

SUB-COMMITTEE ON NAVIGATION,
COMMUNICATIONS AND SEARCH AND
RESCUE
1st session
Agenda item 24

NCSR 1/24/2
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CONSIDERATION OF IACS UNIFIED INTERPRETATIONS

Comments on IACS Unified Interpretation Pilot Transfer Arrangements (SOLAS regulation V/23.3.3)

Submitted by the International Maritime Pilots' Association (IMPA)

SUMMARY

Executive summary: This document comments on document NCSR 1/24

Strategic direction: 1.1

High-level action: 1.1.2

Planned output: 1.1.2.3

Action to be taken: Paragraph 8

Related documents: NAV 59/16/1, NAV 59/20 (section 16) and NCSR 1/24

Background

1 This document comments on document NCSR 1/24 and is submitted in accordance with the provisions of paragraph 6.12.5 of the *Guidelines on 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.4/Rev.2). IMPA notes NCSR 1/24 submitted by IACS on Pilot Transfer Arrangements and appreciates the work that IACS has done to implement the decision of NAV 59 with regard to IACS' previous interpretation of SOLAS regulation V/23 (UI SC257) submitted with NAV 59/16/1. In order to clarify the issues involved and correct some possible misunderstanding that may arise as a result of the discussion offered in NCSR 1/24, IMPA offers the following comments and observations.

Comments

2 Pilots continue to be killed and maimed in boarding accidents. The last survey by IMPA, submitted to IMO as DE 55/21 and NAV 57/14 showed some 13.54% of vessels did not comply with SOLAS pilot boarding requirements.

3 The rejection by NAV 59 of UI SC257 was based on the safety critical nature of pilot transfer arrangements and a desire to protect pilots from unnecessary risks of personal injury and deaths. This was an appropriate and justifiable decision, which was fully consistent with longstanding SOLAS requirements regarding pilot transfer arrangements.

4 As IACS acknowledges in its NCSR 1/24, the 15° adverse list allowance of SOLAS regulation V/23.3.3.1.4 and the requirement in regulation V/23.3.3.2 that a 9-metre climb requires the use of an accommodation ladder in conjunction with the pilot ladder are separate matters. The former applies only to the requirement to have a pilot ladder capable of reaching the water. Under that provision, a ship operator must provide a ladder capable of reaching the water, when "due allowance is made for all conditions of loading and trim of the ship and for an adverse list of 15°. The 9-metre climb limit, on the other hand, applies to the requirement to use an accommodation ladder in combination with a pilot ladder. Under that requirement, an accommodation ladder must be provided whenever the distance from the surface of the water to the point of access to the ship is more than 9 metres. The application of the 9-metre requirement is necessarily a dynamic situation requiring a calculation made under the circumstances existing at the time the pilot embarks or disembarks. A decision whether to fit accommodation ladders to a ship is based on a consideration of the expected or potential operating circumstances for the ship.

5 Both the 15° adverse list allowance of SOLAS regulation V/23.3.3.1.4 and the 9-metre requirement in V/23.3.3.2 for the use of an accommodation ladder have been in SOLAS regulation V/23 and its predecessor, V/17, since at least 1974. During that 40-year period, IMPA is not aware of any problem or interpretation issue that either provision has caused. Responsible shipowners, ship operators, shipbuilders, classification societies, flag States and port States have understood and applied both of the requirements. In that respect, the suggestion in paragraph 3 of NCSR 1/24 that the decision of NAV 59 involves "a change of pilot transfer design arrangement" is not accurate. This decision merely confirms a situation that has existed for 40 years. Therefore, no IMO circular advising member Governments of requirements that have been in existence for many years and no future implementation date for those requirements would be necessary or appropriate.

6 IMPA is aware that IACS has represented that the 9-metre limit on pilot ladders may have the effect of requiring some ships to fit an accommodation ladder that might rarely be used because the normal operating conditions may not result in a climb of more than 9 metres from the point of access to the surface of the water. That has been the case, however, for a long period of time. In addition, ships carry a range of safety equipment such as lifeboats, breathing apparatus, fire extinguishers, lifejackets, GMDSS beacons, etc. which may rarely be used during the ship's service. Accommodation ladders (which are not solely for pilots' use) are in our opinion in the same category.

7 The decision of NAV 59 recognized that the most fundamental principle of regulation V/23 and its predecessors has always been that a pilot should never have to climb a ladder more than 9 metres from the surface of the water. The interpretation previously submitted by IACS in NAV 59/16/1 would have specifically authorized climbs of more than 9 metres. NAV appropriately and justifiably disagreed with that interpretation. To the extent that the new draft IACS interpretation preserves the prohibition on pilot ladder climbs of more than 9 metres, IMPA supports and appreciates it.

Action requested of the Sub-Committee

8 The Sub-Committee is invited to note the foregoing comments when considering NCSR 1/24 and to agree with the draft interpretation at the annex of that document, with the exception of the need for an implementation date.