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| From: VTS Committee | PAP44-6.1.4.1 |
| To: PAP | 7 October 2021 |

LIAISON NOTE

REVISION OF IALA STANDARDS

# INTRODUCTION

The VTS Committee has been requested to revise the IALA Standards especially relevant for VTS and provide comments and suggestions for possible amendments. The review started at VTS50 followed by intersessional work and was finalized at VTS51. Issues identified and addressed are provided to PAP for further considerations.

# BACKGROUND

IALA Standards were adopted at the 13th General Assembly on 29th May 2018 in Incheon, Republic of Korea (refer to IALA Assembly Resolution A13-03). Any change or update to IALA Standards needs to be approved by IALA General Assembly. The next meeting of General Assembly is planned to be held in conjunction with IALA Conference in 2023.

Before the adoption, the Council had approved the hierarchy for technical documents at their session in December 2014. The approved hierarchy is Standard / Recommendation / Guideline / Manual / Model Course.

The relationship and content of these documents has also been considered and finally approved within Council and the result of the descriptions are:

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| *Standard* | IALA Standards form a framework, implementation of which by all coastal states will harmonize marine aids to navigation worldwide. IALA standards cover technology and services and are non‐mandatory. |
| *Recommendation* | IALA Recommendations specify what practices shall be carried out in order to comply with a Recommendation, and may be referenced, in full or in part, in an IALA Standard. |
| *Guideline* | IALA Guidelines describe how to implement practices normally specified in a Recommendation. |
| *Manual* | IALA Manuals provide an overall view of a wide subject area. The IALA Dictionary is considered a Manual. |
| *Model Course* | IALA Model Courses are training documents which define the level of training and knowledge needed to reach levels of competence defined by IALA. |

Only the three first documents are presently being included in the Standards, but their individual description is important in order to clarify and understand the relationship between them and how compliance to the Standard can be made. The VTS Committee is of the opinion that the model courses should be included in the structure of the standards.

IALA web page states that “*unlike the standards issued by some other organizations, an IALA Standard will not carry technical content. It is simply a vehicle for referencing Recommendations. Recommendations may be referenced as Normative or Informative, where the meaning is:*

***Normative*** *provisions are those with which it is necessary to conform in order to claim compliance to the Standard.*

***Informative*** *provisions are those which specify additional desirable practices but with which it is not necessary to conform in order to claim compliance to the Standard.*

*Organisations providing marine aids-to-navigation would “self certify” their compliance. Standards are not mandatory but recommended to members for adoption. They are suitable for citation in national legislation or regulations. IALA does not expect members to seek compliance evidence from accreditation organizations*.”

The text from the IALA web page above has caused some confusion within the VTS Committee and should be further considered for the Standards to be clear and concise for its members.

# DISCUSSION

The VTS Committee would like to offer the following comments and proposals for further considerations:

1. Normative and informative provisions

The VTS Committee has discussed and reviewed the IALA Standards. In these discussions it has been apparent that it still is not clear how to relate to a guideline under a normative recommendation. Also within section 4 of the standards (Scope), it states: “*IALA Standards may contain normative and informative provisions*”. The VTS Committee has interpreted this sentence that the provisions include both recommendations as well as associated guidelines. This is mentioned in the VTS Manual where it states that “*Recommendation xx is a normative provision of IALA Standard 1040 Vessel Traffic Services and shall be observed of compliance with this standard is claimed. To demonstrate compliance with the Recommendation the provisions of the associated guidelines need to be implemented*”.

Where a recommendation is an informative provision, the Manual states that “*it specifies additional practices but with which it is not necessary to conform in order to claim compliance to the standard*”.

These statements have also been included in recent revised VTS recommendations and guidelines. The VTS Committee is now considering to include the following statement into the revised guidelines: “*To demonstrate compliance with the Recommendation the normative provisions of the associated guidelines need to be implemented”.*

The VTS Committee believes that the statement “*A Guideline is informative only*” derives from a time when the standards were developed and when the recommendations were more comprehensive. That is not the case today as the recommendations include information at a relatively high level leaving all the provision details to the guidelines.

In order to fully assess compliance, the VTS Committee would like to raise the question if normative/informative status should not also be reflected in the individual guidelines. As a lot of the previous text from the recommendations now has moved to the guidelines can the guidelines continue to be regarded as only being informative or should this statement be revised?

However, the VTS Committee has recognized that the statement that a guideline is informative only applies to “stand alone” guidelines, not associated with a recommendation.

The VTS Committee believes that the different interpretations and practices on normative and informative provisions should be considered further in order to be clear for all IALA Members and any new definition or explanation should be inserted in section 1 *Introduction* instead of section 4 *Scope*.

*Proposed action 1: IALA should consider clarifying the differences between normative and informative recommendations and what it actually means for the associated guidelines.*

*Proposed action 2: IALA should consider moving the explanations on normative and informative provisions from section 4 Scope to section 1 introduction.*

1. The use of “shall” and “should”

In several VTS tasks, there has been wide discussions on the use and interpretation of the words “*shall*” and “*should*” in Standards, Recommendations, Guidelines, Manuals and Model Courses. It is obvious that those words have different meanings depending on what language it is translated to or from. In order to further clarify the meaning of “*normative provisions that shall be observed if compliance with the standard is claimed”* and “*informative provisions that should be observed if compliance with the standard is claimed”*, the VTS Committee proposes that this should be explained in the *IALA Style Guide.*

*Proposed action:* The IALA Style Guide should clarify the use of “shall” and “should” in standards, recommendations, guidelines, manuals and model courses.

1. Introduction of an overarching Standard and titles of the Standard Scopes

Concerning the present structure of the standards, the VTS Committee has discovered, especially during the revision of the VTS Manual, that there may be difficulties in the procedure to comply with one standard only and what is being mentioned under that standard. Furthermore, there may be other relevant standards that should be included too, for example for a VTS provider. This is the case especially concerning e.g. overarching general recommendations and guidelines such as risk management as well as quality management that should be taken into account by authorities within both AtoN, VTS and others. The present standards are now structured both on a vertical as well as horizontal level which may cause confusion when considering what standard to comply to and may need further consideration in order to be clear and concise. By introducing a new standard or revising existing standard S1010 *Marine Aids to Navigation Planning And Service Requirements* (the title works fine to be used as a common standard), overarching recommendations could be found in one standard and be considered by all marine AtoN authorities.

The titles of the scopes should clearly state the names and content of the scopes, especially considering if it concerns all marine AtoN authorities including VTS or if it only concerns AtoN authorities and floating or virtual AtoNs etc. Standard S1020 *AtoN Design and Delivery* changed name in 2018 to *Marine AtoN Design and Delivery,* but we have found that there is only one scope out of seven that concerns marine AtoN authorities and that is *Environment, sustainability & legacy*. The other six are most likely only for AtoN authorities.

*Proposed action 1: IALA should consider introducing a new standard or revise existing S1010 to include all overarching general scopes for marine AtoN authorities.*

*Proposed action 2: IALA should review the standards and the content and titles of the scopes so that it is clear what is meant and easy to follow.*

1. Complying with one Standard or part of it

The VTS Committee has not been able to find out whether it is possible to partially follow a standard. This could happen when an organization is unable to follow a standard by 100 % but may have national or regional requirements that also need to be followed. We have discussed whether there should be a system for acknowledging that an organization follows one particularly recommendation within a standard but cannot follow another. Such a system exists within IMO when a Contracting Government finds it impracticable to comply with a standard of a Convention. If the Contracting Government adopts differing requirements, formalities and/or procedures that the standard specifies, that Government shall inform and notify IMO of those differences. The VTS Committee does not propose such a comprehensive system to be used within IALA, but instead we would encourage IALA Members to establish a national system for marine AtoN authorities to state their compliance to IALA standards. Such a statement could include whether a marine AtoN authority complies with a specific IALA standard in full or partially, e.g. which normative recommendations that are followed as well as those that can’t be followed and the reason thereto.

*Proposed action:* *IALA should consider developing procedures for marine AtoN authorities to identify how organizations may comply with one IALA Standard, in full or in part, as well as several standards, and if some parts or scopes of a standard are impracticable to follow, how this information can be promulgated.*

1. Information on the Standards on the web

The VTS Committee believes that the IALA standards may need to be explained more in detail so there is no doubt of what it means to follow an IALA standard. Considering that the web page states that *“IALA does not expect members to seek compliance evidence from accreditation organizations”,* the VTS Committee has difficulties in understanding why any organization should announce that they comply with one or more IALA standards if there would be no evidence to show for the competent authority. Within the VTS sphere, we are encouraging VTS providers to be audited and/or accredited in accordance with IALA guidance. Also, in *R1013* *Auditing and Assessing Vessel Traffic Services,* IALA “*recommends that* *National members and Competent Authorities for Vessel Traffic Services implement a formal system for auditing and assessing VTS as a means to ensure the harmonised delivery of VTS worldwide*”. The VTS Committee deems that complying with an IALA standard should be audited or assessed preferably in a manner similar to QMS and that evidence from such an auditing or assessing organization is important.

*Proposed action: IALA web page should be revised to be consistent with IALA recommendations.*

1. Authorization to IALA Council to approve changes within the Standards

The VTS Committee would also like to express its concern that IALA standards can only be approved by General Assembly, which meets only every four years concurrently with IALA Conferences.

As the standards contain references to recommendations and new recommendations are being developed regularly by the committees as well as old recommendations are being deleted, it is nearly impossible to follow a standard as it may only be updated immediately after an Assembly meeting. However, a standard should of course always be updated and refer to the latest documents.

IALA Council meets twice a year and regularly approves IALA documents developed by the committees. The VTS Committee suggests that consideration be given to propose to the General Assembly to authorize IALA Council to update the content of an existing standard when changes to the recommendations (or guidelines) has been made. By updating the Standards accordingly, it will be clear what to comply to.

The authorization should preferably concern changes within section 5 *Referenced Documents,* where the recommendations within each standard are stated and section 4 *Scope*, where the sub-titles of each topic under a standard are being listed. As there has been discussions on renaming and re-organising of the different scopes, the VTS Committee is of the opinion that IALA Council is the appropriate body for approving such changes or it could be detrimental to the work of the committees if such changes could not be established when needed.

*Proposed action: The IALA Council should be authorized by the Assembly to approve changes to section 4 “Scope“ and section 5 “Referenced Documents” in the IALA Standards.*

1. Status of Model Courses

IALA has introduced a new numbering system for model courses through the “IALA Style Guide”, which will now have the prefix “C”. Previously, VTS model courses carried a similar numbering and prefix as the associated recommendation “V-103”. Thus, whilst the logic of this may have been unclear, the status of these courses was never in doubt. With the change to the numbering system clarification on the status of model courses needs to be formalised. It is considered that a model course should have a similar status to a guideline and be associated to a recommendation in the same way. It is, therefore, proposed that the table showing the relationship and content of IALA documents should be amended to read:

*Guideline / Model Course* IALA Guidelines and Model Courses describe how to implement practices and may be referenced, in full or in part, in an IALA Recommendation.

*Proposed action: The IALA should consider formalising the status of model courses as proposed above.*

# ACTION REQUESTED

PAP is requested to consider the above and the enclosed files and take action as appropriate.

# Enclosure

Revised and commented version of Standard S1040.