

MARINE ENVIRONMENT PROTECTION
COMMITTEE
81st session
Agenda item 2

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DECISIONS OF OTHER BODIES

Comments on the outcomes of MSC 107

Submitted by Liberia, ICS and INTERTANKO

SUMMARY

<i>Executive summary:</i>	This document comments on the outcome of MSC 107 (MEPC 81/2).
<i>Strategic direction, if applicable:</i>	Not applicable
<i>Output:</i>	Not applicable
<i>Action to be taken:</i>	Paragraph 6
<i>Related document:</i>	MEPC 81/2

Introduction

1 This document is submitted in accordance with paragraph 6.12.5 of 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.5/Rev.5) and provides comments on document MEPC 81/2 concerning the outcome of MSC 107.

Discussions

2 The co-sponsors invite the Committee to pay due attention to the point given below.

MSC-MEPC circular on guidelines on sampling (paragraph 3.2)

3 The co-sponsors understand that the intention is to set up a uniform sampling procedure between the SOLAS and MARPOL Conventions, therefore, upon approval of the new circular, the existing guidelines, i.e. resolution MEPC.182(59) on *2009 Guidelines for the Sampling of Fuel Oil for Determination of Compliance with the Revised MARPOL Annex VI* should be revoked. Therefore, the Committee should consider the mechanism of the revocation, i.e. whether to include the operative paragraph for revoking MEPC.182(59) in the joint MSC-MEPC circular or adopt another MEPC resolution for revocation. In addition, the Committee should consider instructing the Secretariat to update the current footnote to regulation 18 of MARPOL Annex VI, paragraph 8.1 in the future publication of the MARPOL Convention.

Joint MSC-FAL circular on guidelines for the use of electronic certificates (paragraph 3.5)

4 The co-sponsors understand that FAL.5/Circ.39/Rev.2 on *Guidelines for the use of electronic certificates* are the guidelines for all certificates issued under the IMO instruments. However, by revising the status from a FAL Circular to a joint FAL-MSC circular, it gives an impression that such an electronic certificate does not apply to instruments adopted under the Committee, e.g. MARPOL, BWM, AFS, Hong Kong Ship Recycling Conventions, etc. In this regard, the Committee may recall that MEPC 80 approved the unified interpretations to regulations 18.5 and 18.6 of MARPOL Annex VI, concerning electronic bunker delivery notes, as set out in annex 10, and instructed the Secretariat to revise MEPC.1/Circ.795/Rev.7 accordingly, for dissemination as MEPC.1/Circ.795/Rev.8. Electronic bunker delivery note (e-BDN) is already widely used in the industry. It is understood that this Circular provides guidance on security aspects of an electronic document such as signature and stamp.

5 Noting that there are certificates issued for the instruments that belong to the Legal Committee, the co-sponsors are of the view that the original status, i.e. a FAL circular, should be kept, or a joint FAL-LEG-MEPC-MSC circular developed, pending the discussion at the Legal Committee.

Action requested of the Committee

6 The Committee is invited to consider the above paragraphs 3 and 5 and to take action, as appropriate.
