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MARINE CIRCULAR

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FOR: Ship Owners, Ship Managers, Ship Operators, Ship Masters, Ship Officers, Classification Societies, Flag State Inspectors

SUBJECT: Guidance for Special Purpose Ships (SPSs)

DEFINITIONS:

The following abbreviations stand for:

- "IMO" – International Maritime Organization
- "IP Code" - International Code of Safety for Ships Carrying Industrial Personnel
- "MODU Code" – Code for the Construction and Equipment of Mobile Offshore Drilling Units
- "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
- "SPS" – Special Purpose Ships defined as a mechanically self-propelled ship which by reason of its function carries on board more than 12 special personnel.
- "SPS 2008" – Code of Safety for Special Purpose Ships, 2008, Annex to IMO Resolution MSC.266(84)
- "SPS Code" – Code of Safety for Special Purpose Ships, Annex to IMO Resolution A.534(13).

The following terms shall mean:

- "Administration" – Tuvalu Ship Registry;
- "Crew" – all persons carried on board the ship to provide navigation and maintenance of the ship, its machinery, systems and arrangements essential for propulsion and safe navigation or to provide services for other persons on board. It does not include those persons identified as special personnel;
- "Existing SPS" – any SPS certified or operating in SPS service prior to 13 May 2008;
- "Gross Tonnage" – the measurement of the internal volume of spaces within the craft as defined by the International Convention on Tonnage Measurement of Ships, 1969 (ITC);
- "International Voyage" – means a voyage from a country to which the present SOLAS applies to a port outside such country; and
- "Special personnel" – all persons who are not passengers or members of the crew or children under one (1) 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.

PURPOSE:

This Marine Circular contains guidance with regards to the SPS 2008, as well as requirements for ships certified as cargo ships which by reason of its function are carrying "special personnel" on board.

APPLICATION:

The SPS 2008 is applicable to all SPSs certified on or after 13 May 2008 of 500 gross tonnage and above, carrying more than 12 special personnel. For SPSs constructed before 13 May 2008, the provisions of the SPS 2008 shall be applied as far as reasonable and practicable.

The SPS 2008 does not apply to ships meeting the MODU Code and IP Code, and is not intended for ships used to transport and accommodate industrial personnel that are not working on board.

Though not mandatory, SPSs less than 500 gross tonnage carrying 12 or less special personnel may also be certified as a SPS in order to meet certain Coastal States requirements.

REFERENCES:

1. IMO Resolution MSC.266(84) of 13 May 2008, Code of Safety for Special Purpose Ships, 2008 (2008 SPS Code)
2. IMO Resolution A.534(13) of 17 November 1983, as amended, Code of Safety for Special Purpose Ships (SPS Code)
3. IMO Resolution MSC.527(106) – International Code of Safety for Ships Carrying Industrial Personnel (IP Code)
4. SOLAS 1974, as amended

CONTENTS:**1. Introduction & Background**

- 1.1. The SPS 2008 has been developed to provide an international standard of safety for SPSs of new construction, the application of which will facilitate operation of such ships and result in a level of safety for the ships and their personnel equivalent to that required by SOLAS.
- 1.2. This Administration fully supports the SPS 2008 for application on new and existing SPSs which meet the applicability criteria in construction and operation.
- 1.3. Ship owners / operators should make arrangements with the certifying RO for confirmation that their ships comply with the appropriate SPS Codes and are eligible to be issued, SOLAS Certificates and SPS Safety Certificates prior to registration with Tuvalu.

2. Requirements for New and Existing SPSs

- 2.1. All new and existing SPSs of 500 gross tonnage and above must be issued SPS Code Certificates and the applicable SOLAS safety certificates (passenger or cargo ship, with exemptions as appropriate).
- 2.2. Vessels currently certificated to trade as an SPS under the old SPS Code may continue to trade if operating within the conditions of the existing certificate until its expiration. Where reasonable and practicable, modifications may be required to bring the vessel in compliance with the operational provisions of the SPS 2008 at the time of the Renewal Survey.
- 2.3. For vessels intending to operate as an SPS but not previously certified as an SPS or operating as an SPS, certification shall be to SPS 2008, irrespective of date of build.

3. Survey Requirements

- 3.1. Every SPS shall be subject to the survey schedule specified for cargo ships, other than tankers, as specified in SPS 2008:
 - 3.1.1. An Initial Survey is required before entering into service or before an SPS Safety Certificate is issued for the first time.

- 3.1.2. A Renewal Survey is required at intervals not exceeding five (5) years. This survey can be done in conjunction with the Special Survey required by the RO.
- 3.1.3. An Annual Survey shall be performed within three (3) months before and three (3) months after each anniversary date of the Initial or Renewal Survey. On satisfactory completion of the Annual Survey, the Certificate is to be endorsed to maintain its validity.
- 3.1.4. A Periodical (Intermediate) Survey shall be performed within three (3) months before or after the second anniversary date or within three (3) months before or after the third anniversary date of the Initial or Renewal Survey, which shall take the place of one (1) of the Annual Surveys specified above.

4. Certification Requirements

- 4.1. SPSs of 500 gross tonnage and above:
 - 4.1.1. All new SPSs are to be issued an SPS Safety Certificate in accordance with the certification procedures of SPS 2008.
 - 4.1.2. All existing SPSs are to maintain their existing SPS Safety Certificates which had been issued in accordance with the certification procedures of the SPS Code until expiration. Thereafter, at the time of the Renewal Survey, all existing SPSs are to be issued a SPS Safety Certificate in accordance with the certification procedures of SPS 2008, where reasonable and practicable.
 - 4.1.3. All SPSs if normally engaged on international voyages as defined in the SOLAS, shall in addition, carry SOLAS Safety Certificates as applicable (passenger or cargo ship, with exemptions as appropriate).
- 4.2. All SPS of less than 500 gross tonnage may be issued a Statement of Compliance, if required, which must indicate to what extent relaxations, if any, were authorized by this Administration in accordance with paragraph 1.2.1 of SPS 2008.

Yours sincerely,

Deputy Registrar
Tuvalu Ship Registry