INTERNATIONAL MARITIME ORGANIZATION

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UNIFIED INTERPRETATION TO PROVISIONS OF IMO SAFETY, SECURITY, AND ENVIRONMENT-RELATED CONVENTIONS

Clarification of paragraph 1.3.3 of part I-A of the Polar Code

Submitted by IACS

SUMMARY

Executive summary:	This document solicits the view of the Sub-Committee as to whether an operational assessment can be used to exempt or reduce the equipment requirements of the Polar Code
Strategic direction, if applicable:	6
Output:	6.1
Action to be taken:	Paragraph 9
Related documents:	None

Introduction

1 SOLAS chapter XIV (resolution MSC.386(94)) and the Polar Code (resolution MSC.385(94)) have been implemented since 1 January 2017 to provide a comprehensive set of requirements to address the increased interests and traffic in the polar regions, as well as the unique concerns which are peculiar in those areas, taking into account the gravity of the consequences arising from any major accident. The Polar Code has also been recognized in the MARPOL Annexes I, II, IV and V (resolution MEPC.265(68)).

Background

2 Paragraph 1.3.3 of part I-A of the Polar Code states:

> "1.3.3 For category C cargo ships, if the result of the assessment in paragraph 1.5 is that no additional equipment or structural modification is required to comply with the Polar Code, the Polar Ship Certificate may be issued based upon documented verification that the ship complies with all relevant requirements of the Polar Code. In this case, for continued validity of the certificate, an onboard survey should be undertaken at the next scheduled survey."

3 Paragraph 1.5 of part I-A of the Polar Code states:

"1.5 In order to establish procedures or operational limitations, an assessment of the ship and its equipment shall be carried out, taking into consideration the following:

.1 the anticipated range of operating and environmental conditions, such as:

.1 operation in low air temperature;

.2 operation in ice;

.3 operation in high latitude; and

.4 potential for abandonment onto ice or land;

.2 hazards, as listed in section 3 of the Introduction, as applicable; and

.3 additional hazards, if identified."

Discussion

4 The Polar Code has been structured in a goal-based manner, rather than in a prescriptive way, to consider the risks for an individual ship, emanating from the operation in the polar waters. In this regard, paragraph 3.2 of the Introduction of the Polar Code states:

"3.2 The risk level within polar waters may differ depending on the geographical location, time of the year with respect to daylight, ice-coverage, etc. Thus, the mitigating measures required to address the above specific hazards may vary within polar waters and may be different in Arctic and Antarctic waters."

5 Since the entry into force of the Polar Code, IACS has identified that, while the Code specifies that an operational assessment is to be carried out in order to:

.1 establish procedures or operational limitations (paragraph 1.5 of part I-A of the Polar Code);

.2 identify hazards so that proper resources can be provided to support survival following abandoning ship (paragraph 8.2.3.3 of part I-A of the Polar Code);

.3 identify hazards so that proper personal survival equipment and shared/group survival equipment needs can be provided (paragraph 8.3.3.3.2 of part I-A of the Polar Code); and

.4 identify hazards for potential abandonment onto ice or land (paragraph 8.3.3.3.3 of part I-A of the Polar Code),

it does not explicitly prohibit the use of the operational assessment to exempt or reduce equipment requirements contained therein.

6 This lack of clarity has the potential to cause inconsistent application of the Polar Code.

Proposal

7 In light of the above, the International Association of Classification Societies (IACS) solicits the view of the Sub-Committee as to whether an operational assessment, as required by paragraph 1.5 of part I-A of the Polar Code, can be utilized to exempt or reduce the equipment requirements in the Polar Code.

8 In addition, it is suggested that the Sub-Committee consider whether a pertinent unified interpretation be developed or that the Polar Code be amended, as appropriate, to correctly reflect the decision of the Sub-Committee in response to the view expressed in paragraph 7 above.

Action requested of the Sub-Committee

9 The Sub-Committee is invited to consider paragraphs 7 and 8 above and take action, as appropriate.