



The International Regulations Commission met at 09:30 – 13:00 hours on Saturday 9 November 2013 at the El Bandar Hotel, Muscat, Sultanate of Oman

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**Present:**

Stuart CARRUTHERS (GBR) - Chairman  
Paddy BOYD (CAN)

Patrick LINDQVIST (FIN)  
Michael STOLDT (GER)

**Apologies:**

Adrienne CAHALAN (AUS)

Abraham ROSEMBERG (BRA)

**Others Present:**

Simon FORBES (Technical and Offshore Manager)  
Henry THORPE (Technical Co-ordinator)  
Norbert MARIN (Technical Co-ordinator)

Jason SMITHWICK (Head of Technical and Offshore)  
Gluco BRIANTE (ITA)

**1. Opening of the Meeting**

The Chairman opened the meeting by welcoming committee members.

**2. Minutes of the Previous Meetings**

(a) Minutes

The minutes of the International Regulations Commission meeting of 2 November 2012 were noted and signed as a true record.

**3. Terms of Reference**

- (a) Submission 008-13 was noted from the Chairman of the Constitution Committee, proposing to change Regulations 8.1-8.5 regarding Commissions.
- (b) Submission 009-13 was noted from the Chairman of the Constitution Committee, proposing to change the role of the commission from “being responsible to the Executive Committee” to “reporting to the Oceanic and Offshore Committee”.

The Commission noted that the role of the International Regulations Commission as specified in the current terms of reference is not changed by the proposal and is essentially to:

- Provide advice on matters related to the regulation of the sport of sailing and specifically to take appropriate action in regard thereto;
- Represent the interests of ISAF and all users of all types of craft;
- Report annually on whether the exercise of free sailing has changed and action to be taken to improve the situation.

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Example of the Commission's work at IMO cover the environment, invasive aquatic species, antifouling regulation, non-SOLAS security and adverse changes to the collision regulations, navigation, communications, etc. The work of the Commission in these areas has had a significant effect in reducing the regulatory burden on sailing throughout the world and is not limited solely to boats of relevance to the Oceanic and Offshore Committee.

In discussing the proposal, the Commission found it difficult to assess the consequences of the proposed change without more detailed explanation of the reason for it, but it felt strongly that by reporting to the Oceanic and Offshore Committee its status is effectively reduced to the role of a Sub-committee of one part of the ISAF organisation and it would thus fail in discharging its responsibilities under its terms of reference. If the Commission's role is not to advise and report directly to the Executive Committee, it is not clear how it would discharge its wider responsibility for reporting changes to the exercise of free sailing and the corrective action it has taken to all users of all types of craft.

Finally, the Commission needs appropriate authority both at IMO and in other international organisations, for example at the International Standards Organisation, to take appropriate action. This might involve the expenditure of financial resources; it is not clear whether the Oceanic and Offshore Committee has the authority to approve this.

For these reasons, the Commission felt that paragraph 8.7.2 of the amended terms of reference should be further amended to state:

- The Commission shall report to the Executive Committee.
- Reporting to the Oceanic and Offshore Committee only covers one part of the Commission's role.

### 4. International Maritime Organization (IMO)

(a) IMO Meeting Reports:

i) COMSAR 17 – 21-25 January 2013 (Sub-Committee on Radio Communications and Search and Rescue).

In relation to man-overboard portable AIS devices, the Chairman highlighted that IMO has no intention to look at AIS specifications as a distress alerting device, AIS is considered a location device. Portable man-overboard AIS devices broadcast a symbol, which may not be capable of being displayed on a commercial ship's receiver.

Paddy Boyd highlighted that the development of equipment used in ocean racing is ahead of SOLAS convention standards applicable to ships, and that the Offshore Special Regulations regarding carriage of EPIRB and PLB must be compatible with SOLAS Ships.

ii) BLG 17 – 4-8 February 2013 (Sub-Committee on Bulk Liquid and Gases)

The Chairman reported that the main ISAF concern in these meetings had in the past been the document 'Guidance for minimizing the transfer of invasive aquatic species as biofouling (hull fouling) for recreational craft'. As this document had now been formally adopted as an IMO circular, there were no other matters of particular interest to ISAF at these meetings.

Michael Stoldt asked the Chairman to explain the role of the document: "Guidance for minimizing the transfer of invasive aquatic species as biofouling (hull fouling)

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for recreational craft” in relation to the main document ‘Control and Management of Ships Biofouling’, which refers to “all ships”. He felt that the parts in the Convention not applicable to recreational craft were not understood by some administrations.

The Chairman explained that the IMO intention is that the Convention regulates SOLAS Ships. The ISAF position is that Recreational Craft should be excluded from the Convention regulations. IMO agreed to this and consider the agreed Guidance document are ‘Recommendatory Guidelines’ which means it is not for regulation, but useful for IMO Member states as the basis of providing advice to the recreational sector.

Michael Stoldt felt it would be useful to highlight the part in the Convention which amends the “all ships” applicability and shows how recreational craft are excluded.

### iii) MEPC 65 – 13-17 May 2013 Marine Environment Protection Committee)

Michael Stoldt noted that the International Convention for the Prevention of Pollution, MARPOL Annex VI, does not affect sailing boats.

On the subject of Ship Emissions and Pollution, Michael Stoldt noted the Baltic Marine Environment Protection Commission (HELCOM) and highlighted a paper dated 4 November 2013 from Finland, regarding Emissions from Baltic Sea Shipping in 2012. The paper estimates emissions for 2012 based on AIS position reports. The report highlighted that non-IMO registered ships constitute 51% of the number of AIS transceivers in the Baltic and that will increase the fraction of pleasure craft traffic included in the emission calculations. Michael questioned the method of calculation of engine emissions from yachts.

Regrettably the Commission had no other data, but the Chairman noted that the European Boating Association is working with HELCOM on an assessment of the impact of pleasure craft in the Baltic area.

### iv) MSC 92 – 12-21 May 2013 (Maritime Safety Committee)

The Chairman highlighted a discussion on the Iridium system as a potential second GMDSS provider. The United States informed the Committee that it intended to provide the necessary information to verify that the ‘Iridium’ mobile-satellite system meets the criteria of resolution A.1001(25), and to progress the recognition of that system for use in the GMDSS.

ISAF should follow this development at the newly formed Navigation, Communications and Search and Rescue (NCSR) Sub-Committee under its agenda item on "Developments in maritime radio communication systems and technologies". NCSR meets 30 June to 4 July 2014.

### v) NAV 59 – 2-6 September 2013 (Sub-Committee on Safety of Navigation).

- Routing of Ships, the Chairman highlighted a new recommendatory two-way route in the Great Barrier Reef and Torres Strait areas (Australia).
- China proposed that the BeiDou Navigation Satellite System (BDS) be recognised as a future component of the World-Wide Radionavigation System (WWRNS). ISAF should note the work carried out by China and take note of the proposals to define acceptable performance standards consistent with other global navigation satellite systems (GNSS) currently recognised as part of WWRNS.

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- NAV 59 received a report of an Inter-sessional Correspondence Group which presented several new symbols for AIS Aids to Navigation. The Chairman noted that the UK representation to International Association of Marine Aids to Navigation and Lighthouse Authorities (IALA) was that Virtual Navigation Marks should not be used to mark physical hazards. In the UK, where there is a physical hazard, a physical navigation mark will be used, including marking wrecks. Virtual Navigation Marks would be used for instance, to mark Traffic Separation Schemes.
- SOLAS regulations V/27 (Nautical charts and nautical publications) states: "Nautical charts and nautical publications, such as sailing directions, lists of lights, notices to mariners, tide tables and all other nautical publications necessary for the intended voyage, shall be adequate and up to date." An explanatory footnote aims to clarify what is meant by the regulation when Electronic Chart Display and Information System (ECDIS) is used to meet the carriage requirements for nautical charts, especially the terms "adequate" and "up to date". The conclusion is that IMO have accepted that the back-up to an ECDIS system, can be a second independent ECDIS system.
- The Chairman noted that there was economic pressure on the production of paper charts. In the UK the Hydrographic Office is pulling out of production of paper charts aimed at the recreational market. In USA, National Oceanic and Atmospheric Administration (NOAA) have stated that as of 13 April 2014, the US government will stop printing traditional paper marine charts, NOAA will continue to allow commercial vendors to make and sell NOAA-sourced paper charts.

### vi) Revision of MSC.1/Circ 1185 Guide for Cold Water Survival

The Commission noted the revised guide. It was recommended that the Offshore Special Regulation 'Appendix E-Hypothermia' be reviewed and that the guide also be circulated to the Medical Commission for information.

The Chairman noted the merger of NAV (Sub-Committee on Safety of Navigation) and COMSAR (Sub-Committee on Radio Communications and Search and Rescue) into a new Sub-Committee called Navigation, Communications and Search and Rescue Sub-Committee. (NCSR)

Paddy Boyd proposed a vote of thanks to the ISAF at IMO Team (Stuart Carruthers, Alan Green and David Brunskill) for their representation of ISAF at the IMO meetings.

### (b) Piracy

The Chairman advised that he had recently attended a meeting at the EU Naval Force HQ at Northwood, UK, to receive an update on the situation, and the latest published guidance by ISAF regarding Piracy off Somalia is available here: [www.sailing.org/piracy](http://www.sailing.org/piracy).

The combined threat assessment of International Naval Counter Piracy Forces is, and remains, that: "All sailing yachts under their own passage should remain out of the High Risk Area (HRA) or face the risk of being hijacked and held hostage for ransom." The High Risk Area (HRA) extends South from the Suez Canal and the Strait of Hormuz to the lines of Latitude (78°E) and Longitude (10°S). Attacks have taken place at the extremities of the High Risk Area. This trend is likely to continue.

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As an aside, Paddy Boyd noted that the last UK Admiralty Chart printed in fathoms for the relevant area in the 1970s, showed a pirate symbol off Somali.

### 5. International Standards Organization – ISO

(a) ISO 12217 – Stability and Buoyancy

An updated stability standard had been published. Liferafts would now be included in the stability test for craft in EU Recreational Craft Directive (RCD) Categories A and B and for craft over 7 metres length in Categories C and D.

In the RCD there is a requirement to provide stowage or tie-down points for a liferaft. Although liferafts were never intended to be essential safety equipment for Categories C and D, the Recreational Craft Sectorial Group (which assists in the uniform application and interpretation of the RCD by all Notified Bodies) advises Notified Bodies will be conducting tests with the liferaft capable of carrying the crew in situ.

(b) ISO 12215 – Scantlings

Part 7 – Multihull Scantlings progresses slowly.

(c) ISO 19009 - Small craft - Electric navigation lights - Performance

A standard ISO 19009 has been developed to deal with LED Navigation lights.

(d) TC 188/SC1 – Personal Safety Equipment

It was noted that Technical Committee 188 – Small Craft, is chaired by Thomas Marhevko (USA) and that it will meet in Baltimore in May 2014.

(e) ISO 12402 - Personal Flotation Devices

All parts of this standard are currently under review and the Chairman advised that at a UK level he would be putting forward proposals to prevent the user falling out of a lifejacket. The next meeting of TC 188 SC1 responsible for personal protective equipment is in Paris in 2014.

(f) ISO 9650 – Inflatable Liferafts

ISO 9650-Part 3 covering Liferaft Materials is under review. Manufacturers consider that better materials may permit extending servicing intervals. Parts 1 and 2 will be reviewed towards the end of 2014. This would provide an opportunity to make representations should the Offshore Special Regulations Sub-committee wish to pursue the incorporation in to the revised standard of the items specified in the OSR 4.20.2 d).

### 6. Regulatory Information From Regional and other Organisations

(a) EU Recreational Craft Directive

The Chairman reported that the proposed re-draft of the EU Recreational Craft Directive has been approved by the EU Parliament and is now waiting a positive vote by the Council of Ministers. One of the changes is the addition of an essential safety requirement that someone in the water alone could recover themselves back on board. The relevant ISO Standard 15085 Man Overboard Prevention and Recovery is under review by TC/188 WG3. The Chairman noted that ISAF has Cat A liaison status and is it worth looking at submitting comments.

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The RCD invokes compliance with 63 ISO standards; of these, 33 are due for systematic review in 2014. The Chairman recommended that the review of standards be monitored.

### (b) European Boating Association

The EBA made representations regarding the Recreational Craft Directive in relation to Post Construction Assessment. The EBA does not believe that two Notified Bodies (NB) are required to be involved in the case of a private owner importing a boat. (Where one NB does the compliance testing and a different NB provides any missing technical calculations). In future, Notified Bodies will retain the conformity documentation.

The Chairman noted that the European Boating Association had succeeded in getting a recital removed that proposed licences for yacht skippers, and a total ban on the use of agricultural diesel.

Forthcoming issues are Recreational Tourism and Trailer Roadworthiness Regulations.

### (c) Australia

Adrienne Cahalan circulated an Australian Government – Australian Maritime Safety Authority Guidance Notice regarding Yachting Australia Vessels and certificates of operation.

The Commission considered the document a good template for application by other countries.

### (d) Canada

- Paddy Boyd reported that USA and Canada are trying to bring their current Lifejacket regulations in line with ISO Standards with adjustments for average person size and units of measurement.
- Canada are proposing to reduce by 50% the requirement for the carriage of pyrotechnic distress flares. This is prompted by disposal of time-expired flares and their impact on the environment.
- North America is not as regulated in relation to Noise Emissions, and jet skis are coming under scrutiny.
- Paddy Boyd noted that the International Certificate of Competence (ICC) is becoming a standard for charter companies in particular to address their insurance cover. Sail Canada is working with the Canadian Government on the delivery of the ICC scheme. The Chairman noted that the European Boating Association have written to the United Nations Economic Commission for Europe Inland Water Committee, highlighting that Canada and USA are bringing into disrepute the International Certificate for Operators of Pleasure Craft, as they have companies that are issuing certificates, but the US and Canadian Governments have not yet adopted Resolution 40 [of the United Nations Economic Commission for Europe (UNECE) Inland Water Transport]. The Chairman offered his assistance in progressing the matter.
- Paddy Boyd noted that US Sailing have recently approved a major edit of their Offshore Special Regulations. This may create issues with cross-border races to and from Canada.

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(e) Italy

- As an observer, Glauco Briante, noted that there was a revision of the law in Italy regarding leisure boats. The Italian Sailing Federation are involved in the commission considering the matter and therefore hope to avoid any strange rules.
- Taxation on visiting recreational craft has been cancelled.

### 7. Any Other Business

(a) IMO DOCs Website

Commission members should contact the Chairman for passwords to the IMO Docs website.

There being no further business the meeting closed.

### 8. Appendix 1 – Programme of IMO Meetings for 2014

Name of the Meeting	Session number	Date
Marine Environment Protection Committee (MEPC)	66	March 31 – 4 April
Maritime Safety Committee (MSC)	93	12 – 23 May
Sub-committee on Navigation, Communication and Search and Rescue (NCSR) ex (COMSAR & NAV)	1	30 June – 4 July
Marine Environment Protection Committee (MEPC)	67	13-17 October
Maritime Safety Committee (MSC)	94	17-21 November

\*Source: [www.imo.org](http://www.imo.org)