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Agenda item 14

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SHIP SYSTEMS AND EQUIPMENT

Comments on document MSC 110/14/1

Submitted by IACS

SUMMARY

<i>Executive summary:</i>	This document comments on document MSC 110/14/1 and proposes that the draft amendments outlined in its annex be considered with regard to their potential long-term impact on the clarity of the LSA Code and other mandatory codes.
<i>Strategic direction, if applicable:</i>	Not applicable
<i>Output:</i>	Not applicable
<i>Action to be taken:</i>	Paragraph 15
<i>Related documents:</i>	MSC 108/20; MSC 109/3/1, MSC 109/22 ; MSC 110/14/1 ; DE 54/6 and DE 57/23/5

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.6) and comments on document MSC 110/14/1 (Secretariat).

Background

2 MSC 108 noted that placing application provisions of amendments to the LSA Code in MSC resolutions, rather than in the text of the requirements, could hinder their effective implementation (MSC 108/20, paragraph 3.29).

3 MSC 109 considered document MSC 109/3/1 (Secretariat) which explored solutions for addressing this issue in current and future amendments and agreed to take a systematic approach to ensure that application provisions were inserted properly during the regulatory development and amendments. The Secretariat was tasked with the drafting of amendments to include application provisions directly in the LSA Code based on resolutions MSC.459(101), MSC.535(107) and MSC.554(108) (MSC 109/22, paragraph 3.27).

4 Now that the actual draft regulatory changes are available in document MSC 110/14/1 to be analysed, IACS has carefully reviewed the suggested implementation of the instructions of MSC 109 and, through this commenting document, offers its perspective on the approach.

Discussion

General comments on the application provisions of the amendments to the LSA Code

5 IACS understands that the SOLAS Convention establishes ship-specific application requirements, such as requirements based on ship's date of construction, type (e.g. cargo ships, passenger ships) and gross tonnage, for example as follows:

.1 SOLAS regulation I/1:

"(a) Unless expressly provided otherwise, the present regulations apply only to ships engaged on international voyages.

(b) The classes of ships to which each chapter applies are more precisely defined, and the extent of the application is shown, in each chapter"; and

.2 SOLAS regulation III/1.1:

"1 Unless expressly provided otherwise, this chapter shall apply to ships the keels of which are laid or which are at a similar stage of construction on or after 1 July 1998."

6 The LSA Code, on the other hand, serves as a technical standard, which contains requirements for the design and construction of life-saving appliances (e.g. lifeboats, rescue boats). These requirements are applied for certification of the LSA equipment, i.e. typically equipment that can be replaced without major changes to the ship. Paragraph 1 of the preamble of the LSA Code states:

"1 The purpose of this Code is to provide international standards for life-saving appliances required by chapter III of the *International Convention for the Safety of Life at Sea (SOLAS), 1974*."

7 The requirements of the LSA Code are mandatory under SOLAS regulation III/34; and SOLAS regulation III/3.10 defines "the Code" as the latest version of the LSA Code, as follows:

.1 SOLAS regulation III/34:

"All life-saving appliances and arrangements shall comply with the applicable requirements of the Code"; and

.2 SOLAS regulation III/3.10:

"*International Life-Saving Appliance (LSA) Code*" (referred to as "the Code" in this chapter) means the International Life-Saving Appliance (LSA) Code adopted by the Maritime Safety Committee of the Organization by resolution MSC.48(66), as it may be amended by the Organization, 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."

8 In addition, for ships constructed before 1 July 1998, SOLAS regulation III/1.4.2 requires the Administration to "ensure that when life-saving appliances or arrangements on such ships are replaced or such ships undergo repairs, alterations or modifications of a major character which involve replacement of, or any addition to, their existing life-saving appliances or arrangements, such life-saving appliances or arrangements, in so far as is reasonable and practicable, comply with the requirements of this chapter".

9 Based on the above, IACS believes that the application of design requirements for life-saving equipment and appliances is appropriately established by SOLAS regulations III/3.10 and 34, and that such application requirements do not need to be derived from the LSA Code itself. In this context, the current practice of inclusion of the application provisions in the resolution inviting Contracting Governments to note the application date of the amendments is considered to be in line with SOLAS regulations III/1.4.2, 3.10 and 34.

10 Also, IACS notes that the discussions on the scope of application of amendments to the LSA Code are not new. Documents DE 54/6 and DE 57/23/5, by the Secretariat, proposed draft amendments in this respect. However, it appears that the initiative was overtaken by the completion of MSC.1/Circ.1500. IACS would welcome further insights into those earlier discussions and whether the current proposals build on those.

11 Based on the above, IACS opines that the approach discussed by MSC 108 and MSC 109 on the application provisions, as now proposed in document MSC 110/14/1, would benefit from further consideration. The inclusion of application provisions into the LSA Code does not yet appear to be a consistently established practice. IACS encourages the Committee to carefully consider the potential long-term impacts on the usability and clarity of the LSA Code. Specifically, if each amendment, potentially of the same sentence/paragraph multiplied up over time, includes separate application provisions and definitions of "installed", it could affect the overall understanding and readability of the Code.

Draft amendments to the LSA Code, incorporating application provisions

12 Should the Committee agree to progress the draft amendments to the LSA Code, as suggested in document MSC 110/14/1, IACS notes that the application provisions appear to be missing for paragraph 2.2.1.6.2 on the in-water performance of life jackets, and for paragraphs 6.1.2.8 and 6.1.2.10 on the lowering speed of survival craft or rescue boats. A table with the draft amendments, highlighting the missing provisions is offered in the annex.

13 Paragraph 6.1.1.3.1.2 refers to 1 January 2026, rather than 1 January 2024. Considering the application provision set out in resolution MSC.459(101), this appears to be a typo. The correct date is assumed to be 1 January 2024.

Proposal

14 IACS proposes that, with the benefit of available actual text of the draft amendments in document MSC 110/14/1, the approach be considered with regard to potential long-term impact on the LSA Code and other mandatory codes (such as the FSS, ESP, IGC, IGF Codes, etc.). Further, if the draft amendments outlined in the annex of document MSC 110/14/1 are taken forward, IACS proposes that they be evaluated for completeness.

Action requested of the Committee

15 The Committee is invited to consider the foregoing and the proposal in paragraph 14, and to take action, as appropriate.

ANNEX

SUMMARY OF DRAFT AMENDMENTS TO THE LSA CODE ADOPTED BY RESOLUTIONS MSC.459(101), MSC.535(107) AND MSC.554(108) AND DRAFT NEW APPLICATION PROVISIONS PROPOSED IN DOCUMENT MSC 110/14/1

Three (3) possible missing application provisions are highlighted as "None".

Paragraph	Amendments	Application provision in relevant resolution	Draft new application provisions in document MSC 110/14/1
2.2.1.6.2	In-water performance of life jackets	Resolution MSC.554(108): Life-saving appliances installed on or after 1 January 2026	None
4.4.7.6.8	Launching mechanism of a lifeboat (and rescue boat) launched by a single fall		Lifeboats installed on or after 1 January 2026
4.4.7.6.17	Launching mechanism of a lifeboat (and rescue boat) launched by a single fall		Lifeboats installed on or after 1 January 2026
4.4.8.1	Exemption of buoyant oars for a lifeboat equipped with two independent propulsion systems	Resolution MSC.459(101): None (The application provision in resolution MSC.554(108) is not applicable to paragraph 4.4.8.1.)	None
4.6.6	Ventilation of totally enclosed lifeboats	Resolution MSC.535(107):	Totally enclosed lifeboats installed on or after 1 January 2029
4.6.7	Ventilation of totally enclosed lifeboats	Totally enclosed lifeboats installed on or after 1 January 2029	Totally enclosed lifeboats installed on or after 1 January 2029
6.1.1.3	Manual-type launching appliance	Resolution MSC.459(101): Rescue boats installed on board ships on or after 1 January 2024	Rescue boats installed on or after 1 January 2024
6.1.2.8	Lowering speed of survival craft or rescue boats	Resolution MSC.554(108):	None
6.1.2.10	Lowering speed of survival craft or rescue boats	Life-saving appliances installed on or after 1 January 2026	None