, the personnel transfer arrangements shall be checked to ensure they are functioning properly.
 - .6 Means shall be provided to ensure safe and unobstructed passage for industrial personnel between the personnel transfer arrangements and where they are being transported or accommodated on board.
 - .7 Lighting capable of being supplied by the emergency source of power shall be provided to illuminate the personnel transfer arrangements, the water below the transfer arrangements and the passage specified in sub-paragraph .6 above.
 - .8 The deck area for personnel transfer shall be designated and free from obstructions.

- .9 A job safety analysis shall be carried out when planning, and before executing, personnel transfer at sea. The analysis shall take into account environmental conditions, as well as operational and equipment limitations.
- .10 When planning personnel transfer, the guidance developed by the Organization² or other relevant guidance³ acceptable to the Administration should be taken into account.

2.2 In order to meet the functional requirement in paragraph II/2.2.2, personnel transfer arrangements shall be designed, constructed, tested and installed in accordance with standards⁴ acceptable to the Administration or requirements of a classification society which is recognized by the Administration in accordance with the provisions of SOLAS regulation XI-1/1.

2.3 In addition, the following applies:

- .1 The design of the personnel transfer arrangements shall be suitable for the arrangement on the ship.
- .2 An analysis shall be performed in order to evaluate failures in IP transfer arrangements and all its associated systems which might impair the availability of the transfer arrangements and/or endanger the safety of the persons involved.

The analysis⁵ shall:

- .1 consider the effects of failure in all the equipment and systems due to single failure, fire in any space or flooding of any watertight compartment that could affect the availability of the transfer arrangements; and
- .2 provide solutions to ensure the availability of the IP transfer arrangements and the safety of all persons involved upon such failures identified in .1.
- .3 Where a single failure results in failure of more than one component in a system (common cause failure), all the resulting failures shall be considered together. Where the occurrence of a failure leads directly to further failures, all those failures shall be considered together.

2.4 In order to meet the functional requirement in paragraph II/2.2.3, the manoeuvrability of the ship together with the expected need for the ship to keep position over time shall be evaluated, to ensure the correct use of position-keeping equipment.

2.5 In order to meet the functional requirement in paragraph II/2.2.4, procedures shall be in place to ensure correct information on the number and identity of personnel on board at all times.

² Refer to the *Guidance on safety when transferring persons at sea* (MSC-MEPC.7/Circ.10).

³ Such as the latest revision of IMCA M202 Guidance on the transfer of personnel to/from offshore vessels and structures.

⁴ Refer to relevant sections of EN 13852-1:2013.

⁵ Appropriate analysis may be QFA or FMEA and their associated reports.

PART IV
ADDITIONAL REGULATIONS FOR SHIPS CERTIFIED IN ACCORDANCE
WITH SOLAS CHAPTER I

Regulation 1 - General

1.1 Unless expressly provided otherwise in this part, ships carrying industrial personnel shall meet the SOLAS requirements for cargo ships and the applicable regulations in this part.

1.2 Ships complying with paragraph 1.1 in addition to the applicable regulations in this part are considered to meet the goals and functional requirements in paragraphs II/3 to II/9.

Regulation 2 - Subdivision and stability

2.1 In order to meet the functional requirement set out in paragraph II/3.2.1, the following applies:

- .1 Where the ship is certified to carry more than 240 persons on board, it shall meet the requirements of SOLAS regulation II-1/5 as though the ship is a passenger ship and the industrial personnel are counted as passengers. However, SOLAS regulation II-1/5.5 is not applicable.
- .2 Subdivision and damage stability shall be in accordance with SOLAS chapter II-1, where the ship is considered a passenger ship and industrial personnel are counted as passengers, with the value R as follows:
 - .1 where the ship is certified to carry more than 240 persons, the value R is assigned as R ;
 - .2 where the ship is certified to carry not more than 60 persons, the value R is assigned as $0.8R$; or
 - .3 for more than 60 persons, but not more than 240 persons, the value R shall be determined by linear interpolation between the values given in sub-paragraphs .1 and .2 above.

$$R = 1 - \frac{5,000}{L_s + 2.5N + 15,225}$$

Where:

$$N = N_1 + 2N_2$$

N_1 = number of persons for whom lifeboats are provided

N_2 = number of persons (including officers and crew) the ship is permitted to carry in excess of N_1

- .3 Where the conditions of service are such that compliance with paragraph 2.1.2 above on the basis of $N=N_1+2N_2$ is impracticable and where the Administration considers that a suitably reduced degree of hazard exists, a lesser value of N may be taken but in no case less than $N=N_1+N_2$.

- .4 For ships to which paragraph 2.1.2.1 above applies, the requirements of SOLAS regulations II-1/8 and II-1/8-1 and of SOLAS chapter II-1 parts B-2, B-3 and B-4 shall be applied as though the ship is a passenger ship and the industrial personnel are passengers. However, SOLAS regulations II-1/14 and II-1/18 are not applicable.
- .5 For ships to which paragraphs 2.1.2.2 and 2.1.2.3 above apply, except as provided in paragraph 2.1.6 below, the provisions of SOLAS chapter II-1, parts B-2, B-3 and B-4 shall apply as though the ship is a cargo ship and the industrial personnel are crew. However, the requirements of SOLAS regulations II-1/8 and II-1/8-1 need not be applied and SOLAS regulations II-1/14 and II-1/18 are not applicable.
- .6 All ships certified in accordance with this Code shall comply with SOLAS regulations II-1/9, II-1/13, II-1/19, II-1/20 and II-1/21 as though the ship is a passenger ship.

Regulation 3 - *Machinery installations*

3.1 In order to meet the functional requirement set out in paragraph II/4.2.1, the ship shall comply with SOLAS regulation II-1/35-1 as though the ship is a passenger ship.

3.2 In order to meet the functional requirement set out in paragraph II/4.2.2, where the ship is certified to carry more than 240 persons on board, it shall comply with the requirements of SOLAS regulation II-1/29 as though the ship is a passenger ship.

Regulation 4 - *Electrical installations*

4.1 In order to meet the functional requirement set out in paragraph II/5.2.1, the following applies:

- .1 for installations in ships of more than 50 m in length carrying not more than 60 persons on board, the requirements in SOLAS regulation II-1/42.2.6.1 shall apply in addition to the requirements in SOLAS regulation II-1/43; and
- .2 for installations in ships carrying more than 60 persons on board, SOLAS regulation II-1/42 shall apply.

4.2 In order to meet the functional requirement set out in paragraph II/5.2.2 for installations on ships carrying more than 60 persons on board, SOLAS regulation II-1/45.12 shall apply.

Regulation 5 - *Periodically unattended machinery spaces*

In order to meet the functional requirements set out in paragraph II/6.2, ships carrying more than 240 persons on board shall be considered as passenger ships in relation to SOLAS chapter II-1, part E.

Regulation 6 - *Fire safety*

In order to meet the functional requirements set out in paragraphs II/7.2 and 4.2.3, the following applies:

- .1 where the ship is certified to carry more than 240 persons on board, the requirements of SOLAS chapter II-2 for passenger ships carrying more than 36 passengers shall apply; and
- .2 where the ship is certified to carry more than 60, but not more than 240 persons on board, the requirements of SOLAS chapter II-2 for passenger ships carrying not more than 36 passengers apply, except that SOLAS regulations II-2/21 and 22 need not apply.

Regulation 7 - *Life-saving appliances and arrangements*

In order to meet the functional requirements set out in paragraph II/8.2:

- .1 for ships carrying more than 60 persons on board, the requirements of SOLAS chapter III for passenger ships engaged on international voyages, which are not short international voyages, shall apply;
- .2 regardless of the number of the persons on board, SOLAS regulations III/2 and III/19.2.3 are not applicable;
- .3 where the term "passenger" is used in SOLAS chapter III, it shall be read to mean industrial personnel as prescribed in SOLAS regulation XV/2.3; and
- .4 notwithstanding sub-paragraph .3 above, the required number of infant or child lifejackets shall be calculated solely based on the number of passengers on board.

Regulation 8 - *Dangerous goods*

8.1 General

Industrial personnel may only bring dangerous goods on board for the purpose of their role off the ship and with the prior consent of the master of the ship. These dangerous goods shall be considered as cargo and shall be transported in accordance with part A of SOLAS chapter VII.

8.2 Carriage of dangerous goods in packaged form

In order to meet the functional requirements in paragraph II/9.2:

- .1 for ships certified to carry more than 240 persons on board, SOLAS regulation II-2/19.3.6.2 for passenger ships carrying more than 36 passengers shall apply; and
- .2 for the purpose of the requirements of the IMDG Code, ships certified to carry more than 240 persons on board shall be considered as passenger ships and those certified to carry 240 or fewer persons on board shall be considered as cargo ships.

8.3 Carriage of dangerous goods in solid form in bulk

In order to meet the functional requirements in paragraph II/9.2:

- .1 for ships certified to carry more than 240 persons on board, SOLAS regulation II-2/19.3.6.2 for passenger ships carrying more than 36 passengers shall apply; and
- .2 for the purpose of the requirements of the IMSBC Code, industrial personnel shall be considered as personnel in the context of personnel protection.

8.4 Carriage of dangerous liquid chemicals, liquefied gases and oil

8.4.1 In order to meet the functional requirements in paragraph II/9.2, when simultaneously carrying dangerous liquid chemicals and/or liquefied gases as cargo in bulk and industrial personnel, the ship shall either be certified in accordance with the requirements of parts B or C of SOLAS chapter VII or meet and be certified in accordance with a standard not inferior to that developed by the Organization.⁶ In addition:

- .1 carriage of toxic products, low-flashpoint products or acids shall not be allowed when the total number of persons on board exceeds 60;
- .2 for the purpose of carrying industrial personnel, the areas and spaces on ships where industrial personnel are not permitted to enter shall be clearly marked;
- .3 the arrangements for personnel transfer shall be located outside the cargo area;
- .4 the access to the arrangements for personnel transfer shall, as far as practicable, be located outside the cargo area; and
- .5 embarkation or personnel transfer and loading or unloading of cargo shall not take place simultaneously.

8.4.2 In order to meet the functional requirements in paragraph II/9.2, when simultaneously carrying oil as cargo, as defined in Annex I of MARPOL, and industrial personnel, the additional requirements in paragraph 8.4.1 above shall apply.

8.4.3 For the purpose of this requirement:

- .1 "low-flashpoint products" mean:
 - .1 noxious liquid substances with a flashpoint not exceeding 60°C;
 - .2 oil with a flashpoint not exceeding 60°C; and
 - .3 liquefied gases which require flammable vapour detection in accordance with chapter 19 of the IGC Code;
- .2 "toxic products" mean:
 - .1 dangerous chemicals to which special requirement 15.12 of the IBC Code applies; and

- .2 liquefied gases which require toxic vapour detection in accordance with chapter 19 of the IGC Code; and
- .3 "acids" mean dangerous chemicals to which special requirement 15.11 of the IBC Code applies.

8.4.4 In order to meet the functional requirements in paragraph II/9.2 when carrying liquefied gases in bulk, for the purpose of the requirements of the IGC Code, industrial personnel shall be considered as personnel in the context of training and personnel protection.

⁶ Refer to the *Code for the Transport and Handling of Hazardous and Noxious Liquid Substances in Bulk on Offshore Support Vessels (OSV Chemical Code)* (resolution A.1122(30)).

PART V

ADDITIONAL REGULATIONS FOR CRAFT CERTIFIED IN ACCORDANCE WITH SOLAS CHAPTER X

Regulation 1 - *General*

1.1 High-speed cargo craft certified in accordance with SOLAS chapter X shall not carry more than 60 persons on board.

1.2 Unless expressly provided otherwise in this part, high-speed craft carrying not more than 60 persons on board shall meet the requirements for cargo craft in the HSC Code and the applicable regulations in this part.

1.3 Craft complying with paragraph 1.2 above in addition to the applicable regulations in this part are considered to meet the goals and functional requirements in paragraphs II/3 to II/9.

1.4 The carriage of IP on high-speed craft is not considered as transit voyage, as specified in 1.9.1.1 of the HSC Code, and a permit to operate is required.

1.5 Where the term "passenger" is used in applicable requirements in the HSC Code, it shall be read to mean "persons on board other than crew".

Regulation 2 - *Subdivision and stability*

In order to meet the functional requirements set out in paragraph II/3.2, the following applies:

- .1 Chapter 2, part B, except 2.13.2 and 2.14, of the HSC Code shall apply in lieu of chapter 2, part C of the HSC Code.
- .2 When applying the provisions of chapter 2 of the HSC Code, the expression "passenger" shall be read as "persons on board other than crew". In addition, the mass of each such person shall be assumed to be 90 kg instead of 75 kg.

Regulation 3 - *Machinery installations*

In order to meet the functional requirements set out in paragraph II/4.2, provisions in chapter 10, part B of the HSC Code shall apply as applicable to category A passenger craft in lieu of chapter 10, part C of the HSC Code.

Regulation 4 - *Electrical installations*

In order to meet the functional requirements set out in paragraph II/5.2, 12.7.10 of the HSC Code shall apply.

Regulation 5 - *Periodically unattended machinery spaces*

[no provisions]

Regulation 6 - *Fire safety*

[no provisions]

Regulation 7 - *Life-saving appliances and arrangements*

In order to meet the functional requirements set out in paragraph II/8.2:

- .1 4.2.3 of the HSC Code shall apply;
- .2 8.4.3 of the HSC Code shall apply – the expression "passenger spaces" shall be read as "IP area"; and
- .3 the required number of infant or child lifejackets shall be calculated solely based on the number of passengers on board.

Regulation 8 - *Dangerous goods*

8.1 Industrial personnel may only bring dangerous goods on board for the purpose of their role off the craft and with the prior consent of the master of the craft. These dangerous goods shall be considered as cargo and shall be transported in accordance with chapter 7, part D of the HSC Code.

8.2 In order to meet the functional requirements set out in paragraph II/9.2:

- .1 for the purpose of carrying IP, the areas and spaces on craft where IP are not permitted to enter shall be clearly marked;
- .2 the arrangement for personnel transfer shall be located outside the cargo area;
- .3 the access to the arrangements for personnel transfer shall, as far as practicable, be located outside the cargo area; and
- .4 embarkation or personnel transfer and loading or unloading of cargo shall not take place simultaneously.

APPENDIX

FORM OF SAFETY CERTIFICATE FOR SHIPS CARRYING INDUSTRIAL PERSONNEL

INDUSTRIAL PERSONNEL SAFETY CERTIFICATE

This Certificate shall be supplemented by a Record of Equipment for the
Industrial Personnel Safety Certificate (Form IP)

(Official seal)

(State)

Issued under the provisions of the

International Convention for the Safety of Life at Sea, 1974, as amended

under the authority of the Government of

(name of the State)

by _____
(person or organization authorized)

Particulars of ship⁷

Name of ship

Distinctive number or letters

Port of registry

Gross tonnage

IMO number⁸

Date [dd/mm/yyyy] on which keel was laid or ship was at a similar
stage of construction or, where applicable, date on
which work for a conversion or an alteration or
modification of a major character was commenced

⁷ Alternatively, the particulars of the ship may be placed horizontally in boxes.

⁸ In accordance with the *IMO Ship Identification Number Scheme* adopted by the Organization by resolution A.1117(30).

THIS IS TO CERTIFY:

1 *check box, if applicable*

That the ship has been surveyed in accordance with the provisions of section I/3 of the International Code of Safety for Ships Carrying Industrial Personnel as a ship to which regulations XV/3.1 or 3.4 of the Convention apply.

- .1 That the survey showed that:
 - .1 the structure, equipment, fittings and materials of the ship and the condition thereof are in all respects satisfactory and that the ship complies with the relevant provisions of the Code; and
 - .2 if fitted, the personnel transfer appliances and arrangement and the condition thereof are in all respects satisfactory and comply with the provisions of regulation III/2 of the Code.

2 *check box, if applicable*

That the ship has been surveyed in accordance with the provisions of section I/3 of the International Code of Safety for Ships Carrying Industrial Personnel as a ship to which regulations XV/3.2 or XV/3.3 of the Convention apply.

- .1 That the survey showed that:
 - .1 the life-saving appliances and the equipment of the lifeboats, liferafts and rescue boats were provided in accordance with regulation IV/7 or V/7 of the Code, as applicable;
 - .2 the ship, if permitted to carry dangerous goods, complies with the relevant provisions of regulation IV/8 or V/8 of the Code, as applicable; and
 - .3 if fitted, the personnel transfer appliances and arrangement and the condition thereof are in all respects satisfactory and comply with the provisions of regulation III/2 (except for paragraph 2.1.7) of the Code.

3 This certificate is not valid for the carriage of toxic products, low-flashpoint products or acids when the total number of persons on board exceeds 60.

This certificate is valid until

Completion date of the survey on which this certificate is based (dd/mm/yyyy):
.....

Issued at
(Place of issue of certificate)

.....
(Date of issue)

(Signature of authorized official
issuing the certificate)

(Seal or stamp of the issuing authority, as appropriate)

ENDORSEMENT FOR ANNUAL, PERIODICAL AND INTERMEDIATE SURVEYS

THIS IS TO CERTIFY that, at a survey required by section I/3 of the Code, the ship was found to comply with the relevant provisions of the Code:

Annual/Periodical* survey: Signed:
(Signature of authorized official)
Place:
Date:
(Seal or stamp of the authority, as appropriate)

Annual/Periodical/Intermediate* survey: Signed:
(Signature of authorized official)
Place:
Date:
(Seal or stamp of the authority, as appropriate)

Annual/Periodical/Intermediate* survey: Signed:
(Signature of authorized official)
Place:
Date:
(Seal or stamp of the authority, as appropriate)

Annual/Periodical* survey: Signed:
(Signature of authorized official)
Place:
Date:
(Seal or stamp of the authority, as appropriate)

*Delete as appropriate.

ENDORSEMENT TO EXTEND THE CERTIFICATE IF VALID FOR LESS THAN FIVE YEARS WHERE REGULATION I/14(C) OF THE CONVENTION OR 1.8.8 OF THE 2000 HSC CODE APPLIES

The ship complies with the relevant requirements of the Convention, and this certificate shall, in accordance with regulation I/14(c) of the Convention* or 1.8.8 of the 2000 HSC Code,* be accepted as valid until.....

Signed:
(Signature of authorized official)

Place:

Date:
(Seal or stamp of the authority, as appropriate)

ENDORSEMENT WHERE THE RENEWAL SURVEY HAS BEEN COMPLETED AND REGULATION I/14(D) OF THE CONVENTION OR 1.8.9 OF THE 2000 HSC CODE APPLIES

The ship complies with the relevant requirements of the Convention, and this certificate shall, in accordance with regulation I/14(d) of the Convention* or 1.8.9 of the 2000 HSC Code,* be accepted as valid until.....

Signed:
(Signature of authorized official)

Place:

Date:
(Seal or stamp of the authority, as appropriate)

ENDORSEMENT TO EXTEND THE VALIDITY OF THE CERTIFICATE UNTIL REACHING THE PORT OF SURVEY OR FOR A PERIOD OF GRACE WHERE REGULATION I/14(E) OR I/14(F) OF THE CONVENTION OR 1.8.10 OF THE 2000 HSC CODE APPLIES

This certificate shall, in accordance with regulation I/14(e)/I/14(f)* of the Convention or 1.8.10 of the 2000 HSC Code,* be accepted as valid until.....

Signed:
(Signature of authorized official)

Place:

Date:
(Seal or stamp of the authority, as appropriate)

*Delete as appropriate.

**ENDORSEMENT FOR ADVANCEMENT OF ANNIVERSARY DATE WHERE
REGULATION I/14(H) OF THE CONVENTION OR 1.8.12 OF THE 2000 HSC CODE
APPLIES**

In accordance with regulation I/14(h) of the Convention* or 1.8.12 of the 2000 HSC Code,* the
new anniversary date is

Signed:
(Signature of authorized official)

Place:

Date:
(Seal or stamp of the authority, as appropriate)

In accordance with regulation I/14(h) of the Convention* or 1.8.12 of the 2000 HSC Code,* the
new anniversary date is

Signed:
(Signature of authorized official)

Place:

Date:
(Seal or stamp of the authority, as appropriate)

*Delete as appropriate.

**Record of Equipment for the Industrial Personnel Safety Certificate
(Form IP)**

This Record should be permanently attached to the
Industrial Personnel Safety Certificate

**RECORD OF EQUIPMENT FOR COMPLIANCE WITH THE
INTERNATIONAL CODE OF SAFETY FOR SHIPS CARRYING
INDUSTRIAL PERSONNEL**

1 Particulars of ship

Name of ship

Distinctive number or letters

Total number of persons on board
for which certified

2 Details of life-saving appliances

1	Total number of persons for which life-saving appliances are provided	.....
		Port side	Starboard side
2	Total number of lifeboats	.....	.....
2.1	Total number of persons accommodated by them	.....	.....
2.2	Number of partially enclosed lifeboats (SOLAS regulation III/21 or III/31, or 8.10 of the HSC Code, as applicable, and LSA Code, section 4.5)	.....	.....
2.3	Number of self-righting partially enclosed lifeboats (SOLAS regulation III/21 or III/31, or 8.10 of the HSC Code, as applicable, and LSA Code, section 4.5)	.....	.....
2.4	Number of totally enclosed lifeboats (SOLAS regulation III/21 or III/31, or 8.10 of the HSC Code, as applicable, and LSA Code, sections 4.6)	.....	.....
2.5	Other lifeboats	.....	.....
2.5.1	Number	.....	.....
2.5.2	Type	.....	.....

3	Number of motor lifeboats (included in the total lifeboats shown above)	.....
3.1	Number of lifeboats fitted with searchlights	.....
4	Number of rescue boats	.....
4.1	Number of boats which are included in the total lifeboats shown above	.....
5	Liferafts	.....
5.1	Those for which approved launching appliances are required	.....
5.1.1	Number of liferafts	.....
5.1.2	Number of persons accommodated by them	.....
5.2	Those for which approved launching appliances are not required	.....
5.2.1	Number of liferafts	.....
5.2.2	Number of persons accommodated by them	.....
6	Number of marine evacuation systems (MES)	.....
6.1	Persons accommodated by them	.....
7	Buoyant apparatus	.....
7.1	Number of apparatuses	.....
7.2	Number of persons capable of being supported	.....
8	Number of lifebuoys	.....
9	Number of lifejackets (total)	.....
9.1	Number of adult lifejackets	.....
9.2	Number of child lifejackets	.....
9.3	Number of infant lifejackets	.....
10	Immersion suits	.....
10.1	Total number	.....
11	Number of thermal protective aids ⁹	.....

THIS IS TO CERTIFY that this Record is correct in all respects.

Issued at
(Place of issue of the Record)

.....
(Date of issue)

(Signature of duly authorized official
issuing the Record)

(Seal or stamp of the issuing authority, as appropriate)

⁹ Excluding those required by the LSA Code, paragraphs 4.1.5.1.24, 4.4.8.31 and 5.1.2.2.13.
