

SUB-COMMITTEE ON SHIP SYSTEMS AND
EQUIPMENT
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Agenda item 4

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**DEVELOPMENT OF DESIGN AND PROTOTYPE TEST REQUIREMENTS FOR THE
ARRANGEMENTS USED IN THE OPERATIONAL TESTING OF FREE-FALL LIFEBOAT
RELEASE SYSTEMS WITHOUT LAUNCHING THE LIFEBOAT**

**Clarification of the scope of application of the draft amendments to paragraph 4.7.6.4
of the LSA Code relating to the simulated launching of free-fall lifeboats**

Submitted by IACS

SUMMARY

Executive summary: This document seeks clarification on the scope of application of the draft amendments to paragraph 4.7.6.4 of the LSA Code relating to the simulating launching of free-fall lifeboats and opines that the amendments were not intended to apply retrospectively.

Strategic direction, if applicable: 7

Output: 7.33

Action to be taken: Paragraph 12

Related documents: MSC 101/21/10, MSC 101/WP.2, MSC 101/24; SSE 10/WP.3 and SSE 11/4

Introduction

1 MSC 101, having considered document MSC 101/21/10, agreed to include in its post-biennial agenda an output on "Development of design and prototype test requirements for the arrangements used in the operational testing of free-fall lifeboat release systems without launching the lifeboat", i.e. the equipment used in the simulated launching of free-fall lifeboats, with two sessions needed to complete the item, assigning the SSE Sub-Committee as the associated organ.

2 Further, the Committee agreed that (MSC 101/24, paragraph 21.16):

- .1 the amendments to be developed should apply to all ships for which SOLAS chapter III required the carriage of free-fall lifeboats;
- .2 the instrument to be amended was the LSA Code, in particular its paragraph 4.7.6.4; and
- .3 the amendments to be developed should enter into force on 1 January 2024, provided that they were adopted before 1 July 2022.

3 It is noted that during the deliberations of the LSA Correspondence Group, one member raised a question about the scope of the application. While paragraph 4.2.2 of the SSE 10 report (SSE 10/20) states that "the amendments to be developed should apply to all ships for which SOLAS Chapter III requires the carriage of free-fall lifeboats," it was opined that the amendments may only apply to newly installed lifeboats; and the use of simulation devices during inspections (SOLAS regulation III/20) remained unclear.

Discussion

4 Paragraph 11 of document MSC 101/21/10, which proposed the output, presents the analysis of implications, as follows:

"11 It is intended that these proposed amendments should be applied to equipment certified in accordance with LSA Code and installed on "new" ships that carry free-fall lifeboats. There are likely to be some minimal costs to the industry as a consequence of the outcomes from this new output e.g. in the design (including material selection), prototype testing and approval of the arrangements used in the operational testing of free-fall lifeboat release systems without launching the lifeboat; additional training for ship's crews involved in the simulated launching of free-fall lifeboats; and the provision and maintenance of restraining devices."

5 Paragraphs 9.3.5 and 9.6.1 of document MSC 101/WP.2, containing the assessment by the MSC Chair of the proposed outputs, stated in relation to the application scope the following:

- .1 "9.3.5 application to new/existing ships: new ships"; and
- .2 "9.6.1 the amendments to be developed should apply to all ships for which SOLAS chapter III requires the carriage of free-fall lifeboats".

6 It is recalled that there was no discussion on the need for expanding the application from new ships to all ships, including existing ships. Therefore, the scope of application defined as "all ships" in paragraph 21.16.1 of document MSC 101/24 and in paragraph 9.6.1 of document MSC 101/WP.2 may be deemed as all ship types, as the mandatory carriage of free-fall lifeboats is limited to the ship type "bulk carrier" as defined in SOLAS regulation IX/1.6 and to these ships constructed on or after 1 July 2006 in accordance with SOLAS regulation III/31.1.8. On cargo ships other than bulk carriers, free-fall lifeboats may be carried in lieu of davit-launched totally enclosed lifeboats in accordance with SOLAS regulation III/31.1.2.

7 In addition, even if the expression "all ships for which SOLAS chapter III requires the carriage of free-fall lifeboats" in document MSC 101/WP.2 includes existing ships, it is understood that the scope of application of the draft amendments to paragraph 4.7.6.4 of the LSA Code is limited to the free-fall lifeboats installed on bulk carriers as defined in SOLAS regulation IX/1.6 and constructed on or after 1 July 2006 and to cargo ships other than bulk carriers which may carry free-fall lifeboats in accordance with SOLAS regulation III/31.1.2.

8 In this regard, IACS supports paragraph 6 and annex 1 of document SSE 10/WP.3, which states the following as regards the scope of application:

"6 After consideration, the Group prepared draft amendments to paragraph 4.7.6.4 of the LSA Code, including the associated draft MSC resolution containing the relevant implementation provisions, with a view to finalization by SSE 11, to be included later with any consequential amendments to other related instruments (see paragraph 10), for approval by MSC 110 and subsequent adoption by MSC 111, as set out in annex 1."; and

"4 ALSO INVITES Contracting Governments to note that the provisions in the annex are to be applied to free-fall lifeboats installed on or after [1 January 2031] where the expression installed on or after [1 January 2031] means:

- (a) for ships for which the building contract is placed on or after [1 January 2031], or in the absence of the contract, constructed on or after [1 January 2031], any installation date on the ship; or
- (b) for ships other than those ships prescribed in (a) above, a contractual delivery date for the equipment or, in the absence of a contractual delivery date, the actual delivery date of the equipment to the ship on or after [1 January 2031];"

9 As analysed in document MSC 101/21/10, there may not be an urgent need for the retroactive application of the draft amendments to paragraph 4.7.6.4 of the LSA Code. As a co-sponsor of document MSC 101/21/10, IACS is of the view that, if the draft amendments to paragraph 4.7.6.4 of the LSA Code retroactively apply to existing ships, the following points should be carefully considered by the Sub-Committee:

- .1 the implication and the burden to the industry; and
- .2 the scope of the retroactive application, i.e. whether the draft amendments to paragraph 4.7.6.4 of the LSA Code apply to all free-fall lifeboats regardless of ship types and their installation date or to the free-fall lifeboats installed in accordance with SOLAS regulation III/31.1.8.

10 Finally, given that the replacement of the already approved LSA equipment may require technical assessment by the flag Administrations or their Recognized Organizations (RO), it is emphasized that without a procedural scheme similar to SOLAS regulation III/1.5 and MSC.1/Circ.1392, which replaced lifeboat on-load release mechanism, the concerned parties (flag Administrations, ROs and the industry) may encounter implementational difficulties.

Proposal

11 In light of the discussion in paragraphs 4 to 10 above, IACS proposes that the Sub-Committee clarify the scope of application of the draft amendments of paragraph 4.7.6.4 of the LSA Code, in accordance with the understanding conveyed in paragraph 8 above that the amendments are not intended to apply retrospectively.

Action requested of the Sub-Committee

12 The Sub-Committee is invited to consider the foregoing, the proposal in paragraph 11 and to take action, as appropriate.
