

## REVISION OF THE IMO GUIDELINES ON FATIGUE

### Comments on proposals for revised IMO Guidelines on Fatigue

#### Submitted by International Chamber of Shipping (ICS)

#### SUMMARY

<i>Executive summary:</i>	This document provides comment on the output on the revision of the IMO Guidelines on Fatigue (annex to MSC/Circ.1014), in particular on the proposal for revised guidance submitted by Australia in document HTW 3/8.
<i>Strategic direction:</i>	5.4
<i>High-level action:</i>	5.4.1
<i>Planned output:</i>	To be assigned
<i>Action to be taken:</i>	Paragraph 23
<i>Related documents:</i>	MSC 94/18/7, HTW 2/8, HTW 2/8/2, HTW 2/WP.5, HTW 2/19, MSC 95/22, HTW 3/8

#### Introduction

1 This document 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.4), and provides comment on the output on the revision of the IMO Guidelines on Fatigue (annex to MSC/Circ.1014), in particular on the proposal for revised guidance submitted by Australia in document HTW 3/8.

#### Background

2 The Maritime Safety Committee, at its ninety-fourth session (MSC 94) considered document MSC 94/18/7 (Australia) and agreed to include a new output on "Revision of the Guidelines on Fatigue", assigning the HTW Sub-Committee as the coordinating organ. HTW 2 was instructed to give preliminary consideration to the new output under its existing agenda item "Role of the human element" and place it on the agenda for HTW 3.

3 At HTW 2, Australia (document HTW 2/8) provided information on a proposed approach for the revision and updating of the guidance for preliminary consideration by the Sub-Committee, with some further comments on an approach being provided by the United Kingdom (document HTW 2/8/2). Following further consideration of the documents by a

working group (document HTW 2/WP.5), the Sub-Committee noted the comments of the relevant working group (document HTW 2/19) and, in particular, that the:

- .1 Delegation of Australia had offered to submit a proposal to HTW 3, in collaboration with interested Member Governments and international organizations; and
- .2 Revision of the guidelines should be completed within the next two sessions of the Sub-Committee (i.e. HTW 3 and HTW 4).

4 At MSC 95, the Committee confirmed that the revision of the guidance should focus on consideration of the full range of factors contributing to fatigue and develop relevant guidance and practical tools (document MSC 95/22).

5 In accordance with the offer at HTW 2, Australia has submitted proposed revised guidance for the consideration of the Sub-Committee in the annex to document HTW 3/8.

### **Discussion**

6 ICS expresses its sincere appreciation for the time and effort afforded to the preparation of the annex to document HTW 3/8 by the delegation of Australia, as well as to all those Member States and observer organizations that provided comments and assistance.

7 ICS would also like to note its appreciation of the willingness and enthusiasm of Australia to consult all interested parties through an informal correspondence group aimed at ensuring that their work took into account a wide range of views and expertise.

8 ICS registered its interest and participated in the informal correspondence group coordinated by Australia. This enabled ICS to provide a number of general and specific comments for consideration by Australia during their preparation of proposed revised guidance. Some of the comments and suggestions provided by ICS were included in the annex to document HTW 3/8.

9 The purpose of this document is to draw the attention of the Sub-Committee to the views of ICS by providing general comments on the proposed revised guidance and a set of suggested principles that may assist with the "Revision of the IMO Guidelines on Fatigue".

### **Principles**

10 ICS considers that the following principles should be taken into account during the revision of the IMO Guidelines on Fatigue, as annexed to MSC/Circ.1014. These general principles relate to the scope, style, structure and content of the guidance.

11 Regarding the scope of the revised guidance, it should:

- .1 Ensure a holistic approach to seafarer fatigue by providing guidance for all stakeholders in terms of their roles and responsibilities in the mitigation of fatigue;
- .2 Recognize that there are many factors that may contribute to seafarer fatigue;
- .3 Recognize that there are many possible manners in which to mitigate fatigue at sea; and
- .4 Avoid suggesting there is a hierarchy to factors that may contribute to fatigue.

- 12 Regarding the presentation style of the revised guidance, it should:
- .1 Be written and presented in a concise and precise manner to avoid an unnecessarily lengthy document; and
  - .2 Be written and presented in a manner that can be easily read and understood by all intended end-users.
- 13 Regarding the structure of the revised guidance, it should:
- .1 Contain a modular structure to facilitate its wide use and dissemination as appropriate;
  - .2 Clearly identify its scope and purpose, and suggest the manner in which it might be disseminated and used;
  - .3 Contain a module that addresses fatigue in general that can be read and understood by all relevant stakeholders; and
  - .4 Avoid the duplication of content between modules.
- 14 Regarding the content of the revised guidance, it should:
- .1 Recognize the diversity of companies, ships, trades and operations, by ensuring that the guidance is applicable and useful for all intended end-users;
  - .2 Avoid promoting a single approach to the mitigation of fatigue to account for the many possible approaches and diversity of operations;
  - .3 Avoid providing interpretations of relevant international standards (e.g. STCW, MLC) or recommendations of deviations from such standards;
  - .4 Avoid the duplication or reproduction of text from international standards or other documents that are easily accessible elsewhere; and
  - .5 Contain only essential background and academic material, with the focus instead being on practical guidance on the mitigation of fatigue by the relevant stakeholders.

## Comments

15 Taking into account the above listed principles, ICS has the following specific comments on the proposed revised guidance contained in the annex to document HTW 3/8.

16 *Scope* – ICS supports the inclusion of a module that provides guidance on the roles of Administrations and other external parties. The mitigation of seafarer fatigue is a shared responsibility of all stakeholders, therefore it is important that guidance is also provided for regulators, authorities and other external parties. The roles and responsibilities of these parties are insufficiently covered in the existing guidance to complement the approaches and efforts of being taken by other stakeholders. The review of MSC/Circ.1014 comes at a time of increasing concern in the industry about the ever increasing administration burdens on seafarers and companies. ICS considers that a high density of regulation and increasing inspection and reporting requirements are significant contributors to seafarer fatigue.

17 *Style* – ICS observes that the proposed revised guidance contains lengthy modules with significant amounts of text and academic background information. ICS is concerned that, the length, amount of detail and style of presentation, may detract from the delivery of the practical guidance. ICS would suggest that the style of the existing guidance annexed to MSC/Circ.1014 (e.g. bullet point lists) should be preserved as far as possible. Infographics may also assist, where appropriate, in conveying concepts and material in a simple manner.

18 *Structure* – ICS supports the idea of maintaining the modular structure as used in the annex to MSC/Circ.1014. The modular structure allows end-users to identify the guidance relevant to them. It allows modules to be distributed separately and thus promotes wider dissemination. ICS considers that the revised guidance should contain a short and concise module that provides a generic overview of fatigue. The generic module should be prepared in a manner that could be read and consulted by all end-users.

19 *Content* – Whilst recognizing that ensuring a sound scientific basis is useful in the development process of the guidance, ICS considers that the IMO guidance should be of a practical nature with limited references to the academic underpinning (i.e. recent sleep science research). ICS considers that a significant proportion of the content currently included is not of a practical nature.

20 Recalling that these guidelines are intended to provide guidance to all stakeholders, ICS is concerned that the proposed revised guidance puts too much emphasis on a fatigue risk management system (FRMS) approach. Not only does a FRMS approach not address the roles and responsibilities of all stakeholders, it may not always be the most appropriate and effective approach for all types and sizes of companies, ships or operations.

21 To ensure the widest possible use and application of the guidance, ICS considers that the primary focus should be on providing generic guidance that companies, seafarers, Administrations and other stakeholders can take into account regarding the mitigation of fatigue. ICS suggests that specific guidance on applying various management approaches could be incorporated in either a separate module or in the format of practical examples as appendices to the guidance.

### **Proposal**

22 ICS proposes that the principles and comments above are taken into account when reviewing the annex to MSC/Circ.1014, including during consideration of the proposal for revised guidance submitted by Australia in document HTW 3/8.

### **Action requested of the Sub-Committee**

23 The Sub-Committee is invited to consider the comments in this document, in particular the principles set out in paragraphs 10 to 14 and the proposal in paragraph 22 above, and take action as appropriate.