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MCA & ISO : International Code

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Chairman— Martin Redmayne

Luigi, David, please. This is a last minute addition to the programme—I'm sorry if there are those who have to rush off somewhere. But don't rush off too much—this may be your chance to have your say against ISO TC8 and MCA LY3. David?

David Ralph MCA

Good afternoon ladies and gentlemen. Or is it good evening in Holland? I'd just like to say thank you very much to Martin for his invitation to speak to you this evening; it gives us the opportunity to put you in the picture as to where the internationalising exercise has got and what we are doing in respect of working with others.

The original code, LY1, was a UK document for UK ships. It addressed the issues of international ship regulation in the context of the UK and the wider Red Ensign group large yacht fleet. In use the code achieved an unintentional international profile—I sometimes describe it as having achieved a persona all of its own; something that we had no ability to control at all. If we were an industry and in business, or in commerce, and we had a product like LY2 it would be rather like the goose that laid the golden egg but we aren't, we're simply regulators.

LY2 was reconstructed to reflect its international use. The particularly Italian views possibly of UCINA rather than the flag administration, were used to specify—someone used the expression *restricted yacht*—we chose not to use that expression but prefer to use the short range yacht expression. But this, together with the notion of the national annexe, provided for the code to be adopted by other states that might wish to use it in the future. There was then the question of international code. I believe that was a question raised at Project 4 or 5 years ago. You see what you're responsible for, Martin! International Code would require the involvement of the International Maritime Organisation (IMO), or at least that was the way that I felt when I was given the job of trying to move it on. And we have to render unto Caesar that which is Caesar's. It is not advisable or possible at this time to take LY2 or whatever to IMO because of the nature of what IMO is. Firstly tasks have to be put onto the work list, and then you're into a bureaucratic process, which could take years for the actual International Code to get any recognition. What would be more appropriate, more achievable, would be to have states internationally using the code and that would rather become a *fait accompli* for IMO, and it was taken to that forum. The alternative for us is the internationalising initiative. The objective of internationalising is to ensure that the application of the code is consistent, one state to another. To ensure the same standards are used from one flag to another. The actions thus far—we have had two meetings of interested states and other parties, first to discuss the broad principles of working together and the second to discuss a memorandum of agreement which would be signed by participating members. Participating states—these are names that I have extracted from our files so I apologise to the innocent if they feel that they aren't in the groups that I've allocated them to—proposed member states included Australia, Cayman Islands, Gibraltar,

Germany, the Isle of Man, the Netherlands, and possibly Canada. Observer states—Finland, Belgium, Luxembourg, Marshall Islands, Montenegro, New Zealand and Norway. We felt that if we were going to create a forum in which we would discuss the internationalising exercise that we would not deny observers the opportunity to participate in the debates and discussions. If it was to be a truly internationalising exercise the door should be open. (Sorry, I missed out Sweden and Switzerland there.) The other participants? Well there were undeclared flag states, Antigua and Barbuda, Bahamas, France, Greece and Panama, they hadn't indicated whether they wanted to eventually become members or observers. There were also non governmental observers and here you will see ICOMIA which is the International Council of Marine Industries Associations and our friend SYBAss. I can pronounce it properly because I worked here for some years! And then of course there was the ISO TC8 steering group 12, Large Yachts. The Chairman has participated in the last meeting. Lastly there was representation from the Professional Yachtsmen's Association. The immediate objective is to agree the signing of the MOU; discussion of the finer points of the agreement continues. The earliest opportunity we thought we could have for signing the document was in October 2007 but that was not possible. The next opportunity for signing an MOU would be in May 2008—that is when the IMO Maritime Safety committee meets and all of those people who require to sign it would be in the one place. We then have the task of setting an administrative infrastructure to support the internationalising exercise. Involving the stakeholder—MCA has always relied on a stakeholder input to create codes. Our codes—we describe our under-24 metre code as an industry driven standard. And that is certainly the case for LY1 and LY2, a consultative drafting process was engaged and as your industry has developed, and as we see we have two industry representative bodies now—we will have a rounder representation than maybe we had in the past where we had specific operators, specific brokers, specific yards, contributing to the debate.

With the internationalising initiative member states will participate and there is a need to engage standards writers to ensure that the code text as a code is not national standards, but international standards. The industry is now organised in the two representative bodies, SYBAss and ICOMIA, and they are participating members. During the past year we have particularly engaged with ISO through its TC8 subcommittee 12 large yacht. That group has been in existence for about 3 years but I'm not going to steal the fire of Luigi Scarpati, the Chairman of SC12, who's going to explain to you what ISO is doing in this area. Luigi?

Martin

Thank you David.

Luigi Scarpati RINA

Thank you David. Good afternoon to all. ISO TC8 sub committee 12 Large Yacht was definitively activated at the twenty-fifth ISO TC8 meeting that was held in Hamburg on October 2006. ISO TC8 sub committee 12 Large Yacht work programme and the relevant structure was defined at the first sub committee 12 Large Yacht meeting that was held in Milan in the last month of March. With reference to the work programme, at the first sub committee 12 Large Yacht meeting it was pointed out that the work programme should be based on three focal points. The first focal point was stated that the work programme should be based on the development of a standard for large yachts on the basis of the industry demand and industrial requirements taking into consideration the existing ISO TC8 and TC188 standard. It was stated that this work should be done in a manner such that no duplication of other existing standards should be proposed and the industry should be proactively involved in the participated inter-development of the new standards. A second part of the work

programme was stated to be the possibility and necessity to cooperate with the flag administration in order to supply them with useful technical standards. On this base we can draft two different approaches. For private yachts – in general, in order to register the yachts under the most common flag administration it is not in general mandatory that yacht is classified by a class society. In this case the administration apply all statutory requirements that in general do not cover all the technical aspects of the construction. In this context it would be opportune to develop international standards to be adopted as a general platform for all the parties. Looking to the commercial yachts—we can see that in general in order to register the yachts as commercial yachts the administration need the conformity to their own safety code. In addition the classification is mandatory and also the conformity to international convention is requested on the basis of equivalence use adopted by the administration. The safety code for some technical aspects refers to national or international standards. In general these international standards have been developed for merchant ships and need to be adapted for large yachts, especially when the gross tonnage is less than over 500. Looking for example to the Large Yacht 2 (LY2) Code we can see that for the technical items showed in the first column of this slide, the code refers to international standards but as I said before, these international standards have been developed for merchant ships. On this basis, after the first sub committee 12 Large Yacht meeting for each working group were proposed work items as indicated in this slide. With reference to the working group 1, was proposed for work items—masts and spars, bridge layout, helideck design, noise and vibration. At the same for working group 2 at the first sub committee 12 Large Yacht meeting existed a working document relevant to windows and portlights, strength and water tightness requirements. In addition was proposed a new work item proposal relevant to windows and portlight security requirements. For working group 3 was proposed a new work item proposal—relevant to deck craning and gangways strength requirements. For working group 4 was pointed out the possibility to develop standards especially applicable for private yachts but for some systems such as air conditioning systems, ventilation systems, heating systems, freshwater systems, etc. could be also pointed out the possibility to adopt these standards for commercial yachts. And finally for working group 5, at the first sub committee 12 Large Yacht meeting was existing a working document relevant to quoting measurement and analysis of visual appearance.

On the basis of the result of the vote accordingly the ISO directive was established the sub committee 12 Large Yacht structure as indicated in these items. There was a 3 working group relevant to working group 2 for which the convenorship was assigned to David Ralph from UK, working group 3 deck equipment for which the convenorship was assigned to a member from Italy and working group 5 quality, for which the convenorship was assigned to a USA member. With reference to working group 1 and working group 4 it was decided to establish the relevant working group but at the moment there are not project and development. The status of the work programme is indicated in this slide. At this moment we have 4 working documents, relevant to windows and portlights, strength and water tightness requirements, windows and portlight security requirements, coatings, measurement and analysis of the visual appearance, deck crane and gangway strength requirements. It is to be pointed out that the working document stage is only the second stage in the ISO procedure for the development of new technical standards. And in detail we can in this slide, for example, see that for working group 2 we have at the moment two working documents and the target for the development of the standards are indicated in the slide. You can see that the next stage is for the end of the August of next year. And so on. The same is also for working group 3 deck document, the deck equipment for which we have one working document relevant to deck crane and gangways strength requirements. And at the same you can see the target date for

the development of the standards. Finally in working group 5 we have only one working document relevant to coatings, measurement and analysis of the visual appearance.

New projects. At the first sub committee 12 Large Yacht meeting were proposed two new projects. Relevant to noise and vibration and helideck design. It was not possible to establish a dedicated project group but it now seems that there is in particular interest on the project relevant to noise and vibration and in the next month will be established a project group with the task to issue a new work item proposal for the end of next year. The same task will be assigned also to a dedicated project group for mooring systems, and air conditioning systems. In addition will be tried the possibility to cooperate with the MCA in order to develop a dedicated standard for the helicopter landing area. Finally in this slide we show the country participation. At this moment we have eleven countries as P members, 5 countries as O members and we have too liaison with ICOMIA and SYBAss. Thank you for your attention.

Martin

Luigi thank you. I know we're slightly over our time allocation but does anyone have any questions from the floor before we have a drink. Obviously the two gentlemen are here for I'm sure the next ½hour plus you're here tomorrow, I believe? In your various meetings. Any questions from the floor?

A quick question—I'll throw in one. Why has this come about? My concern is that this is another set of standards that are going to confuse people, not necessarily this audience here, but brokers, owners, designers, people who aren't here, when they hear about another set of standards. How are we going to manage that process?

David

Speaking from my point of view, what we would like to see is international standards referred to in the core part of our code, rather than British standards. Increasingly British standards are simply—apply international standards. The other point I would make is that some of the existing standards that are produced by TC8 are as Luigi has said, produced for commercial ships. They aren't sensitive to vessels of 24 metres in length. They're intended for loadline ships that are cargo vessels. This really then needs to be looked at sympathetically and therefore we welcome a steering group, a sub committee, that is looking at large yachts. That is from our point of view. What we do not have an interest in is generally creating a raft of international standards that may or may not be welcomed by the industry, but Luigi can speak for the raft.

Tork

Only, it appears to me that there was a number of areas in the last slide or about 3 slides from the end, noise and vibration etc which are not commonly part of LY2 at the moment, some of which are part of the process of classification, but I'm trying to see how they fit into an internationalised LY2, especially in view of the fact that if I'm right as well, the requirement is that the vessel be classed anyway, so class will presumably already have dealt with issues of noise and vibration, where relevant.

David

I think that question was partially answered by Luigi's introduction, where he said that his codes are intended to apply to both commercial vessels and private vessels and that private vessels do not have to comply with the sort of requirements that apply to commercial vessels. So it maybe confuses the issue a little. As regards what is available and how we will use it—please be assured we will not be forced to use standards that aren't appropriate in a regulatory environment for commercial vessels.

So if they're not appropriate and they're not covered by the international conventions then we won't look to use them

Tork

So essentially broadly speaking LY2 doesn't actually change an internationalised context any more than it would anyway. LY2 therefore would not change in an internationalised context, any more from its current form than it will do anyway as it's a living document, but we're not suddenly introducing H Vac requirements in LY2.

David

Not at all.

Martin

OK. I'm going to close now because I'm thirsty. I can just see it now in about a year's time, yachts built to MCA, ISO, TC8, SC12, RINA, SYBAss, ABS, CSI Friday.

Thank you very much everyone. We'll see you tomorrow morning for breakfast. Legal panel.
