

Subject

Requirement of Infant and Oversize adult lifejackets as amended by MSC.201 (81) - U.K. registered ships

# **ClassNK**

## **Technical Information**

No. TEC-0827  
Date 30 August 2010

To whom it may concern

The U.K. Government (Operational Advice Note, OAN718) has noticed ClassNK of the special requirements for the installation of Infant (SOLAS III/7.2.1.1 and 7.2.1.2) and Oversize adult lifejackets (SOLAS III/7.2.1.5) which was amended by MSC.201 (81) onboard the U.K. registered ships.

The following amended requirements are applied.

- a) All passenger ships engaged on international voyages should be encouraged to comply with SOLAS III/7.2.1.1 & 7.2.1.2 - provision of infant lifejackets - from 1 July 2010
- b) All passenger ships engaged on international voyages and all cargo ships of 500 GT and above engaged on international voyages should be encouraged to comply with SOLAS III/7.2.1.5 - provision of oversized lifejackets - from 1 July 2010
- c) All High Speed Passenger Craft should be encouraged to comply with SOLAS III/7.2.1.1 & 7.2.1.5 from 1 July 2010
- d) All High Speed Cargo Craft of 500 GT and above on international voyages should be encouraged to comply with SOLAS III/7.2.1.5 from 1 July 2010

As it is very urgent notice, the Surveys Circular concerned is attached to this Technical Information.

For any questions about the above, please contact:

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Attachment:

1. Operational Advice Note, OAN718

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	<b>Maritime and Coastguard Agency</b> OPERATIONAL ADVICE NOTE	<b>Document number:</b> OAN 718
<b>Revision: 01</b>	<b>Life-Saving Appliances</b> <b>Infant &amp; Oversized Lifejackets</b> SOLAS Amendments	<b>Date:</b> <b>06 July 2010</b>
<b>Distribution</b>	HQ & MO.	
<b>Target document</b>	The Merchant Shipping (Life-Saving Appliances for Ships other than Ships of Classes III to VI(A)) 1999 SI 2721, The Merchant Shipping (Life-Saving Appliances for Ships of Classes III to VI(A)) Regulations 1999 SI 2723 & MSIS Survey of Life-Saving Appliances – Volume 1, Chapter 15.	
<b>Expiry date</b>	Remain valid until it is incorporated into the target documents.	

## Information

1. The purpose of this OAN is to clarify UK policy with respect to IMO Resolution MSC.201(81) which brings into force amendments to SOLAS III/7 – personal life-saving appliances. The Resolution introduces the requirement to carry infant and oversized lifejackets.
2. The entry into force date for this Resolution was 1<sup>st</sup> July 2010.

## Application of the amendment

3. The International Maritime Organization (IMO) adopted Resolution MSC.201(81) at the eighty-first session of the Maritime Safety Committee (MSC). This Resolution amends SOLAS Chapter III/7 by introducing the requirement to carry infant and oversized lifejackets.
4. SOLAS III/7.2 as amended by MSC.201(81) states:

### **“2 Lifejackets**

2.1 *A lifejacket complying with the requirements of paragraph 2.2.1 or 2.2.2 of the Code shall be provided for every person on board the ship and, in addition:*

*.1 for passenger ships on voyages less than 24 h, a number of infant lifejackets equal to at least 2.5% of the number of passengers on board shall be provided;*

*.2 for passenger ships on voyages 24 h or greater, infant lifejackets shall be provided for each infant on board;*

.3 a number of lifejackets suitable for children equal to at least 10% of the number of passengers on board shall be provided or such greater number as may be required to provide a lifejacket for each child; and

.4 a sufficient number of lifejackets shall be carried for persons on watch and for use at remotely located survival craft stations. The lifejackets carried for persons on watch should be stowed on the bridge, in the engine control room and at any other manned watch station; and

.5 if the adult lifejackets provided are not designed to fit persons weighing up to 140 kg and with a chest girth of up to 1,750 mm, a sufficient number of suitable accessories shall be available on board to allow them to be secured to such persons."

5. It should be noted that SOLAS III/1.3.2 with respect to application states:

*"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. Furthermore SOLAS III/1.3.2 states;

*"the expression all ships means ships constructed before, on or after the 1 July 1998; the expressions all passenger ships and all cargo ships shall be construed accordingly;"*

7. The current regulation III/7.2 does not include the words all ships, all passenger ships, or all cargo ships, neither does the amendment to regulation III/7.2.1 introduce the words to regulation.

8. As such, the strict interpretation of the requirements of SOLAS/III-7.2 as amended by MSC.201(81) means that the amendments will apply to ships constructed on or after 1 July 1998.

9. The UK is of the view that this was not the original intention of the amendment, the original intention being that the amendment would apply to all ships. This view is confirmed through MSC.1/Circ.1304 "*Guidance for the application of SOLAS Regulation III/7, as amended by Resolution MSC.201(81)*". Whereby, the MSC at its eighty-sixth session having recognised the need for clarification of the scope of application of SOLAS III/7, as amended, in relation to infant lifejackets, agreed that the amendments should apply to all passenger ships.

10. Unfortunately, no such clarification is provided by the MSC for the scope of application of SOLAS III/7.2.1.5 (the provision of oversized lifejackets).

11. Taking into account that the original intention of the amendment and the clarification with respect to infant lifejackets, the UK is of the view that the requirement of SOLAS III/7.2.1.5 (carriage of oversized lifejackets) applies on or after 1 July 2010 to all passenger ships and cargo ships of 500 GT and above engaged on international voyages.

12. In addition, based on the fact that it is normal practice to reflect amendments to SOLAS, as appropriate, to the HSC Code the UK is of the view that;

- a) SOLAS III/7.2.1.1 & 7.2.1.5 is intended to apply to High Speed Passenger Craft on international voyages; and
- b) SOLAS III/7.2.1.5 is intended to apply to High Speed Cargo Craft on international voyages.

13. **These provisions have yet to be implemented in an SI and therefore there is no clear legal position with respect to the amendments. However, UK-flagged ships trading internationally may face difficulties with ports States which interpret the SOLAS requirements in accordance with MSC.1/Circ.1304. Furthermore the UK's intention would be to implement the provision in an SI in accordance with the circular.**

14. Therefore, the UK is of the view that in order to avoid possible complications during PSC inspections and in anticipation of the UK's implementation of the requirements, the operators of UK vessels on international voyages should be encouraged to comply with the SOLAS III/7.2 as amended, as follows:

- a) all passenger ships engaged on international voyages should be encouraged to comply with SOLAS III/7.2.1.1 & 7.2.1.2 – provision of infant lifejackets- from 1 July 2010;
- b) all passenger ships engaged on international voyages and all cargo ships of 500 GT and above engaged on international voyages should be encouraged to comply with SOLAS III/7.2.1.5 – provision of oversized lifejackets - from 1 July 2010;
- c) all High Speed Passenger Craft on international voyages should be encouraged to comply with SOLAS III/7.2.1.1 & 7.2.1.5 from 1 July 2010; and
- d) all High Speed Cargo Craft of 500 GT and above on international voyages should be encouraged to comply with SOLAS III/7.2.1.5 from 1 July 2010.

15. With respect to seagoing passenger ships on domestic voyages subject to the EC Directive on Safety Rules and Standards for Passenger Ships, SOLAS III/7.2 as amended will apply from 1 January 2012.

16. On a final note, the International Life-Saving Appliance Code, resolution MSC.48(66) (LSA Code) and Recommendations on testing of life-saving appliances (MSC 81(70)) have also been amended with respect to the testing of lifejackets, these amendments will enter into force on 1 July 2010.

17. As such taking into account SOLAS III/1.4.2, SOLAS III/4 and the Marine Equipment Directive, the UK is of the view that any lifejackets installed on any UK vessel on or after the 1 July 2010 are required to comply with the LSA Code and recommended test requirements as amended.

### **Carriage Requirements**

18. SOLAS III/7.2.1.1 & 7.2.1.2 specify the exact carriage requirements, SOLAS III/7.2.1.5 is much more subjective.

19. The new regulation III/7.2.1.5 states:

*"if the adult lifejackets provided are not designed to fit persons weighing up to 140 kg and with a chest girth of up to 1,750 mm, a sufficient number of suitable accessories shall be available on board to allow them to be secured to such persons."*

20. The UK is of the view that a "sufficient number" with respect to III/7.2.1.5 shall be decided through a risk assessment conducted by the operator and scrutinised by the attending surveyor. It would be expected that the operator will undertake a formal documented risk assessment of the likely number of such accessories required on board, taking into account the number of persons for which the vessel is certificated, the usual maximum number of adults on board, and the likely number of adults in the weight and size range beyond that which the existing lifejackets will fit, up to a maximum of 140 kg and 1750 mm girth. The MCA research of demographics suggests that a risk assessment which produced a figure of less than 5% of total persons should be questioned.

21. When accessories are used to meet the provision of SOLAS III/7.2.1.5 operators should ensure that;

- a) The accessories are approved for use with the relevant lifejacket or confirmed by the manufacturer to be compatible;
- b) procedures on board ensure that as far as reasonably practicable the accessories are distributed to those who may best benefit from them, and that passengers and crew are informed of their existence;
- c) procedures for distributing and using the accessories are exercised during routine shipboard musters and drills; and
- d) there should only be one type of accessory for any one type of lifejacket, and in any case no more than two types of lifejacket in accordance with existing regulations.

## **Actions**

22. The MCA Surveyors and Customer Service Managers, as a matter of urgency, to contact their allocated operators and encourage them to comply on a voluntary basis with SOLAS III/7.2 as amended, and point out the potential port State control difficulties. Vessels which choose to comply should do as follows:

- a) all passenger ships engaged on international voyages should be encouraged to comply with SOLAS III/7.2.1.1 & 7.2.1.2 – provision of infant lifejackets- from 1 July 2010;
- b) all passenger ships engaged on international voyages and all cargo ships of 500 GT and above engaged on international voyages should be encouraged to comply with SOLAS III/7.2.1.5 – provision of oversized lifejackets - from 1 July 2010;

- c) all High Speed Passenger Craft should be encouraged to comply with SOLAS III/7.2.1.1 & 7.2.1.5 from 1 July 2010; and
- d) all High Speed Cargo Craft of 500 GT and above on international voyages should be encouraged to comply with SOLAS III/7.2.1.5 from 1 July 2010.

23. SOLAS III/7.2 as amended will apply to seagoing passenger ships on domestic voyages subject to the EC Directive on Safety Rules and Standards for Passenger Ships from 1 January 2012.

24. All lifejackets installed on any UK vessel on or after the 1 July 2010 are required to comply with the LSA Code and recommended test requirements as amended.

25. With respect to oversize lifejackets the operator will decide through a risk assessment the “sufficient number” of oversized lifejackets or accessories required onboard. This assessment will be scrutinised by the attending surveyor at the next Safety Equipment Survey. If the risk assessment produces a figure of less than 5% of total persons, the surveyor should undertake a more detailed scrutiny.

26. For PSC inspections of foreign ships in the UK only the strict interpretation of the requirements of SOLAS III/7.2 as amended by MSC.201(81) can be applied i.e. that the amendments apply to ships constructed on or after 1 July 1998, unless there is a clear indication that the flag state applies the interpretation of MSC.1/Circ.1304. **A deficiency against the requirements of SOLAS III/7.2 as amended cannot be recorded as a detainable deficiency.**

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