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ANY OTHER BUSINESS

Amendments to IMO Member State Audit Scheme related to the revised resolution A.1158(32) Guidelines on vessel traffic services

Submitted by IALA

SUMMARY

Executive summary: This document proposes updated amendments to the previous submitted document MSC 103/20/9 by IALA to reflect the changes of the new guidelines on vessel traffic services in IMO Resolution A.1158(32).

Strategic direction, if applicable: 1 and 6

Output: Not applicable

Action to be taken: Paragraph x

Related documents: SOLAS regulations V/12, resolution A.1158(32), resolution A.857(20), resolution A.1067(28), resolution A.1070(28), MSC 81/24/1, MSC 103/20/9, Circular Letter No.3425 and Circular Letter No. 4317

Introduction

1 In March 2021, IALA submitted a document to the Maritime Safety Committee at its 103rd session (MSC 103/20/9) to reflect the changes that had been made to the Circular Letter No.3425 on Auditor's Manual for the IMO Member State Audit Scheme (IMSAS) (the Auditor's Manual).

2 Due to the pandemic, MSC 103 was held as a remote session and as a consequence time did not permit all documents to be considered. MSC103/20/9 was, together with several other documents postponed to MSC104.

3 This also occurred at MSC 104 as it also was held as a remote session. However, the Committee instructed the NCSR Sub-Committee to consider the proposal contained in documents MSC 102/22/3 (WMO) and MSC 103/20/9 (IALA), taking into account related

mandatory requirements contained in IMO instruments, and advise the Committee accordingly, so that their inclusion in the appropriate IMSAS guidance materials could be considered.

4 At NCSR 9 in June 2022, the Sub-Committee referred document *MSC 103/20/9 (IALA)* for consideration at NCSR 10 and invited interested Member States and international organizations to submit relevant proposals, as appropriate.

Discussion

5 Considering that IMO Assembly, at its 32nd session, adopted resolution *A.1158(32) Guidelines for Vessel Traffic Services*, this resulted in the previously submitted amendments on the Auditor's Manual by IALA through *MSC 103/20/9* becoming out of date and needing to be revised in order to conform with the new resolution.

6 To assist Member States and IMO audit teams in the assessment of the implementation of the obligations related to vessel traffic services (VTS) as well as in compliance with SOLAS regulations V/12, IALA has prepared updated guidance as provided in the annex to this document. The attached guidance is suggested to replace part 1 of the existing guidance included in the Auditor's Manual, which is intended to facilitate completion of the pre-audit questionnaire by Member States, and/or to be considered for inclusion into the Member States Manual.

Action requested

7 The Sub-Committee is invited to consider the proposed updated amendments to the previous submitted document *MSC 103/20/9* as set out in the annex and take action, as appropriate.

ANNEX

IALA GUIDANCE FOR MEMBER STATES ON PRE-AUDIT QUESTIONNAIRE IN RELATION TO VESSEL TRAFFIC SERVICES AND AIDS TO NAVIGATION

This section is intended to assist Member States in responding to the pre-audit questionnaire for Administrations responsible for vessel traffic services (VTS) and aids to navigation (AtoN) prior to being audited in the IMO Member State Audit Scheme (IMSAS).

SOLAS Regulation V/12 provides for VTS and states, inter alia, that Contracting Governments:

- .1 undertake to arrange for the establishment of VTS where, in their opinion, the volume of traffic or the degree of risk justifies such services;
- .2 shall, wherever possible, follow the guidelines developed by the Organization (Resolution A.857(20) on Guidelines for Vessel Traffic Services¹); and
- .3 shall endeavour to secure the participation in, and compliance with, the provisions of VTS by ships entitled to fly their flag.

IMO Resolution A.1158(32) Guidelines on Vessel Traffic Services describes the purpose, general principles and provisions for the operation of a VTS and participating vessels. It also describes the roles and responsibilities of Contracting Governments, competent authorities for VTS and VTS providers and the qualifications and training for VTS personnel. It also sets out the regulatory and legal framework and states that Contracting Governments are encouraged to take into account IALA standards and associated recommendations, guidelines and model courses.

The guidelines are associated with regulation V/12 of the International Convention on Safety of Life at Sea, 1974 ("the Convention") and should be taken into account by Contracting Governments to the Convention when planning, implementing and operating vessel traffic services (VTS) under national law. Members of the Organization that are not Contracting Governments to the Convention are also encouraged to take these Guidelines into account.

SOLAS Regulation V/13 provides for the establishment and operation of AtoN and states, inter alia, that each Contracting Government undertakes to:

- .1 provide, as it deems practical and necessary either individually or in co-operation with other Contracting Governments, such AtoN as the volume of traffic justifies and the degree of risk requires;
- .2 take into account the appropriate recommendations and guidelines of IALA and SN/Circ.297 on the IALA Maritime Buoyage System, when establishing such aids; and
- .3 arrange for information relating to AtoN to be made available to all concerned.

IALA publishes standards, recommendations, guidelines and model courses suitable for direct citation by States in the interest of an efficient and harmonised global network of VTS and AtoN. These documents are available for download in pdf format at www.iala-aism.org.

¹ Res. A.857(20) was revoked by Res. A.1158(32) on the 15 December 2021 at 32nd session of IMO Assembly.

In particular, the following IALA guidelines provide guidance on the IMSAS:

- .1 Guideline *G1115 Preparing for an IMO Member State Audit Scheme (IMSAS) on Vessel Traffic Services* provides guidance for Contracting Governments to meet the objectives of an IMO IMSAS audit with respect to the implementation and delivery of VTS and to assist in demonstrating that they are fulfilling their responsibilities under the general provisions of treaty law and IMO Conventions for promulgating laws and regulations.
- .2 Guideline *G1054 Preparing for an IMO Audit on Aids to Navigation Service Delivery* provides guidance for Contracting Governments to meet the objectives of an IMO IMSAS audit with respect to the implementation and delivery of AtoN and to assist in demonstrating that they are fulfilling their responsibilities under the general provisions of treaty law and IMO Conventions for promulgating laws and regulations.

This pre-audit questionnaire has been developed in accordance with appendix 2 of the annex of Resolution 1067(28) *Framework and Procedures for the IMO Member State Audit Scheme*.

Vessel Traffic Services (VTS)

GENERAL INFORMATION

3 Flag State:

Please give full contact details of the Government body(ies) responsible for securing the participation in, and compliance with, the provisions of VTS by ships entitled to fly your flag.

Coastal State:

Please provide full contact details of:

- .1 the competent authority for VTS; and
- .2 each VTS provider.

4 Please provide a description, preferably as an organogram and/or a diagram, depicting the area of responsibility of each VTS body(ies) mentioned in paragraph 3 above.

PART 2 – FLAG STATE

Implementation (paragraphs 15 to 16)

15 Please describe how your State has implemented relevant legislation and national policies and procedures in order to:

- .1 ensure that ships flying your flag comply with the requirements of a VTS; and
- .2 receive and respond to reports on alleged violations of VTS requirements in accordance with international rules and standards by a ship flying your flag.

PART 3 – COASTAL STATE

Implementation (paragraphs 45 to 48)

25 Please describe how your Government/State has:

- .1 established a legal basis for VTS that gives effect to SOLAS V/12;
- .2 appointed and authorized a competent authority for VTS;
- .3 established a regulatory framework for establishing and operating a VTS in accordance with relevant international Conventions and IMO instruments, IALA standards and national law; and
- .4 determined how the volume of traffic or degree of risk justifies the establishment of a VTS.

Please describe whether your Government or competent authority for VTS:

- .5 is a member of IALA; and
- .6 is establishing VTS and has identified that capacity building support is required to assist in their planning, implementation and operation. If the answer is yes, please indicate in which areas this is required?

Enforcement (paragraph 50)

26 Please describe the policies and procedures in place to monitor:

- .1 compliance with the audit standard;
- .2 the enactment of legislation, as appropriate, for the delivery of VTS under SOLAS V/12;
- .3 the administration and enforcement of the applicable laws and regulations; and
- .4 the mechanism and controls in place, by which the delegation of authority to a recognized organisation, for the purposes of implementing and delivering a VTS, is effected.

27 Please describe the policies and procedures in place for the competent authority for VTS to ensure that VTS providers:

- .1 are authorized to operate VTS within a delineated VTS area;
- .2 conform with the regulatory framework set by the competent authority for VTS;
- .3 set operational objectives for the VTS that are consistent with improving the safety and efficiency of ship traffic and protection of the environment and that these are routinely evaluated to demonstrate they are being achieved;
- .4 provide appropriate equipment, systems and facilities for the delivery of a VTS; and
- .5 have adequate staff and that VTS personnel are appropriately trained and qualified.

Aids to Navigation (AtoN)

GENERAL INFORMATION

Coastal State:

Please provide full contact details of:

- .1 the competent authority for AtoN; and
- .2 any subsidiary competent authorities/AtoN providers.

4 Please provide a description, preferably as an organogram and/or a diagram, depicting the area of responsibility of each AtoN body(ies) mentioned in paragraph 3 above.

PART 3 – COASTAL STATE

Implementation (paragraphs 45 to 48)

25 Please describe how your Government/State has:

- .1 established a regulatory framework for establishing and operating AtoN in accordance with relevant international Conventions and IMO instruments, IALA standards and national law which gives effect to SOLAS V/13;
- .2 appointed and authorized a competent authority or authorities for AtoN. If not, please indicate how AtoN are established and operated;
- .3 provided, as it deems practical and necessary, either individually or in co-operation with other Contracting Governments, such AtoN as the volume of traffic justifies and the degree of risk requires; and has implemented applicable processes used for determining your AtoN provision.

Please describe whether your Government or competent authority for AtoN:

- .4 is a member of IALA; and
- .5 is establishing AtoN services and has identified that capacity building support is required to assist in their planning, implementation and operation. If the answer is yes, please indicate in which areas this is required.

Enforcement (paragraph 50)

26 Please describe the policies and procedures in place for the competent authority for AtoN to ensure that AtoN providers:

- .1 take into account the international recommendations and guidelines when establishing such aids including the IALA Maritime Buoyage System and other IALA standards and their associated normative recommendations and guidelines;
- .2 arrange for information relating to AtoN to be made available to all concerned; and
- .3 ensure that changes in the transmissions of position-fixing systems which could adversely affect the performance of receivers fitted in ships, is avoided as far as possible and only be effected after timely and adequate notice has been promulgated.
