

MARITIME SAFETY COMMITTEE
103rd session
Agenda item 20

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ANY OTHER BUSINESS

Comments on document MSC 102/22/6

Submitted by IACS

SUMMARY

Executive summary: This document comments on document MSC 102/22/6 (ISO), which introduces a publicly available specification ISO/PAS 23678 (series 1 to 4)

Strategic direction, if applicable: Not applicable

Output: Not applicable

Action to be taken: Paragraph 9

Related document: MSC 102/22/6

Introduction

1 This document is submitted in accordance with the provisions of paragraph 6.12.5 of the *Organization and method of work of the Maritime Safety Committee and the Marine Environment Protection Committee and their subsidiary bodies* (MSC-MEPC.1/Circ.5/Rev.2) and comments on document MSC 102/22/6.

Background

2 The Committee, at its ninety-sixth session, adopted 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)). These requirements took effect on 1 January 2020.

Discussion

3 Paragraph 7.1.1 of resolution MSC.402(96) states that the authorization of service providers shall include "employment and documentation of personnel certified in accordance with a recognized national, international or industry standard as applicable". One could read the phrase "in accordance with recognized ... international ... standard" contained in that paragraph to mean recognized by an Administration, either individually or, via IMO, collectively.

4 Resolution A.911(22) on *Uniform wording for referencing IMO instruments* provides methods for referencing various documents and paragraph 18 of the resolution specifically addresses referencing industry standards in IMO mandatory instruments. Comparing the two documents, IACS observes that the wording of paragraph 7.1.1 of resolution MSC.402(96) does not correspond to the formulations prescribed in paragraph 18 of resolution A.911(22). For example, IACS notes that references to international standards in SOLAS in other instances specify that the standard needs to be "acceptable to the Organization*", where "*" refers to a footnote containing recommendatory publications (e.g. for SOLAS regulation II-2/10.6.4.1, it is ISO 15371:2009 and for SOLAS regulation V/23.2.3, it is ISO 799-1:2019).

5 Moreover, IACS notes that ISO/PAS 23678:2020 (series 1 to 4) is not a final international standard, but rather a Publicly Available Specification (PAS) – a standardization document which resembles a formal standard in structure and format, however one which has a different development model. It is understood that the main objective of a Publicly Available Specification is to aid the process towards standardization and that PASs are produced in response to urgent market needs, representing either the consensus of experts within a working group only, or a consensus in an organization external to ISO.

6 IACS considers that before considering a potential correction as proposed in paragraph 6 of document MSC 102/22/6, a clarification from the Committee is needed concerning the status of the notification provided by ISO in document MSC 102/22/6 on ISO/PAS 23678:2020 (series 1 to 4), as a stand-alone document. Specifically, whether:

- .1 the proposed footnote is intended to merely draw the attention of parties that the ISO Publicly Available Specification ISO/PAS 23678:2020 (series 1 to 4) is a "recognized international standard" under paragraph 7.1.1 of resolution MSC.402(96); and if so, then "recognized" by whom; or
- .2 the Committee is expected to formally recognize the standard prior to considering its reference through the proposed footnote.

7 Further, IACS notes that the definition of "type" given in ISO/PAS 23678:2020 (series 1 to 4) is generic and not specific to equipment models/series. Therefore, IACS intends to submit a document to a relevant IMO meeting seeking clarification whether the certification programme mentioned in paragraph 7.1.1 of resolution MSC.402(96) can be based on:

- .1 training administered for generic categories of equipment "type" (e.g. ISO/PAS 23678:2020 (series 1 to 4)); or
- .2 training that specifically addresses each model/series of equipment for which certification is being sought.

Proposal

8 With reference to actions requested by paragraphs 7.1, 7.2 and 7.3 of document MSC 102/22/6, IACS offers the following comments:

- .1 ISO/PAS 23678:2020 (series 1 to 4) is a Publicly Available Specification which, in the understanding of IACS, is issued to obtain feedback from the industry and stakeholders for an eventual transformation into an International Standard.

- .2 If the above understanding is correct and if the Committee decides that ISO/PAS 23678:2020 (series 1 to 4) can be circulated through an MSC circular, then it would appear prudent for such a circular to reflect the above purpose of a Publicly Available Specification.
- .3 Resolution A.911(22) acknowledges that SOLAS contains regulations which refer to performance standards and technical specifications through footnotes. Those footnotes identify such performance standards or technical specifications as adopted by the Organization. Therefore, it appears that the Committee would first need to consider if the status of ISO/PAS 23678:2020 (series 1 to 4) constitutes a technical specification which can be footnoted as an international or industry standard to the mandatory requirements of resolution MSC.402(96).

Action requested of the Committee

9 The Committee is invited to consider the foregoing, specifically the understanding and proposals in paragraph 8, and take action, as appropriate.
