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ANY OTHER BUSINESS

**Clarification of the applicability of SOLAS regulation III/20.11 and
resolution MSC.402(96) to inflated rescue boats**

Submitted by IACS

SUMMARY

Executive summary: This document seeks clarification as to whether SOLAS regulation III/20.11 and resolution MSC.402(96) are applicable to inflated rescue boats

Strategic direction, if applicable: Not applicable

Output: Not applicable

Action to be taken: Paragraph 13

Related documents: MSC 102/22/6; MSC 103/20/15, MSC 103/20/17; MSC 104/17/6 and MSC 104/18

Introduction

1 The Maritime Safety Committee (MSC), at its ninety-sixth session, adopted amendments to SOLAS regulation III/20.11 (resolution MSC.404(96)) and 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)) to establish a uniform, safe and documented standard. These requirements entered into force on 1 January 2020.

2 However, due to the differences on the understanding of the aspects of the implementation of resolution MSC.402(96), documents MSC 102/22/6 (ISO), MSC 103/20/15 (IACS), MSC 103/20/17 (ICS et al.) and MSC 104/17/6 (CESA) were submitted to the Committee to discuss such issues as the recognition of ISO/PAS 23678, the term "make and type", etc. After a brief discussion, MSC 104 postponed consideration of these documents to MSC 105 (MSC 104/18, paragraphs 17.19 and 17.20).

Discussion

3 SOLAS regulation III/20.8 specifies the requirements pertaining to the servicing of inflatable liferafts, inflatable lifejackets, marine evacuation systems, and maintenance and repair of inflated rescue boats.

4 In particular, SOLAS regulation III/20.8.4 requires:

"All repairs and maintenance of inflated rescue boats shall be carried out in accordance with the manufacturer's instructions. Emergency repairs may be carried out on board the ship; however, permanent repairs shall be effected at an approved servicing station."

5 At the same time, SOLAS regulation III/20.11.5 regulates the maintenance and repair of rescue boats without explicitly mentioning periodical servicing and without making reference to the *Recommendation on conditions for the approval of servicing stations for inflatable liferafts* (resolution A.761(18)), as follows:

"11.5 The thorough examination, operational testing and overhaul required by paragraphs 11.1 to 11.4 and the maintenance and repair of equipment specified in paragraphs 11.1 to 11.4 shall be carried out in accordance with the Requirements for maintenance, thorough examination, operational testing, overhaul and repair, and the instructions for onboard maintenance as required by regulation 36."

6 Before the adoption of resolution MSC.402(96) and resolution MSC.404(96), there were no requirements in SOLAS regulation III/20.11 relating to the maintenance and repair of rescue boats.

7 Now, with the implementation of resolution MSC.402(96) and resolution MSC.404(96), it may be considered that inflated rescue boats should be subject to SOLAS regulation III/20.11 and resolution MSC.402(96); the arguments in favour of such consideration may be as follows:

- .1 SOLAS regulation III/20.11.5 requires application of the *Requirements for maintenance, thorough examination, operational testing, overhaul and repair* (resolution MSC.402(96), as defined in SOLAS regulation III/3.25) to the appliances addressed in SOLAS regulations III/11.1 to III/11.4;
- .2 the type of rescue boat (inflated or rigid) is not specified in SOLAS regulation III/20.11 and resolution MSC.402(96), and therefore an inflated rescue boat is included in its application;
- .3 chapter 5 "Rescue boats" of the LSA Code treats inflated rescue boats as a category of rescue boats; and
- .4 ISO/PAS 23678:2020 includes an inflated rescue boat as a category of the LSA type, although recognition of ISO/PAS 23678:2020 as an international standard is pending the consideration of the Committee.

8 On the other hand, it may be argued that inflated rescue boats are not subject to SOLAS regulation III/20.11 and resolution MSC.402(96), on the basis of the following reasoning:

- .1 it was possibly not intended to include inflatable rescue boats under the application of resolution MSC.402(96), as SOLAS regulation III/20.8 implies that maintenance and repair of inflated rescue boats is separately regulated;
- .2 while section 5.1 of the LSA Code addresses inflatable rescue boats and fast rescue boats separately under its sub-paragraphs, resolution MSC.402(96) expressly includes only fast rescue boats; and

- .3 minor repairs of inflated rescue boats, such as the replacement of a buoyant lifeline becketed around the boats, does not necessarily require the technician certified of the make and type.

9 As such, IACS believes that there is a need to clarify as to whether SOLAS regulation III/20.11 and resolution MSC.402(96) are also applicable to inflated rescue boats, with a view towards global and uniform implementation.

10 In this regard and based on the reasons put forward in paragraph 7 above, IACS is of the view that the requirements of SOLAS regulation III/20.11 and resolution MSC.402(96) were intended to apply to inflated rescue boats.

Proposal

11 In light of the discussion in paragraphs 3 to 9, IACS seeks the view of the Committee as to whether SOLAS regulation III/20.11 and resolution MSC.402(96) are applicable to inflated rescue boats.

12 Taking into account the decision of the Committee, IACS would be pleased to submit to a future session of the SSE Sub-Committee a document containing a draft unified interpretation, or to work with interested Member State(s) to propose a new output to a future session of the Committee, with a view to amending relevant IMO instruments.

Action requested of the Committee

13 The Committee is invited to consider the foregoing, the proposals in paragraphs 11 and 12 above, and take action, as appropriate.
