## ABS REGULATORY NEWS



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# SAFE CARRIAGE OF INDUSTRIAL PERSONNEL

Amendments to the SOLAS Convention will mandate application of the International Code of Safety for Ships Carrying Industrial Personnel (IP Code) beginning 1 July 2024.

### NEW SOLAS CHAPTER XV: SAFETY MEASURES FOR SHIPS CARRYING INDUSTRIAL PERSONNEL

Expansion of the maritime offshore and energy sectors has created growth in new offshore industrial activities and a demand for carriage of industrial personnel to and from offshore facilities. Recognizing that the safety standards in the existing IMO instruments do not fully cover risks specific to maritime operations within the offshore sector, the 106th session of the Maritime Safety Committee (Nov. 2022) adopted Resolution MSC.521(106)

### **KEY NOTES**

- Applicable Vessel Types: Cargo ships and highspeed cargo craft of 500 GT and upwards which carry more than 12 industrial personnel
- Required Actions:
   Certification under SOLAS
   Ch.XV for cargo ships
   carrying more than 12
   industrial personnel
- References: Resolutions MSC.521(106) MSC.527(106) MSC.418(97)

containing the new SOLAS Chapter XV "Safety Measures for Ships Carrying Industrial Personnel". This new chapter of the SOLAS Convention establishes a standard for the construction, equipment and operation of ships carrying industrial personnel, in order to protect the lives and health of the personnel on board, as well as the environment. This applies to all ships carrying industrial personnel engaged in offshore activities, including exploration, production and related operations.

#### Definition of Industrial Personnel

"Industrial personnel" are defined as all persons transported or accommodated on board for the purpose of offshore industrial activities performed on board other ships and/or offshore facilities.

### **Applicability**

SOLAS Chapter XV applies to cargo ships and high-speed cargo craft of 500 gross tonnage and upwards on international voyages and which carry more than 12 industrial personnel.

Additionally, it has been recognized that the transport of a large number of industrial personnel will take place either within the confines of a particular coastal State or between a base port and an offshore installation outside territorial waters and may take place onboard ships below 500 gross tonnage. To facilitate international movement and safe operations of ships carrying industrial personnel, Administrations are encouraged to apply this code also to ships operating only on such voyages.

# INTERNATIONAL CODE OF SAFETY FOR SHIPS CARRYING INDUSTRIAL PERSONNEL (IP CODE)

In association with the new SOLAS Chapter XV, the Maritime Safety Committee also adopted <u>Resolution MSC.527(106)</u> containing the International Code of Safety for Ships Carrying Industrial Personnel, or IP Code. For ships which are subject to SOLAS Chapter XV, this chapter requires application of the IP Code to supplement existing IMO instruments (SOLAS or HSC Code) and address the additional transport and personnel transfer risks connected to industrial personnel.

#### Structure of the IP Code

The scope of the IP Code is organized into five main parts:

Part I: General	<ul> <li>Establishes new terminology related to industrial personnel transport and transfer</li> <li>Establishes specific survey and certification requirements for ships carrying industrial personnel</li> </ul>
Part II: Goals and Functional Requirements	Outlines goals and functional requirements for nine specific aspects of ship design and operation relative to industrial personnel
Part III: Regulations	Provides further requirements specific to qualification of industrial personnel and personnel transfer
Part IV: Additional Regulations for Ships Certified in Accordance with SOLAS Chapter I	Provides further requirements for Cargo Ships carrying industrial personnel
Part V: Additional Regulations for Ships Certified in Accordance with SOLAS Chapter X	Provides further requirements for High-Speed Cargo Craft carrying industrial personnel

#### Goal-Based Approach

The scope of the IP Code includes goals and functional requirements for nine specific aspects of ship design and operation, with each oriented to address specific hazards that may be encountered during the transport and transfer of industrial personnel:

- 1) Industrial personnel (medical fitness and capability)
- 2) Safe transfer of personnel
- 3) Subdivision and stability
- 4) Machinery installations
- 5) Electrical installations
- 6) Periodically unattended machinery spaces
- 7) Fire safety
- 8) Life-saving appliances and arrangements
- 9) Dangerous goods

The reliance upon a goal-based approach for the IP Code serves to provide an achievable and verifiable standard irrespective of ship design and technology while also being specific enough to avoid differing opinions on these standards.

#### IP CODE COMPARISON TO THE SPS CODE

The development of the IP Code was significantly influenced by the Code of Safety for Special Purpose Ships (2008 SPS Code), with some alterations. While the 2008 SPS Code has been available and utilized by the

marine sector for many years, its application is not mandated under the SOLAS Convention, but is instead applied as directed by individual Flag Administrations and Coastal States. In contrast, the IP Code is made mandatory through the new Chapter XV in the SOLAS Convention.

A key difference between "Industrial Personnel" and "Special Personnel", as defined by their respective codes, is that Special Personnel are accommodated by and work onboard a ship in connection with the "special purpose" of that ship or because of special work being carried out onboard the ship, while Industrial Personnel are merely transported by or accommodated on the ship for the purpose of

Selected Points of Comparison	IP Code Industrial Personnel	SPS Code Special Personnel
Mandatory	Yes	No
Specific training requirements (minimum age, fitness, language, fire safety, familiarization)	<b>Ø</b>	n/a
Requirements for the safe transfer of personnel and their equipment	<b>Ø</b>	n/a
Additional requirements about the carriage of dangerous goods	<b>Ø</b>	n/a
Additional requirements for high-speed cargo craft	<b>Ø</b>	n/a

performing offshore industrial activities on board other ships or offshore facilities. Previously, this distinction may have been inadequately addressed by broad application of the 2008 SPS Code, but must now be fully addressed for both types of persons in addition to crew that are engaged for these services.

Additionally, the 2008 SPS Code explicitly states that it is not intended for ships used to transport and accommodate industrial personnel that are not working on board. In contrast, SOLAS Chapter XV addresses potential mixing of these personnel types by stating that wherever the number of industrial personnel appears as a parameter in applying the regulations, it shall be taken as the aggregate number of industrial personnel, special personnel and passengers carried on board, where the number of passengers shall not exceed 12. Further to this, the IP Code also limits the total number of industrial personnel carried onboard high-speed cargo craft to 60 persons.

### IMPLEMENTATION AND REQUIRED ACTIONS

#### **New Ships**

For newbuilding cargo ships and high-speed cargo crafts of 500 gross tonnage and above constructed on or after 1 July 2024 which are engaged in international voyages and will carry an aggregate number of industrial personnel, special personnel and passengers exceeding 12 persons, such ships must plan for compliance with SOLAS Chapter XV and the IP Code. Compliance will be documented by issuance of an Industrial Personnel Safety Certificate and accompanying Record of Equipment (Form IP) to be kept available onboard the ship.

### **Existing Ships**

For existing ships that have been authorized by their flag administration to carry industrial personnel before the entry into force of the IP Code on 1 July 2024, a grace period will be given before selected

regulations in the IP Code enter into force for these ships. Existing ships may continue to carry industrial personnel if the following provisions have been met:

- Prior to 1 July 2024, the ship has been authorized by the Administration to carry more than 12 industrial personnel based on the recommendations given in the Interim Recommendations On The Safe Carriage Of More Than 12 Industrial Personnel On Board Vessels Engaged On International Voyages (Resolution MSC.418(97))
- Existing cargo ships constructed before 1 July 2024 shall comply with regulations III/1, III/2 (except for paragraph 2.1.7), IV/7 and IV/8 of the IP Code by the first intermediate or renewal survey, whichever occurs first, after 1 July 2024.
- <u>Existing high-speed cargo craft</u> constructed before 1 July 2024 shall comply with regulations III/1, III/2 (except for paragraph 2.1.7), V/7 and V/8 of the IP Code <u>by the third periodical or first</u> renewal survey, whichever occurs first, after 1 July 2024.

Compliance will be documented by issuance of an Industrial Personnel Safety Certificate and accompanying Record of Equipment (Form IP) to be kept available onboard the ship.

For existing ships that have <u>not</u> been authorized by their flag administration to carry industrial personnel before the entry into force of the IP Code on 1 July 2024, such ships will have to comply with the complete IP Code before being able to carry more than 12 Industrial Personnel after 1 July 2024. To obtain an Industrial Personnel Safety Certificate these ships are to be certified for compliance with the entire IP Code.

Owners will need to take action to so that existing ships will be able to continue to carry Industrial Personnel once the IP Code enters into force. Shipowners already carrying industrial personnel should contact the relevant flag administration to obtain formal confirmation on whether their vessels are considered covered by the grace period provisions, or if any actions are required to obtain IP Code certification.

#### Non-Convention Ships

SOLAS Chapter XV and the IP Code apply to ships of 500 gross tonnage and upwards. Ships below 500 gross tonnage may also be designed to carry an aggregated number of passengers, special personnel and industrial personnel in excess of 12. In such cases, the Administration may apply the goals and functional requirements of the Code as far as practicable. If such ships are in compliance with the IP Code, Administrations may consider issuing an Industrial Personnel Safety Certificate for a ship carrying more than 12 industrial personnel, as long as all relaxations are indicated in this certificate.

#### WORLD HEADQUARTERS

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