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Agenda item 20

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## ANY OTHER BUSINESS

### IMO Member State Audit Scheme

#### Submitted by the International Association of Marine Aids to Navigation and Lighthouse Authorities (IALA)

#### SUMMARY

*Executive summary:* This document proposes ~~updated~~**additional** guidance in the context of resolution A.1067(28) on *Framework and Procedures for the IMO Member State Audit Scheme*, within the area of competence of the International Association of Marine Aids to Navigation and Lighthouse Authorities (IALA)

*Strategic direction, if applicable:* 1 and 6

*Output:* Not applicable

*Action to be taken:* Paragraph 9

*Related documents:* SOLAS regulations V/12 and V/13, resolution A.1067 (28), resolution A.1070 (28), MSC 81/24/1, Circular Letter No.3425 and Circular Letter No. 4137.

#### Introduction

1 At its twenty-eighth session, the Assembly adopted resolution A.1067(28) on *Framework and Procedures for the IMO Member State Audit Scheme* and resolution A.1070\_(28) on *IMO Instruments Implementation Code (III Code)*.

2 At MSC 80, IALA was invited to provide additional guidance for the audit scheme in the respective areas of its competence. Consequently, IALA submitted draft guidance to MSC\_81 (MSC 81/24/1) which was subsequently incorporated in Circular Letter No. 3425 on *Auditor's Manual for the IMO Member State Audit Scheme (IMSAS)*.

3 To assist Member States and IMO audit teams in the assessment of the implementation of the obligations related to vessel traffic services (VTS) and marine aids to navigation (AtoN) in compliance with SOLAS regulations V/12 and V/13 respectively, IALA has prepared ~~updated~~**additional** guidance as provided in the annex to this document. The attached guidance are proposed to replace part 1 of the existing guidance included in the Auditor's

Manual (Circular Letter No.3425 and corr), which is intended to facilitate completion of the pre-audit questionnaire by Member States, or to be considered for inclusion into the Member States Manual, which is currently under development (document III 6/INF.9).

### **Discussion**

4 Since the publication of the Auditor's Manual, IALA has developed a series of seven standards with a view to facilitating the harmonized provision of VTS and AtoN world-wide.

5 These standards are supplemented by a series of recommendations, guidelines and model courses which provide in depth information on how authorities may plan, operate and manage VTS and AtoN in a manner consistent with SOLAS regulations V/12 and V/13.

6 The implementation of the IALA standards significantly contributes to the fulfilment of the VTS and AtoN obligations placed on Contracting Governments under SOLAS regulations V/12 and V/13.

7 The additional guidance, as presented in the annex to this document, also takes account of the information related to VTS and AtoN contained within Circular Letter No. 4137 on *IMO Member State Audit Scheme – Consolidated Audit Summary Report (CASR)* which was published in September 2020.

8 Furthermore, the additional guidance also draws upon the experience of the IALA VTS and AtoN technical committees and the findings from a series of world-wide technical needs assessment missions and capacity building activities undertaken by the IALA World-Wide Academy.

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

9 The Committee is invited to consider the proposed additional guidance as set out in the annex and take action, as appropriate.

## ANNEX

### **IALA GUIDANCE FOR MEMBER STATES ~~AND AUDITORS~~ ON PRE-AUDIT QUESTIONNAIRE ~~IN RELATION TO~~ VESSEL TRAFFIC SERVICES AND AIDS TO NAVIGATION**

This section is intended to assist Member States in responding to the pre-audit questionnaire for Administrations responsible for vessel traffic services (VTS) and aids to navigation (AtoN) prior to being audited in the IMO Member State Audit Scheme (IMSAS).

**SOLAS Regulation V/12** provides for VTS and states, inter alia, that Contracting Governments:

- .1 undertake to arrange for the establishment of VTS where, in their opinion, the volume of traffic or the degree of risk justifies such services;
- .2 shall, wherever possible, follow the guidelines developed by the Organization (Resolution A.857(20) on *Guidelines for Vessel Traffic Services*); and
- .3 shall endeavour to secure the participation in, and compliance with, the provisions of VTS by ships entitled to fly their flag.

**IMO Resolution A.857(20)** describes the principles and general provisions for the operation of a VTS and participating vessels, the roles and responsibilities of Contracting Governments, competent authorities and VTS authorities and provides guidance on qualifications and training for VTS personnel.

**SOLAS Regulation V/13** provides for the establishment and operation of AtoN and states, inter alia, that each Contracting Government undertakes to:

- .1 provide, as it deems practical and necessary either individually or in cooperation with other Contracting Governments, such AtoN as the volume of traffic justifies and the degree of risk requires;
- .2 take into account the appropriate recommendations and guidelines of IALA and SN/Circ.297 on the IALA Maritime Buoyage System, when establishing such aids; and
- .3 arrange for information relating to AtoN to be made available to all concerned.

**IALA** publishes standards, recommendations, guidelines and model courses suitable for direct citation by States in the interest of an efficient and harmonised global network of VTS and AtoN. These documents are available for download in pdf format at [www.iala-aism.org](http://www.iala-aism.org).

In particular, the following IALA guidelines provide guidance on the IMSAS:

- .1 Guideline 1115 on *Preparing for an IMO Member State Audit Scheme (IMSAS) on Vessel Traffic Services* provides guidance for Contracting Governments to meet the objectives of an IMO IMSAS audit with respect to the implementation and delivery of VTS and to assist in demonstrating that they are fulfilling their responsibilities under the general provisions of treaty

law and IMO Conventions for promulgating laws and regulations.

- .2 Guideline 1054 on *Preparing for an IMO Audit on Aids to Navigation Service Delivery* provides guidance for Contracting Governments to meet the objectives of an IMO IMSAS audit with respect to the implementation and delivery of AtoN and to assist in demonstrating that they are fulfilling their responsibilities under the general provisions of treaty law and IMO Conventions for promulgating laws and regulations.

This pre-audit questionnaire has been developed in accordance with appendix 2 of the annex of Resolution 1067(28) on *Framework and Procedures for the IMO Member State Audit Scheme*.

### **Vessel Traffic Services (VTS)**

#### **GENERAL INFORMATION**

##### **3 Flag State:**

Please give full contact details of the Government body(ies) responsible for securing the participation in, and compliance with, the provisions of VTS by ships entitled to fly your flag.

##### **Coastal State:**

Please provide full contact details of:

- .1 the competent authority for VTS; and
- .2 each VTS authority.

4 Please provide a description, preferably as an organogram and/or a diagram, depicting the area of responsibility of each VTS body(ies) mentioned in paragraph 3 above.

#### **PART 2 – FLAG STATE**

##### **Implementation (paragraphs 15 to 16)**

15 Please describe how your State has implemented relevant legislation and national policies and procedures in order to:

- .1 ensure that ships flying your flag comply with the requirements of a VTS; and
- .2 receive and respond to reports on alleged violations of VTS requirements in accordance with international rules and standards by a ship flying your flag.

#### **PART 3 – COASTAL STATE**

##### **Implementation (paragraphs 45 to 48)**

25 Please describe how your Government/State has:

- .1 established a legal basis for VTS that gives effect to SOLAS V/12;
- .2 appointed and authorized a competent authority for VTS;

- .3 established a regulatory framework for establishing and operating a VTS in accordance with relevant international Conventions and IMO instruments, IALA standards and national law; and
- .4 determined how the volume of traffic or degree of risk justifies the establishment of a VTS.

Please describe whether your Government or competent authority for VTS:

- .5 is a member of IALA; and
- .6 is establishing VTS and has identified that capacity building support is required to assist in their planning, implementation and operation. If the answer is yes, please indicate in which areas this is required?

### **Enforcement (paragraph 50)**

26 Please describe the policies and procedures in place to monitor:

- .1 compliance with the audit standard;
- .2 the enactment of legislation, as appropriate, for the delivery of VTS under SOLAS V/12;
- .3 the administration and enforcement of the applicable laws and regulations; and
- .4 the mechanism and controls in place, by which the delegation of authority to a recognized organisation, for the purposes of implementing and delivering a VTS, is effected.

27 Please describe the policies and procedures in place for the competent authority for VTS to ensure that VTS authorities:

- .1 conform with the regulatory framework set by the competent authority for VTS;
- .2 set operational objectives for the VTS that are consistent with improving the safety and efficiency of vessel traffic and protection of the environment and that these are routinely evaluated to demonstrate they are being achieved;
- .3 provide appropriate equipment, systems and facilities for the delivery of a VTS; and
- .4 have adequate staff and that VTS personnel are appropriately trained and qualified.

### **Aids to Navigation (AtoN)**

#### **GENERAL INFORMATION**

##### **Coastal State:**

Please provide full contact details of:

- .1 the competent authority for AtoN; and
- .2 any subsidiary competent authorities/AtoN providers.

4 Please provide a description, preferably as an organogram and/or a diagram, depicting the area of responsibility of each AtoN body(ies) mentioned in paragraph 3 above.

## **PART 3 – COASTAL STATE**

### **Implementation (paragraphs 45 to 48)**

25 Please describe how your Government/State has:

- .1 established a regulatory framework for establishing and operating AtoNs in accordance with relevant international Conventions and IMO instruments, IALA standards and national law which gives effect to SOLAS V/13;
- .2 appointed and authorized a competent authority or authorities for AtoN. If not, please indicate how AtoNs are established and operated;
- .3 provided, as it deems practical and necessary, either individually or in co-operation with other Contracting Governments, such AtoN as the volume of traffic justifies and the degree of risk requires; and has implemented applicable processes used for determining your AtoN provision.

Please describe whether your Government or competent authority for AtoN:

- .4 is a member of IALA; and
- .5 is establishing AtoN services and has identified that capacity building support is required to assist in their planning, implementation and operation. If the answer is yes, please indicate in which areas this is required.

### **Enforcement (paragraph 50)**

26 Please describe the policies and procedures in place for the competent authority for AtoN to ensure that AtoN providers:

- .1 take into account the international recommendations and guidelines when establishing such aids including the IALA Maritime Buoyage System and other IALA standards and their associated normative recommendations and guidelines;
  - .2 arrange for information relating to AtoN to be made available to all concerned; and
  - .3 ensure that changes in the transmissions of position-fixing systems which could adversely affect the performance of receivers fitted in ships, is avoided as far as possible and only be effected after timely and adequate notice has been promulgated.
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