



MSN 032

DEPARTMENT OF TRADE AND INDUSTRY

Long-Range Identification and Tracking of Ships

The purpose of this MSN is to provide our Owners, Operators, Managers and Masters with information and guidance on the operation of shipborne equipment for compliance with SOLAS Chapter V/19-1 as required by MSC.1/Circ 1295 7.1-7.3

Documents referred to in this notice: MSC.1/Circ 1295 and MSC.1/Circ 1298. Most regulations and notices are available on the Isle of Man Government web site: <http://www.gov.im/dti/shipping> or by contacting marine.survey@gov.im

Introduction

The International Maritime Organisation (IMO) Maritime Safety Committee at its 81st session on the 19 May 2006 adopted Resolution MSC.202 (81), Resolution MSC.210 (81) and Resolution MSC.211 (81). The following new regulation has been inserted in SOLAS Chapter V, Safety of Navigation "Regulation 19-1, Long-Range Identification and Tracking of Ships".

Regulation 19-1, entered into force on the 1st January 2008 and applies to vessels engaged on International Voyages, passenger ships and cargo ships of 300 gross tonnage and above (including Commercial Yachts) and Mobile Offshore Drilling Units (MODUs).

Subject vessels must be fully compliant by the 1st Radio Survey after 1 January 2009.

The Isle of Man National Data Centre is now fully integrated into the international system and as such the Ship registry wishes to make vessel operators aware of certain issues.

IMO requirements

At its 85th session on the 26th November 2008 MSC considered a number of issues relating to the transmission of LRIT information and certain operational matters in relation to that transmission. Subsequent to this session the IMO issued MSC.1/Circ 1295 which requires under section 7.1 and MSC.1/Circ 1298 which requires under section 12.2 that:

"Administrations should issue instructions to masters of ships entitled to fly their flag in relation to whether they are authorized and, if so, under what circumstances and on how they are able to reduce, pursuant to the provisions of paragraph 4.4.1 of the Revised performance standards, the frequency of transmission of LRIT information or to temporarily stop the transmission of such information when a ship is undergoing

repairs, modifications or conversions in dry-dock or in port or is laid up for a long period."

In addition MSC.1/1295 7.2 and 7.3 place an additional requirement on the Masters of vessels to:

"inform the Administration without undue delay and make an entry in the record of navigational activities and incidents maintained in accordance with regulation V/28 indicating the dates and times between which:

.1 the shipborne equipment was switched off or the distribution of LRIT information ceased, where international agreements, rules or standards provide for the protection of navigational information (regulation V/19-1.7.1); and

.2 the frequency of transmission of LRIT information has been reduced or temporarily stopped, when a ship is undergoing repairs, modifications or conversions in dry-dock or in port or is laid up for a long period (paragraph 4.4.1 of the Revised performance standards); and

In addition, the master of a ship undergoing repairs, modifications or conversions in dry-dock or in port or is laid up for a long period, taking into account the instructions of the Administration, should inform the authorities of the Contracting Government within whose territory or jurisdiction the ship is located when the frequency of transmission of LRIT information is reduced or is temporarily stopped pursuant to the provisions of paragraph 4.4.1 of the Revised performance standards.";

In addition to this MSC.1/Circ 1298 sets out in 11, some guidelines in regard to vessels which do not transmit information due to failure of the LRIT system, where this failure is outside of the control of the vessel as follows:

11.1 When the LRIT information transmitted by a ship cannot be received by those entitled to receive such information, for example a Contracting Government as a port State, due to a failure or a situation outside the control of the ship, for example:

.1 due to a failure of the CSP or the ASP or of the LRIT Data Centre; or

.2 because the Administration has not made the/any necessary arrangements; or

.3 because the LRIT Data Centre to which the ship is transmitting LRIT information is declining to provide the requested LRIT information to the LRIT Data Centre it is requesting them due to their financial disputes, in view of the fact that the failure or the situation is outside of the control of the ship, Contracting Governments should not impose sanctions on the ship because they are unable to receive LRIT information transmitted by the ship.

11.2 As matters are beyond the control of the ship, no grounds arise for either delaying or detaining the ship pursuant to the provisions of regulations I/19 and V/16 as long as the Conformance test report and related radio certificate are valid. However, it is possible that a Contracting Government, unaware of the circumstances, might decide to impose control measures or steps pursuant to regulation XI-2/9. To avoid such action it would be advisable for the ship to notify the port State of the situation. However, for doing so the ship needs to be made aware of the failure of the system or the circumstances involved. Those causing the failure of the system or those involved in the prevailing situation should advise the ship accordingly if the duration of the failure is expected to exceed, for example 6

hours, and when the ship was being polled or is providing information on demand. Administrations should consider the issue and determine the maximum duration of such failure beyond which the ship would need to inform the Contracting Governments concerned.

11.3 The question of imposition of any sanctions under the laws of the Contracting

Government is an internal issue for the Contracting Government concerned. However, it is expected that Contracting Governments concerned should show a reasonable understanding of the circumstances.

Nothing contained in this notice removes the Master's discretion to determine that the transmission of LRIT information compromises the safety or security of his vessel and that LRIT transmission should therefore be temporarily switched off in accordance with SOLAS Chapter V Regulation 19-1 paragraph 7.2.

Instructions as to when it is permissible for a vessel to cease LRIT transmissions

The following information is given as guidance to Owners, Operators, Managers and Masters as to when they are authorised to vary the transmission of LRIT position information. In general all vessels should continue to transmit information at a rate of once every 360 minutes and should not under any circumstances switch off their LRIT units or reduce the frequency of transmission.

The only exceptions to this are as follows:

- a) Where the vessel is in dry-dock or undergoing modification in a shipyard or port for a period where continued interruption of the system would cause undue problems and an application has been made to the Ship Registry and agreement received;
- b) Where the vessel is to be placed in long term lay-up and an application is made to the Ship Registry by the Operator to reduce the transmission rate or to stop transmission for a set period and agreement received.

The Ship Registry can be contacted at marine.survey@gov.im for any enquires regarding making an application to reduce or terminate transmissions under these circumstances.

In addition to this an entry is to be made in the Official Log Book indicating the time and date the unit was switched off and a corresponding entry made as to when the unit is re-started and transmissions recommenced.

If permission is received under a) or b) above for a terminal to be shut down the Master should immediately inform the local Port State Authorities of the vessels intent to cease transmitting LRIT information and confirm receipt of permission from the Ship Registry.

Whilst it is the vessels responsibility to ensure that the shipboard system is operational and transmitting at all times these instructions provide for times when the system may need to be shut down, it is imperative that these instructions are followed as a failure to comply with any of these instructions could lead to the vessel being detained or denied entry by the local Port State Authorities.

In order to assist operators it is intended that the Ship Registry will instigate an automatic advisory system for a vessel failing to transmit a response for more than 24 hours; this message will be sent to the vessel's designated CSO if a vessel has not reported for 24 hours.

It is imperative that vessel's CSO immediately request the vessel to 'reboot' or switch on their terminals immediately after this notification is received unless permission has been granted under a) or b) above.

Advice when external failures to the LRIT System occur.

If there is a failure of the Ship Registry's LRIT system as defined under 11.1.1, that is likely exceed 6 hours, the Ship Registry will endeavour to inform all company CSO's as soon as practicable of that failure in order that this information can be passed to all vessels as required in MSC.1/Circ 1298 11.2.

The vessel can then advise the local Port State of this situation and there should be no action taken against the vessel as long as a valid conformance test certificate is available onboard.

If the Ship Registry is declining to pass transmitted data to the local Port State due to financial disputes between the Port State and the Ship Registry then the vessel will be unaware of this fact and should in the first instance contact the Ship Registry direct for advice, however, as identified in 11.1.3 no sanctions should be taken against the vessel.

Isle of Man Ship Registry
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Please note - The Isle of Man Ship Registry cannot give Legal Advice. Where this document provides guidance on the law it should not be regarded as definitive. The way the law applies to any particular case can vary according to circumstances - for example, from vessel to vessel. You should consider seeking independent legal advice if you are unsure of your own legal position.