



MARITIME SAFETY COMMITTEE  
86th session  
Agenda item 5

MSC 86/5/7  
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## GOAL-BASED NEW SHIP CONSTRUCTION STANDARDS

### Information to be included in a Ship Construction File

#### Submitted by Australia

#### SUMMARY

<i>Executive summary:</i>	A minimum content of the Ship Construction File is proposed in order to meet the needs of users of that file without imposing an unnecessary requirement to disclose intellectual property relating to the design or approval of the ship's construction
<i>Strategic direction:</i>	10
<i>High-level action:</i>	10.1.1
<i>Planned output:</i>	10.1.1.2
<i>Action to be taken:</i>	Paragraph 13
<i>Related document:</i>	MSC 86/5/1

#### Introduction

1 This document is submitted in an attempt to find a way forward in relation to this important issue, taking account of the views expressed in the relevant submissions to MSC 85 and in discussions on related issues within the working group at MSC 85. Australia notes that, in document MSC 86/5/1, the Chairman of that working group reports the group's intention for this matter to be considered at this session.

#### Function of Ship Construction File

2 In Australia's view, the Ship Construction File (SCF) will be an essential part of the implementation of goal-based standards (GBS) for new ship construction through SOLAS, since the application provisions of SOLAS relate to ships rather than the classification societies involved in detailed standard-setting and standards implementation in relation to those ships. Since the goal-based standards are "rules for making rules", the SCF will provide an essential link between rules that have been verified as GBS-compliant and the construction of individual ships.

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3 Consideration of this matter has to date, as indicated in annex 4 to document MSC 86/5, been centred around sufficient explicit information being provided within the SCF to provide transparent assurance that the ship has been constructed in accordance with each of the functional requirements of Tier II of the GBS (annex 4 of document MSC 86/5).

## **Discussion**

4 Concerns have been expressed, as in document MSC 85/5/5 for example, that provision of such explicit information in the SCF will necessitate disclosure of intellectual property owned by shipbuilders and classification societies and that access to this information will be unrestricted.

5 In Australia's view, the necessity of this explicit information within the SCF needs to be examined with respect to the requirements of prospective users of the information.

6 For example, it would seem unlikely that the information would need to be examined by the flag Administration, since the approval of recognized organizations and associated arrangements established by the Administration under resolution A.739(18) as amended should ensure that all recognized classification rules for oil tankers and bulk carriers comply with Tier II of the GBS.

7 Further, a port State control officer should be interested only in whether the SCF indicates that the oil tanker or bulk carrier has been constructed in accordance with classification society rules that have been verified as GBS Tier II compliant.

8 It should not be necessary for the SCF to contain detailed information that can be examined in the event of a major casualty, provided that such information is available from the classification society for examination in those circumstances.

9 Except in the case where the IMO verification has not covered all Tier II items, verification of classification society rules as being GBS-compliant should be accepted by reference rather than require details of the rules' compliance with all Tier II items to be repeated in the SCF of each ship built to those rules. If it is the decision of the Committee to permit verification of classification society rules where gaps exist in the coverage of Tier II items by those rules, then the square bracketed text will need to be inserted in the proposal below.

10 In finalizing this matter, account should be taken not only of the intellectual property issues associated with the SCF, but also of the cost to industry of generating detailed information that will not normally be accessed or examined on ships in service.

## **Proposal**

11 In order to provide the function of the SCF as outlined above and meet the needs of users without imposing unnecessary burdens on industry, the following should be appended to the text of the draft SCF guidelines (annex to annex 4 of document MSC 86/5) as a new paragraph 4 titled "Minimum content of SCF" as follows:

*“[This paragraph does not apply where the relevant classification society rules have not been verified as covering all Tier II items.]*

*The provisions of 3 should be deemed to have been met by a file that includes:*

- .1 a signed written statement by the classification society that certified the ship's construction certifying that the ship was built according to nominated classification society rules, including date and reference of verification of those rules by IMO; and*
- .2 scantling drawings of all the vessel's major hull structure, including grades of steel minimum thicknesses for renewal of structural elements; and*
- .3 a signed written undertaking by the classification society that certified the ship's construction, irrespective of whether the ship remains classed by that society, to provide to any flag, port or coastal State where the verification comes into question in relation to a major casualty to the ship, access to the files detailing the compliance of the ship with the verified rules.”*

12 Where a ship changes classification society and is subsequently subject to alterations or modifications of its construction from that covered by the existing SCF, the classification society that approves those alterations or modifications should issue to the ship, in accordance with the provisions of the preceding paragraph, a declaration of compliance limited in scope to those alterations or modifications.

#### **Action requested of the Committee**

13 The Committee is invited to consider the views presented and take action as appropriate.

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