



TUVALU SHIP REGISTRY

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MARINE CIRCULAR

MC-25/2012/1

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FOR: Ship Owners, Ship Managers, Ship Operators, Ship Masters, Ship Officers, Recognized Organization, Flag State Inspectors

SUBJECT: Implementation of SOLAS Chapter XV and the International Code of Safety for Ships Carrying Industrial Personnel (IP Code)

DEFINITIONS:

The following abbreviations stand for:

- "GT" – Gross Tonnage in accordance to ITC 69
- "HSC" – High-Speed Craft as defined by SOLAS and HSC Code
- "IMO" – International Maritime Organization
- "IPSC" – Industrial Personnel Safety Certificate
- "ITC 69" – International Convention on the Tonnage Measurement of Ships, 1969
- "RO" – Recognized Organization, as defined by IMO Resolution MSC.349(92) and MEPC.237(65)
- "SOLAS" – International Convention for the Safety of Life at Sea (SOLAS), 1974, as amended

The following terms shall mean:

1. **"Administration"** refers to the Tuvalu Ship Registry.
2. **"HSC Code"** refers to the International Code of Safety for High-Speed Craft, 2000, as amended.
3. **"Industrial Personnel (IP)"** is defined as Persons transported or accommodated on board for the purpose of offshore industrial activities performed on board other ships and/or Offshore facilities and shall not be treated or considered as passengers.
4. **"IP Code"** means the International Code of Safety for Ships Carrying Industrial personnel, as adopted by the Maritime Safety Committee by resolution MSC.527(106), as may be amended.
5. **"Offshore industrial activities"** is defined as construction, maintenance, decommissioning, operation or servicing of offshore facilities related, but not limited to, exploration and exploitation of resources by renewable or hydrocarbon energy sectors, aquaculture, ocean mining or similar activities.
6. **"Personnel Transfer"** means the full sequence of the operation of transferring personnel and their equipment at sea to or from a ship to which the IP Code applies and from or to another ship or offshore facility.
7. **"Special Personnel"** means all persons who are not passengers or members of the crew or children of under one year of age and who are carried on board in connection with the special purpose of that ship or because of special work being carried out aboard that ship.
8. **"Special purpose ship (SPS)"** means a mechanically self-propelled ship which by reason of its function carries on board more than 12 special personnel.

9. “**SPS Code**” refers to the Code of Safety for Special Purpose Ships, 2008 (SPS Code 2008), as amended.

PURPOSE:

This Circular provides the Administration's requirements for the implementation of Chapter XV of the International Convention for the Safety of Life at Sea (SOLAS), 1974, as amended, and the International Code of Safety for Ships Carrying Industrial Personnel (IP Code).

It establishes the survey, certification and operational requirements applicable to Tuvalu-flagged ships carrying more than twelve (12) Industrial Personnel (IP) on international voyages.

BACKGROUND:

The IP Code which came into force on 01 July 2024 was developed to provide an international standard of safety for ships carrying IP, and is mandatory under SOLAS XV. Based on the SPS Code, it contains adaptations and provisions for the training of IP, safe personnel transfer, and the carriage of dangerous goods.

Important information relating to the IP Code and the SPS Code include the following:

1. The IP Code contains additional requirements for lifesaving appliances on a HSC.
2. IP are transported or accommodated on board the ship, but do not work on the ship itself, whereas Special personnel work onboard the ship in connection with its special purpose, or special work being carried out onboard the ship.
3. A person can be either IP or Special Personnel but cannot be both at the same time.
4. The IP Code has specific requirements for IP with regards to medical fitness, ability to communicate with crew, safety training, safety familiarisation and onboard familiarisation with ships transfer arrangements and equipment. Whereas, the SPS Code has expectations for special personnel to be able bodied, have a fair knowledge of the layout of the ship, and have received some training in safety procedures and the handling of safety equipment before leaving port.
5. When dangerous goods are being carried onboard the ship to be used off the ship by IP, then the dangerous goods are classified as being carried onboard for shipment as cargo and are subject to the provisions of the International Maritime Dangerous Goods (IMDG) Code. If the dangerous goods are carried as ships stores and are to be used onboard the ship by Special Personnel or the ship's crew, they are not subject to the provisions of the IMDG Code.

APPLICATION:

This Circular applies to all Tuvalu-flagged cargo ships and HSC which carry more than 12 IP on international voyages. The IP Code does not apply to the transport of IP within the confines of a particular coastal State, or between a base port and an offshore installation outside territorial waters, unless mandated by the coastal State.

SOLAS chapter XV and the IP Code do not apply to vessels certified in accordance with the 1979, 1989, or 2009 MODU Codes.

Similarly, passenger ships certified under SOLAS with a Passenger Ship Safety Certificate, or a HSC indicating Category A passenger craft or Category B passenger craft, are deemed to be able to transport or accommodate IP. Such ships do not require an IP Code certificate and are not required to comply with any IP Code requirements.

REFERENCES:

- (a) IMO Resolution MSC.521(106) – Amendments to SOLAS Chapter XV, Safety Measures for Ships carrying Industrial Personnel, adopted on 10 November 2022
- (b) IMO Resolution MSC.527(106) – International Code of Safety for Ships carrying Industrial Personnel (IP Code), adopted on 10 November 2022

CONTENTS:

1. General Requirements

Ships carrying more than twelve (12) Industrial Personnel shall comply with SOLAS Chapter XV and the IP Code.

Where a vessel was previously authorized under MSC.418(97), the transitional arrangements specified in SOLAS Chapter XV shall apply.

Ships not previously authorized before 1 July 2024 shall fully comply with the IP Code before carrying more than twelve (12) Industrial Personnel.

2. Survey & Certification Requirements

- 2.1. Any cargo ship or HSC of 500 GT and above wishing to carry more than 12 IP, shall undergo survey and certification by a RO in accordance with the IP Code. The same applies to ships already holding SPS Code certificate and wishes to be issued an IPSC.
- 2.2. The IPSC shall be issued after an initial survey of a ship which complies with the requirements of the IP Code.
- 2.3. The IPSC's validity, survey dates and endorsements shall be harmonized with the relevant SOLAS certificates as per SOLAS I/14 or X/3.2, as appropriate.
- 2.4. The IPSC and the Record of Equipment shall be issued in addition to the relevant certificates required in SOLAS regulation XV/5.1.1.
- 2.5. Ships are not required to carry a SPS Code certificate in addition to an IPSC unless it is required to legitimize the carriage of special personnel on board and to apply the related operational provisions of the SPS Code.
- 2.6. Ships of less than 500 GT which are issued an IPSC must have all relaxations, if any, indicated on the certificate.

3. Transitional Arrangements

Ships previously issued a Statement of Compliance under MSC.418(97) shall comply with the transitional provisions of SOLAS Chapter XV.

Following the applicable transitional survey, the Statement of Compliance shall be replaced by an Industrial Personnel Safety Certificate.

4. Operation requirements

The Master shall ensure Industrial Personnel has received the followings:

- 4.1. Safety familiarization;
- 4.2. Transfer briefing;
- 4.3. Emergency procedures;

- 4.4. Communication arrangements;
- 4.5. Familiarization with life-saving appliances; and
- 4.6. Any additional training required by the IP Code

Records should be maintained onboard.

5. Carriage of dangerous goods

Dangerous goods carried for use ashore by Industrial Personnel shall comply with the IMDG Code.

Dangerous goods carried solely as ship's stores remain subject to the applicable provisions governing ship's stores.

6. Mixed carriage

Where a ship carried any combination of:

- 6.1. Crew;
- 6.2. Passenger;
- 6.3. Industrial Personnel; or
- 6.4. Special Personnel,

each category shall be carried in accordance with the applicable international Convention and certification requirements.

7. Port State Control

Ships should maintain onboard:

- 7.1. Industrial Personnel Safety Certificate;
- 7.2. Record of Equipment;
- 7.3. approved transfer procedures;
- 7.4. risk assessments;
- 7.5. emergency arrangements;
- 7.6. records of familiarization and training; and
- 7.7. any approvals required by the Administration.

These documents should be readily available during Flag State or Port State inspections.

Yours sincerely,

Deputy Registrar
Tuvalu Ship Registry