



Maritime Industry (ship-owners, -managers, -operators,  
shipyards, classification societies, seagoing crew, etc.)

**(Netherlands) Shipping  
Inspectorate**

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**Our reference**

NSI-Its-2

Date 24 September 2012  
Subject **Information to Shipping no.2**

## Preamble

The Netherlands Shipping Inspectorate (NSI) presents the second Information to Shipping (ItS). The ItS contains subjects with an informative nature and decisions and interpretations affecting the maritime industry. All information is a result of the outcome as discussed in the so called Tripartite meetings<sup>1</sup>, which are held three times per year, with representatives of the ship-owners, classification societies (in their role as Recognised (Security) Organisations – R(S)Os), policy department, representatives of ship yards and equipment suppliers and NSI. Every subject makes reference to the number of the action item of this meeting. Starting from this ItS, the decisions and interpretations are categorized by Convention, where possible divided by chapter. In some cases, the interpretation is based on strict national legislation and cannot be addressed to one of the Conventions and will be placed under the header 'national legislation'. All items will also be incorporated into [EasyRules](#), according to the same categorization.

NSI hopes and believes that this new format will improve the accessibility of decisions and interpretations and makes it more easy to find the related subjects.

## Information

↗ *NSI moving office, new name and new postal address*

NSI has moved her office since the 5<sup>th</sup> of December 2011 to the following visiting address:

**Weena 723**  
**Entrance C, 1<sup>st</sup> floor**  
**3013 AM Rotterdam**  
**The Netherlands**

Since the 1<sup>st</sup> of August 2012, also the postal address has changed:

**P.O. Box 16191**  
**2500 BD Den Haag (The Hague)**  
**The Netherlands**

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<sup>1</sup> The ItS no.2 contains results from the Tripartite meetings of 10 November 2011, 14 March 2012 and 20 June 2012. For earlier outcome reference is made to the ItS no.1.

This move was a result of a merger between the Inspectorate for Transport, Public Works and Water Management (IVW) and the Inspectorate for Housing, Spatial Planning and the Environment (VI). From 1 January 2012 these together formed the Human Environment and Transport Inspectorate (*Inspectie Leefomgeving en Transport*, ILT). This merger was a result of the amalgamation of the Ministry of Transport, Public Works and Water Management and the Ministry of Housing, Spatial Planning and the Environment. This has led to the creation of the new Ministry of Infrastructure and the Environment. ILT forms part of the Ministry of Infrastructure and the Environment.

**(Netherlands) Shipping Inspectorate**

**Date**  
24 September 2012

**Our reference**  
NSI-ITS-2

✈ *Report Environment Seagoing vessels 2010 published on the internet*

The compliance with the environmental requirements on board Netherlands flagged vessels was fairly good in the year 2010. The results of the flag State inspections are shown in the Environmental report Seagoing vessels 2010 as published on the website of the NSI. The inspections focused, amongst other subjects, on waste delivery, the use and emission of heavy fuel oil and ozone depleting substances. The report is available via:  
[www.ilent.nl/Images/Milieurapportage%20zeevaart%202010\\_tcm334-318276.pdf](http://www.ilent.nl/Images/Milieurapportage%20zeevaart%202010_tcm334-318276.pdf) (Dutch).

✈ *Publication of new (updated) ISPS interpretations*

The revised security interpretations are published on the website of the NSI and may be found here:  
[www.ilent.nl/english/merchant\\_shipping/ship\\_owners\\_dutch\\_flag/security/interpretations/](http://www.ilent.nl/english/merchant_shipping/ship_owners_dutch_flag/security/interpretations/)

✈ *Asbestos*

Under SOLAS regulation II-1/3-5, asbestos is prohibited. The NSI raised this subject in IMO and within the ParisMoU resulting in the development of circulars and guidelines.

For ships under Netherlands flag, new building, flag in and existing ships, the NSI drew up the instruction "*Ban on the use of Asbestos on board ships*". A flow diagram for easy reference has been drawn up by the KVNR .

Meanwhile developments within IMO ( MSC/DE) continue to raise awareness on this subject and to elaborate how to deal with ships still built with asbestos containing materials (acm) or ships sailing with acm built whilst SOLAS prohibited the use of asbestos.

Further reading on:

[www.ilent.nl/english/merchant\\_shipping/ship\\_owners\\_dutch\\_flag/developments/asbestos/](http://www.ilent.nl/english/merchant_shipping/ship_owners_dutch_flag/developments/asbestos/) and  
[www.ilent.nl/english/merchant\\_shipping/port\\_state\\_control/asbest/](http://www.ilent.nl/english/merchant_shipping/port_state_control/asbest/)

✈ *Maritime Labour Convention 2006*

Starting in 2006, the Netherlands Government has worked in close cooperation with social partners in shipping to implement the MLC, 2006. This has resulted in a complex set of new legislation. Changes have been made to a number of Acts: the Ships Manning Act (now named Seafarers Act), the Civil Code and the Act on Allocation of Workers by Intermediaries.

The MLC, 2006, was ratified by 30 Member States on August 20th, 2012, with a total share of 33% of the total gross tonnage of ships. This implies that the Convention will enter into force on August 20th, 2013.

Since 2009 the NSI, ROs and social partners have put together the Declaration of Maritime Labour Compliance, part I, the starting point for an inspection for the Maritime Labour Certificate. This Declaration will be finalized after publication of all relevant Dutch legislation; the last of which (the Regulation Seafarers) is expected to be published in the second half of September 2012. The finalization of the DMLC, part I, will be announced on the website:

[www.ilent.nl/english/merchant\\_shipping/ship\\_owners\\_dutch\\_flag/developments/maritime\\_labour\\_convention/](http://www.ilent.nl/english/merchant_shipping/ship_owners_dutch_flag/developments/maritime_labour_convention/)

The final DMLC, part I, and the Annex to the DMLC, part I, will also be available on this website. The Annex to the DMLC, part I, contains the text of all necessary articles under Dutch Law, implementing the 14 items of the DMLC, part I.

Shipowners may apply for a DMLC, part I, with ILT/Shipping from then on.

**(Netherlands) Shipping  
Inspectorate**

**Date**

24 September 2012

**Our reference**

NSI-ITS-2

*Involvement of ROs*

The issuance of the Maritime Labour Certificate will be mandated to the seven ROs already mandated by the Netherlands Administration. To enable these ROs to perform the inspections, an Instruction to RO (no. 22) has been discussed and approved.

✂ *Report Analysis Detentions Dutch vessels by Port State Control*

The number of detentions of Dutch vessels abroad in 2011 rose to 29. That is four more than in 2010. This brings a temporary end to a downward trend since 2007. This is evident from the analysis detentions of Dutch vessels abroad in 2011 of the NSI. Despite an increase in the number of detentions, the Netherlands moved up one place on the white list of Port State Control in the Paris MoU region to the fourth place. The report may be found here:

[www.ilent.nl/Images/Rapport%20Analyse%20Aanhoudingen%20NL-schepen%20in%20het%20buitenland%202011\\_tcm334-330595.pdf](http://www.ilent.nl/Images/Rapport%20Analyse%20Aanhoudingen%20NL-schepen%20in%20het%20buitenland%202011_tcm334-330595.pdf) (Dutch).

✂ *Qualship 21*

The Netherlands flag now belongs to a select list of flags of the US Coast Guard, the Qualship21 list. All ships sailing under the Dutch flag can now apply to be admitted to the list. Ships admitted to the program are inspected less frequently in US waters. In addition, the ship receives a Qualship 21 certificate and will be mentioned on the US Coast Guard website.

In the coming months the US Coast Guard will contact Dutch ship owners that comply with the set criteria to ask if they want to be registered on the Qualship list.

The Coast Guard implemented Qualship21 on January 1<sup>st</sup>, 2001. The system identifies high-quality ships sailing under a foreign flag that meet international and American norms, and provides incentives to encourage quality operations.

Further reading on:

[http://www.ilent.nl/english/merchant\\_shipping/ship\\_owners\\_dutch\\_flag/developments/qualship\\_21/](http://www.ilent.nl/english/merchant_shipping/ship_owners_dutch_flag/developments/qualship_21/)

✂ *Other subjects*

- Equivalent manning arrangement (Shore Support project):  
[www.ilent.nl/english/merchant\\_shipping/crew/developments/equivalent\\_manning\\_arrangement/](http://www.ilent.nl/english/merchant_shipping/crew/developments/equivalent_manning_arrangement/)
- Electronic Chart Display and Information System (ECDIS):  
[www.ilent.nl/english/merchant\\_shipping/ship\\_owners\\_dutch\\_flag/developments/e\\_cdis/](http://www.ilent.nl/english/merchant_shipping/ship_owners_dutch_flag/developments/e_cdis/)

## Decisions and interpretations

### SOLAS Convention

(Netherlands) Shipping  
Inspectorate

#### Chapter II-1

##### ✘ Damage stability unmanned towed barges (11-18)

Unmanned towed split hopper barges need only to comply with damage stability criteria of the DR-68 when a reduced freeboard based on DR-68 is assigned. When the hopper barge is only allowed to sail at the international load line draught, no damage stability criteria apply.

**Date**  
24 September 2012

**Our reference**  
NSI-ITS-2

##### ✘ Use of butterfly valves instead of screw-down valves

SOLAS Chapter II-1, regulation 12 is clear: valves shall be of the screw down type. For other types a formal exemption request shall be submitted. However, within the IMO amendments are proposed and under consideration to accept butterfly valves on specific ship types.

#### Chapter II-2

##### ✘ Emergency Escape Breathing Devices (10-45)

As a result of the Tripartite meeting it was decided that that the placement of Emergency Escape Breathing Devices (EEBDs) on ships of less than 500 Gross Tonnage is impractical and has no direct added value to the safety of the crew (due to the size of the vessel) and therefore (as it was in the past) not required. The proposed modification concerning these subjects, part of the Regulation safety of seagoing ships (Regeling veiligheid zeeschepen- Rvz) were posted in the law gazette and applicable from the 1st of January 2012. Article 37b, exemptions for ships as meant in article 3a, 1st paragraph, part a of the Rvz is changed as follows:  
- Regulation 13.3.4 and 13.4.3 concerning EEBD's are added.

##### ✘ Separation between Engine en Purifier Room (11-22)

The separation between the Engine Room and purifier/separator room, as per SOLAS II-2, regulation 4.2.5, is required. In case this is not practicable and can't be realised, a well founded exemption proposal must be forwarded for approval by the RO to NSI.

#### Chapter III

##### ✘ Format of the musterlist (10-40)

ROs have indicated that several flag states have specific instructions for approval of the format of musterlist, as required by SOLAS Chapter III Regulation 37.8. It was questioned whether NSI has similar instructions, or whether NSI intended to provide such instructions.

*The position of NSI on this subject is as follows:*

First of all SOLAS III/37.8 is only applicable to passenger ships. This means that only the format of the musterlist on this specific category of ships must be approved. And the RO is authorised, through the Class Agreement, to perform this approval on behalf of NSI as part of the statutory surveys. Subsequently it must be established against which provisions the format of the musterlist has to be approved. As IMO does not specify those provisions, the only relevant provisions are those mentioned in Regulation 37 itself. In other words:

does the musterlist specify which crewmember is responsible for what, and are all aspects of Regulation 37 addressed in this respect?

NSI is of the view that no separate flag state instruction is needed for this purpose. The RO may use its own checklist or one of another flag state, as long as all aspects of Regulation 37 are addressed.

**(Netherlands) Shipping  
Inspectorate**

NSI has observed that the examples of checklists from other flag states contain items that go beyond the provisions for the format of the musterlist, e.g. the execution of drills, etc. These subjects however are captured elsewhere in SOLAS Chapter III, and should be assessed during the regular (annual) surveys.

**Date**  
24 September 2012

**Our reference**  
NSI-ITS-2

#### ✕ Testing and requirements pilot ladder (11-04)

A question was raised by one RO whether the 15 degrees adverse list criterion of SOLAS V/23 (reg.23.3.3.1.4) should also be considered when determining the transferability requirement of regulation V/23.3.2.

The reason for this question was the delivery of a vessel to which V/23.3.2 applied, but which could only transfer the equipment (i.e. accommodation ladder in conjunction with a pilot ladder) up to a list of 5 degrees due to the limitation of the deck cranes.

In determining our position on this matter NSI consulted the Dutch Pilot Association (DPA) for their view on this subject, being the major stakeholder (at least from a safety point of view) with regard to pilot transfer arrangements.

*The position of NSI on this issue is as follows:*

The most significant viewpoint of DPA is that a ship rolling with lists of up to 15 degrees is considered to be a realistic operating condition during pilot transfer. This means that in accordance with V/23.3.3.1.4, an adverse list of 15 degrees always has to be taken into account for determining the distance from the water surface to the point of access to, or egress from, the ship.

When this distance exceeds 9 meters, an accommodation ladder in conjunction with a pilot ladder has to be provided (i.a.w. V/23.3.3.2) on each side of the vessel, unless the equipment is capable of being transferred for use on either side (i.a.w. V/23.3.2).

Transferring for use on either side of the vessel has to be possible under the conditions mentioned in V/23.3.3.1.4 (i.e. also with adverse list of up to 15 degrees).

For the requirements and testing of the accommodation ladders reference is made to MSC.1/Circ.1331, which should be applied as the Netherlands gave this circular the status of Policy Rule.

#### ✕ Launching rescue boat (11-21)

With regards to the launching test of the rescue boat at a speed of up to 5 knots in calm water (according to SOLAS III/17.3) it was decided that this test should be executed. For series of exactly the same (sister) vessels this test is only required for first vessel in series.

### **Chapter V**

#### ✕ Definition of bridge wing (11-10)

In accordance with SOLAS Chapter V, regulation 19.2.1.8, when the ship's bridge is totally enclosed and unless the Administration determines otherwise, a sound reception system, or other means, to enable the officer in charge of the navigational watch to hear sound signals and determine their direction shall be provided for all ships irrespective of size.

*The position of NSI on this issue is as follows:*

Overreliance on sophisticated navigational systems must be countered by the appropriate management of bridge resources, a thorough assessment of the risks of the passage, contingency plans for when the system fails and good navigational watch keeping practices at all times.

**(Netherlands) Shipping  
Inspectorate**

Regarding the watch keeping practices every vessel should at all times maintain a proper look-out by sight and hearing, including maintaining a listening watch, as well as by all available means appropriate in the prevailing circumstances and conditions so as to make a full appraisal of the situation and of the risk of collision.

**Date**  
24 September 2012

**Our reference**  
NSI-ITS-2

This interpretation aims to provide clarification as to the application of SOLAS V/19.2.1.8 and in this respect define the expression "totally enclosed ship's bridge" in a concrete and practical manner as well as elaborate on the expressions "unless the Administration determines otherwise" and "or other means" in subject regulation. Vessels flying the Dutch Flag, built on or after the publication of this document, shall comply with the interpretations provided below.

References:

- SOLAS V/15
- MSC/Circ.982
- IACS UR 95
- ISO 14612
- STCW Convention and Code, as amended
- Colreg.'72

**1) Interpretation of "totally enclosed ship's bridge" and "unless the Administration determines otherwise."**

IACS UR 95 and ISO 14612 provide the following definitions:

*Bridge:* The area from which the navigation and control of the ship is exercised, including the wheelhouse and bridge wings.

*Bridge wings:* Those parts of the bridge on both sides of the ship's wheelhouse which, in general, extend to the ship's side.

*Catwalk:* extension to a deck outside a totally enclosed bridge wide enough to allow the safe passage of a person.

*Navigation bridge:* Area of a wheelhouse or enclosed bridge allocated navigating functions and control of the ship, and which includes any additional bridge workstation to be used by the officer of the watch.

*Totally enclosed bridge:* A bridge without open bridge wings, meaning that bridge wings form an integral part of an enclosed wheelhouse.

*Wheelhouse:* Enclosed area of the bridge.

A catwalk is primarily provided to help maintenance of window wipers and manual cleaning of bridge front windows. Typically the width of a catwalk is limited and it's construction at both sides of the wheelhouse usually consists of gratings, screened off with railings. Catwalks are most commonly entered from an open deck space behind the totally enclosed bridge via a door or doors at the portside - and or starboard side rear end of the totally enclosed bridge.

Vessels with a totally enclosed bridge, also when provided with a catwalk, shall be equipped with a type-approved sound reception system. In this respect it is emphasized that a catwalk is not considered as an equivalent for a(n) (open) bridgework. This follows instantly from the definitions above, as the definition of a catwalk is linked to a totally enclosed bridge, which has per definition no open bridge wings. SOLAS V/15 dictates that the bridge team and pilot have *convenient and continuous access to essential information*. NSI considers the reception of

sound signals to be essential information. Consequently open bridge wings shall be accessible by means of doors placed at both sides of the ship's bridge. In the case of an enclosed wheelhouse (either with or without a catwalk) a door or doors positioned at the portside - and or starboard side rear end of the wheelhouse do not qualify as convenient and continuous access.

**(Netherlands) Shipping  
Inspectorate**

#### 2) *Interpretation of "or other means"*

Up until the date of this document, NSI considered the provision of windows, that can be opened, at both sides of a totally enclosed bridge as an equivalent for a sound reception system. Owing to insight gained from field-surveyor's feedback, this equivalency can no longer be considered.

**Date**  
24 September 2012

**Our reference**  
NSI-ITS-2

#### ✎ Performance Monitor extra radar

A question was raised by one RO whether radars which are installed in addition to the required equipment in accordance with SOLAS V/19, are required to be equipped with a performance monitor (PM). The reason for this question was that a vessel was delivered with two radars but only one PM, however no argument was given for the absence of the second PM other than the second radar being additional.

After consulting suppliers of this equipment about the practical issues regarding the availability and added value of a performance monitor, the following conclusions came up:

1. A PM assesses the proper functioning of the radar's transmitter and receiver. The value of the PM is to give confidence in the proper functioning of the radar in the absence of echo's, in particular in circumstances of reduced visibility.
2. Due to the introduction of new technologies and carriage requirements like AIS, and the required link of AIS with the radar (in accordance with MSC.192(79)), the added value of a PM has surely diminished, but not completely vanished.
3. The reluctance of shipowners to install a PM for additional radars arises sometimes from practical grounds (lack of space), but in particular from economic grounds.

*Based on the above conclusions the position of NSI on this issue is as follows:*

Bearing in mind the requirement of SOLAS V/18.7 with regard to additional equipment, NSI is of the view that in principle an additional radar shall comply with all provisions of the performance standard MSC.192(79), including the provision of a performance monitor.

Bearing in mind the clause in SOLAS V/18.7 stating "whenever practicable", NSI may in the rare occasion that installing a PM is demonstrated to be inevitably impracticable, decide on a case-to-case basis to grant an individual exemption for this purpose.

Vessels flying the Dutch Flag, built on or after the publication of this document, shall comply with the interpretations provided above.

#### ✎ Redundancy of ship's whistle

SOLAS II-1 regulation 43.2.4.4 requires that with regard to the emergency source of electrical power, the intermittent operation of the ship's whistle is guaranteed for a period of 18 hours, on the assumption that this equipment is considered an "essential safety service" (reg.43.2).

COLREGs however, where the requirement for a ship's whistle is established (article 35), and where the technical specifications for this equipment are laid down (Annex III), does not have provisions for redundancy of the ship's whistle. Nor does it specify the required means of activation of the ship's whistle.

This brings about a lacuna in the legislation as soon as a means of activation other than electricity is chosen for the ship's whistle, for instance air. A question was raised by one RO whether a redundancy is required in such cases.

*The position of NSI on this issue is as follows:*

Bearing in mind that the ship's whistle is regarded, through SOLAS II-1 regulations 43.2 and 43.2.4.4, as an essential safety service, the operative requirements (i.e. 18 hours operation after power breakdown) should be guaranteed at all times, irrespective of the means of activation (i.e. electric or non-electric).

How this is guaranteed in the case of non-electric activation (e.g. air) is left to the discretion of the shipowner, as far as the provisions fall within the technical requirements of COLREG Annex III.

Examples of possibilities to provide the required redundancy are (e.g. in the case of air driven whistle) entire duplication, extra compressors, a compressor with larger capacity or an extra electric driven whistle.

Vessels flying the Dutch Flag, built on or after the publication of this document, shall comply with the interpretations provided above.

**(Netherlands) Shipping  
Inspectorate**

**Date**  
24 September 2012

**Our reference**  
NSI-ITS-2

✕ *BNWAS issues (11-11)*

Further to our Information to Shipping no.1 the Regulation Safety Seagoing Vessels has been amended to include the provisions of MSC.282(86). Article 24.3 of this regulation now reads as follows:

*"If a cargo ship with a length of 24 metres or more or a passenger ship has been equipped with a bridge navigational watch alarm system on or after 1 July 2009 but before 1 July 2011, it shall meet the requirements of resolution MSC.128(75) of the Maritime Safety Committee of the IMO, involving Performance standards for a bridge navigational watch alarm system (BNWAS)."*

Furthermore, in accordance with the new Regulation 19.2.2.4 of SOLAS Chapter V, the Regulation Safety Seagoing Vessels has been amended to include an exemption provision for the BNWAS in Article 41a, which reads as follows:

*"Bridge navigational watch alarm systems, placed before 1 July 2009, have been exempted from the requirements of Resolution MSC.128(75) of the Maritime Safety Committee of the IMO, involving Performance standards for a bridge navigational watch alarm system (BNWAS) or equivalent performance standards."*

Although a text for the Record of Safety Equipment was already agreed, with the amendment of the Regulation Safety Seagoing Vessels NSI proposes to slightly alter this text to read as follows:

\*)

*Existing BNWAS, installed before 1 July 2009, which complies with National requirements at time of installation and is consequently, in accordance with Article 41a of the Regulation Seagoing vessels, exempted from full compliance with resolution MSC.128(75)*

Furthermore questions have been raised by ROs whether or not an interface between BNWAS and the (S)VDR is required.

*The position of NSI on this issue is as follows:*

Even though the BNWAS was not an IMO mandatory requirement until 1 July 2011, it has always been a national requirement for Dutch flag vessels.

Parallel to the requirement of the engine room personnel alarm being connected to the (S-)VDR, NSI has in the past always required that the BNWAS be

connected to the (S)VDR as well. And even though sometimes challenges were experienced, and extra provisions had to be made (e.g. additional cables etc.), the connection between BNWAS and (S)VDR always proved to be feasible. Moreover, with the SOLAS mandatory carriage requirement for BNWAS as per 1 July 2011, BNWAS has become an IMO mandatory alarm, also for existing vessels (pending on the category in accordance with new regulation V/19.2.2.3). As a consequence, also the connection with (S-)VDR has become mandatory.

**(Netherlands) Shipping  
Inspectorate**

**Date**  
24 September 2012

**Our reference**  
NSI-ITS-2

NSI's position wrt BNWAS contained in our Information to Shipping No.1 only deals with the exemption for the BNWAS performance standards, not those for the connection to the (S-)VDR.

Considering the above, NSI's position remains that, in principle, the connection of BNWAS (including existing installations) shall be connected to the (S-)VDR.

An elaboration on this issue provides the following:

S-VDR:

Par.5.4.9 of MSC 163(78) (performance standards S-VDR) reads as follows:

*Other items*

*5.4.9 Any additional data items listed by IMO with the requirements set out in resolution A.861(20) should be recorded when the data is available in accordance with the international digital interface standards using approved sentence formatters.*

Furthermore this paragraph contains a footnote reference, the footnote reads as follows: *Refer to publication IEC 61162.*

The text above provides leeway to apply flexibility as far as the connection of the BNWAS to the S-VDR is concerned in the event that the BNWAS does not provide the required data for input in the S-VDR.

However, it shall be established, for instance by means of a declaration from the manufacturer of the BNWAS, that the required data is not available and that the BNWAS cannot be adapted for this.

For the sake of good order, we draw your attention to the fact that this flexibility can only be applied in the event of an S-VDR.

## **Load Line Convention**

### **General**

#### **✕ Load line exemptions for dredgers (11-13)**

The guidelines for the assignment of reduced freeboard for dredgers, DR-68 (IMO doc. LL.3/Circ.205) prescribes in article 12.3:

*If the dredger meets the intact stability requirements of Section 6.1 of these Guidelines without hatch covers, then the ICLL Exemption certificate should also indicate that the dredger is exempted from Regulation 14 (unless this exemption is already noted on the vessel's ICLL certificate)."*

DR-67 and Richtlijn (Guideline) 28 do not specifically prescribe this obligation and in the past NSI has not always mentioned Regulation 14 in the Exemption Certificate.

However, the format of the Exemption Certificate as given in Annex III of the ICLL, clearly states that the articles/regulations for which an exemption is granted must be mentioned.

Consequently from now on with every renewal or extension of the validity of an ICLL Exemption Certificate, based on DR-67 or Richtlijn (Guideline) 28, the exemption from Regulation 14 (if applicable) must be mentioned.

**(Netherlands) Shipping Inspectorate**

**Date**  
24 September 2012

**Our reference**  
NSI-ITS-2

### **Annex I**

#### **⌘ Relaxation bow height (10-46)**

Under regulation 39.3 of the International Convention on Load Lines, 1966 and the 1988 Protocol thereto, the following relaxations of the bow height are permitted for vessels with a national safety certificate.

For these vessels, including pontoons in the condition 'manned working', a reduced bow height is allowed under restrictions in

- Sailing area (for the definitions see footnote, to be included on the (exemption) certificate)
- Maximum significant wave height

According to the table below.

Sailing area	Matching max significant wave height	Permissible reduced bow height <sup>2</sup>
≤ 15 miles <sup>3</sup>	≤ 4.0 m.	70 %
≤ 5 miles <sup>4</sup>	≤ 2.0 m.	50 %

In the past NSI has granted to some vessels a reduction in bow height, based on maximum wind force according to the table hereunder:

Sailing area	Max wind force in Beaufort	Permissible reduced bow height
≤ 15 miles	7 Beaufort	70 %
≤ 5 miles	5 Beaufort	50 %

For existing cases this practice can be continued.

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#### <sup>2</sup> **Permissible reduced bow height**

In percentage of the bow height calculated according to ICLL reg. 39.1 and 39.2.

#### <sup>3</sup> **Sailing area 15 miles**

Coastal waters whereby the offshore distance does not exceed 15 nautical miles and the sailing time from safe harbor or anchorage shall be within 6 hours.

#### <sup>4</sup> **Sailing area 5 miles**

Coastal waters whereby the offshore distance does not exceed 5 nautical miles and the sailing time from the port of operation, mentioned on the safe manning certificate, shall be within 12 hours and shall not be more than 6 hours from a port of refuge.

## Marpol Convention

### **Annex I**

#### ✕ Ship to Ship transfer operations

According to Chapter 8 of the Marpol Annex I, as from the 1<sup>st</sup> survey after the 1<sup>st</sup> of January 2011, an approved Ship to Ship Transfer (STS) plan should be on board. This plan should be approved by the Administration or the RO on its behalf (RO is authorized by the Netherlands to carry out the plan approval). Starting the 1<sup>st</sup> of April 2012 these operations should be executed according to the plan including the 48 hours notification. The Joint Rescue Coordination Centre (JRCC – Netherlands Coast Guard in Den Helder) will be the contact point for the notification as also mentioned in MSC-MEPC.6/Circ.10 (Annex II), as amended.

**(Netherlands) Shipping  
Inspectorate**

**Date**  
24 September 2012

**Our reference**  
NSI-ITS-2

### **Annex VI**

#### ✕ More stringent EU requirements ozone depleting substances (11-24)

According to EU Regulation 2037/2000, EU flagged ships are not allowed to use HCFK (R-22) for service and maintenance from the 1<sup>st</sup> of January 2015 anymore. For non EU ships HCFK (R-22) is not allowed in ships constructed on or after the 1<sup>st</sup> of January 2020, according to MARPOL Annex VI Reg 12.

It is expected that old ships with large reefer installations using R-22 such as reefer ships / trawlers / passenger ships will change flag to a non EU state in order to continue their services.

Shipowners with a ship with R-22 installations have the following options:

1. Continue with the use of R-22, but leakages should be minimized as much as possible. Only applicable for installations in the final stage of use.
2. Retrofit to be considered and replace the R-22 filling by another HFK refrigerant. However, these replacement refrigerants often are green house gasses. Furthermore their efficiency is significantly lower than that of R-22 and problems have occurred in installations already retrofitted.
3. Replace the complete installation. Very costly but for the long term it should be considered.

The ROs are requested to pay attention to these more stringent EU regulations (5 years earlier than IMO MARPOL) and arrange for a memo in the vessel survey database for timely implementation.

## Codes

### **Intact Stability Code 2008**

#### ✕ Use of pendulums and/or inclinometers

When performing the inclining test according to the IS-code 2008 the position of NSI is as follows.

The angle of list shall be measured by preferably three, but not less than two pendulums.

In lieu of one of these pendulums another instrument may be used, such as an inclinometer or a U-tube.

Pendulums, U-tubes and inclinometers shall be used in conformity with Annex 1 of the IS-code (Detailed guidance for the conduct of an inclining test).

In the IS-code Part B, there is some further guidance on this matter:  
 "8.2.2.9 The use of three pendulums is recommended but a minimum of two should be used to allow identification of bad readings at any one pendulum station. They should each be located in an area protected from the wind. One or more pendulums may be substituted by other measuring devices (U-tubes or inclinometers) at the discretion of the Administration. Alternative measuring devices should not be used to reduce the minimum inclining angles recommended in 8.2.2.8.

The use of an inclinometer or U-tube should be considered in each separate case. It is recommended that inclinometers or other measuring devices only be used in conjunction with at least one pendulum."

**(Netherlands) Shipping Inspectorate**

**Date**  
24 September 2012

**Our reference**  
NSI-ITS-2

If however the RO has the opinion that angles can be measured by use of inclinometers alone, NSI is willing to reconsider this position. In that case the RO is to present a sound proposal to demonstrate that the inclinometers in question are sufficiently reliable and will give a result that is at least as accurate as pendulums.

Part B of the IS-code 2008, Annex I, par. 2.6 gives minimal requirements for such an instrument. NSI is not aware of more detailed performance standards for such instruments.

Although it is not written for inclinometers, the essential requirements as mentioned in Annex I of EU Directive 2004/22/EU on measuring instruments could serve as a guideline.

### National legislation

#### ***Ships decree 2004***

##### ✂ Exemptions of requirements on the National Safety Certificate

If the (inter)national requirements do not prescribe that a separate exemption certificate needs to be issued, it is sufficient if the approved exemptions are recorded on the National Safety Certificate cross-referencing the relevant item. This is not the case for example COLREGs, a separate exemption certificate needs to be issued.

### Instructions to the Recognised Organisations (ItoRO)

##### ✂ Entered into force

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|---|-----------------|
| • ItoRO 17. Unmanned Machinery Space (UMS)        | 31 October 2011 |
| • ItoRO 18. Marine Equipment Directive (MED)      | 01 October 2011 |
| • ItoRO 19. Requirements storage (Medical) Oxygen | 26 October 2011 |
| • ItoRO 20. Lifeboat Release and Retrieval System | 01 January 2012 |

##### ✂ Amended

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|---|---------------|
| • ItoRO 14. Temporary reduction of total no. of persons on PSSC | 01 April 2012 |
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##### ✂ Revoked

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| • ItoRO 10. Application of new performance standards for radar equipment | 21 March 2012 |
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