



# Association of Transportation Law Professionals

Highlights Blog: Maritime Update, December 2, 2022

## IMO Maritime Safety Committee Adopts Draft Amendments to Solas and New International Code of Safety

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The International Maritime Organization (“IMO”) Maritime Safety Committee (“MSC”) convened November 2 – 11, 2022, to consider important amendments to the Convention for the Safety of Life at Sea (“SOLAS”) concerning safety measures for industrial personnel and compliance with the minimum threshold flashpoint for fuel oil carried by ships. In addition, the MSC adopted the new mandatory International Code of Safety for Ships Carrying Industrial Personnel (“IP Code”).<sup>[1]</sup>

### **Draft Amendments to SOLAS Regulation of Fuel Oil Flashpoint— A Deterrent for Noncompliance**

The MSC adopted draft amendments to the requirements of SOLAS Chapter II-2 that are expected to enter into force on January 2026.<sup>[2]</sup> SOLAS requires that the flashpoint of fuel oil carried on ships is 60 degrees Centigrade which is the equivalent of 140 degrees Fahrenheit. The underlying purpose of the draft amendments to SOLAS is to prevent the sale of fuel oil that does not comply with the current flashpoint requirement, causing a safety risk to a ship, its passengers and crew. The amendments contain new definitions in Chapter II-2/4 concerning the Probability of ignition. The amendments will require that ships carrying fuel oil must obtain a signed declaration from the seller or fuel supplier that (1) the fuel oil complies with the SOLAS flashpoint; and (2) data confirming how the flashpoint was determined for the fuel oil being sold.

### **MSC Adopts SOLAS Chapter XV—Industrial Personnel**

In January, the IMO Sub-Committee for Ship Design and Construction (“SDC”) completed a draft of a new SOLAS Chapter XV. The new Chapter XV is applicable to cargo ships and vessels of 500 gross tonnage carrying industrial personnel. In November, the MSC adopted the new SOLAS Chapter XV for the purpose of protecting industrial personnel on board for constructing, maintenance, or operation of offshore facilities, mining, energy work including wind farms, oil or gas, and even aquaculture. The new Chapter XV is expected to become effective in January 2024.

### **MSC Adopts the IP Code**

The MSC adopted the International Code of Safety for Ships Carrying Industrial Personnel (“IP Code”) in November as well. This mandatory IP Code identifies minimum

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requirements to protect industrial workers transported or working aboard vessels at sea dovetail with the new Chapter XV of SOLAS. Both the IP Code and Chapter XV of SOLAS are expected to be in effect on January 2024. The purpose of the IP Code is to establish minimum safety standards for transporting, embarking and disembarkation of industrial workers in dangerous professions. The IP Code also applies to machinery and electrical installations, fire and life-saving safety and the stability of vessels. [3]

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[1] <https://www.imo.org/en/MediaCentre/PressBriefings/pages/MSC106.aspx>

[2] <https://www.imo.org/en/MediaCentre/MeetingSummaries/Pages/MSC-106.aspx>

[3] *Id.*