

SUB-COMMITTEE ON SAFETY OF
NAVIGATION
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Agenda item 13

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**DEVELOPMENT OF EXPLANATORY FOOTNOTES TO
SOLAS REGULATIONS V/15, V/18, V/19 AND V/27**

Clarification of SOLAS regulation V/27

**Submitted by the International Chamber of Shipping (ICS) and the
Cruise Lines International Association (CLIA)**

SUMMARY

Executive summary: This document comments on the footnote proposed in NAV 59/13 to clarify SOLAS regulation V/27. Practical difficulties that might arise from the footnote are described and a proposal is made to develop an annex to SN.1/Circ.266/Rev.1, which is referenced in the proposed footnote. The aim of the new annex is to develop a framework and process to formalize the development of new ECDIS display standards, to ensure standards are only developed when necessary and that a suitable period of time is allowed for the update of ships' ECDIS after the release of a new standard, prior to implementation.

Strategic direction: 5.2

High-level action: 5.2.4

Planned output: 5.2.4.1

Action to be taken: Paragraph 16

Related documents: MSC 89/24/3; MSC 90/25/18 and NAV 59/13

1 This document comments on NAV 59/13 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*.

Introduction

2 NAV 59/13 proposes that a footnote be inserted at SOLAS chapter V (Safety of Navigation), regulation V/27 (Nautical Charts and Nautical Publications), in order to explain what is meant by "adequate" and "up to date" in relation to the use of Electronic Display and Information Systems (ECDIS), particularly when ECDIS is used to meet the chart carriage requirements.

3 ICS and CLIA recognize that SOLAS regulation V/27 requires that nautical charts and nautical publications be "adequate" and "up to date". It is also recognized that the use of ECDIS to meet chart carriage requirements introduces the need for further clarification of the application of SOLAS regulation V/27.

General

4 The co-sponsors of NAV 59/13 state that "*ECDIS software must be updated so that it is capable of displaying charts correctly using the latest version of the IHO's chart content and display standards*". The co-sponsors however, note that SN.1/Circ.266/Rev.1 states that "*ECDIS that is not updated for the latest version of IHO Standards may not meet the chart carriage requirements*".

5 ICS and CLIA agree that ECDIS should display charts correctly using the latest version of the IHO's chart content and display standards. However, there are concerns with the practical implementation of the proposed requirement and possible unintended consequences of the footnote proposed in NAV 59/13.

Practical considerations

6 The co-sponsors request that the Sub-Committee recognizes that there will be practical difficulties, particularly for the shipowner which might, inter alia, lead to port State control problems. It is noted that in contrast to the use of paper charts, where updates are provided regularly and new chart editions are printed and made available when issued, the application of ECDIS software updates will be generally out of the control of the shipowner.

7 IHO might issue a new chart content and display standard and port State control authorities will be immediately aware of this new standard. Port State control might subsequently inspect a ship to see if an ECDIS update has been supplied to the ship implementing the new IHO standard. Ships rely on equipment manufacturers to provide appropriate updates and it is inappropriate for a ship to be held accountable, if the update is unavailable.

8 It should be recognized that software updates cannot be installed by the ship's crew. Manufacturers' representatives will need to visit a vessel and install a software update in port. If a new standard is released, it would be impracticable for all ECDIS manufacturers to implement the standard, develop, test, make available, advise of available updates by website, and/or arrange installation on all ships operating ECDIS without allowing sufficient time.

9 It is therefore clear that there needs to be a flexible approach to ensure that shipowners are not unfairly punished because a new standard has not been immediately implemented.

10 The co-sponsors also suggest that the Sub-Committee considers the frequency and lead time with which amended performance standards should be released. It would be impractical, and have a negative effect on the implementation of ECDIS, if new standards are released without careful consideration of the operational difficulties and costs associated with subsequent irregular and unplanned service visits.

User Validation Tests Data Set

11 The co-sponsors question what instrument port State control will use or look for when enforcing this item. The co-sponsors note that MSC 89/24/3, paragraph 7.6, proposed "*the exploration of the potential to develop and subsequently deliver and employ a User Validation Test data set which would help the mariner and Port State Control inspectors to*

appreciate any limitations in using the ECDIS displaying official ENC data". The co-sponsors understand that this proposal was not considered in sufficient detail as the proposals within MSC 89/24/3 were transferred to various Sub-Committees for consideration and a final decision on this particular proposal has yet to be taken.

12 The co-sponsors therefore request that the Sub-Committee consider the importance of the proposal in paragraph 7.6 of MSC 89/24/3 when considering a footnote in SOLAS regulation V/27. It is suggested that discussion is required on this concept under agenda item 12, Consideration of ECDIS matters related to the implementation of the carriage requirements in SOLAS regulations V/19.2.10 and V/19.2.11.

Charts for the intended voyage

13 The co-sponsors note that SOLAS regulations V/27 and V/34 refer to the "intended voyage" and therefore it would be appropriate for the actual intent of the regulation to be recognized in the proposed footnote to SOLAS regulation V/27. The co-sponsors strongly agree that nautical charts and publications used for the intended voyage should be adequate and up to date. The co-sponsors note, however, that a new standard might not necessarily introduce new chart content and display standards applicable to a ship's intended voyage. In January 2007, supplement No.1 to the IHO ENC Product Specification was introduced in order to include, within the ENC, the then recently introduced IMO requirements for Particularly Sensitive Sea Areas (PSSA), Archipelagic Sea Lanes (ASL) and to cater for any future Safety of Navigation requirements. The co-sponsors question if such standards should therefore apply to a vessel sailing exclusively in areas with no PSSAs or ASLs.

Proposal

14 The co-sponsors propose that the Sub-Committee recognizes the practical difficulties outlined in paragraphs 6 to 10 and that an annex to SN.1/Circ.266/Rev.1 (referred to in the proposed footnote of SOLAS regulation V/27) is developed to:

- .1 outline the circumstances when a new IHO, or other standard will be required for ECDIS;
- .2 describe the process for development and implementation of the required standard; and
- .3 recommend suitable time periods and intervals for the development, implementation and installation of software updates.

15 The co-sponsors also propose further detailed consideration of the "*User Validation Test data set*" proposed in MSC 89/24/3, to ensure implementation of any new standard can be verified and understood by the mariner and port State control.

Action requested of the Sub-Committee

16 The Sub-Committee is requested to note the information provided in paragraphs 6 to 10 and the proposals in paragraphs 14 and 15 and take action, as appropriate.