



TUVALU SHIP REGISTRY

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MARINE CIRCULAR

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

SUBJECT: Implementation of SOLAS XV and the 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 A.789(19), authorised by Tuvalu
- "SOC" – Statement of Compliance
- "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 guidance for compliance with the amendments of SOLAS XV (Reference (a)) and the Industrial Personnel (IP) Code (Reference (b)), for vessels carrying more than 12 IP on or after 01 July 2024, and includes this Administration’s requirements for existing vessels not yet authorized to carry more than 12 IP prior to entry into force on 01 July 2024.

BACKGROUND:

The IP Code which comes 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
- (c) IMO Resolution MSC.418(97) – Interim Recommendations on the Safe Carriage of more than 12 Industrial Personnel on board vessels engaged on International Voyages, adopted on 25 November 2016

CONTENTS:

1. Requirements of SOLAS XV for carriage of more than 12 IP

Category	Requirement
Cargo ships and HSC of 500 GT and above, constructed on or after 01 July 2024.	To comply fully with the IP Code, in addition to being certified under SOLAS and the HSC Code, as applicable.
Cargo ships of 500 GT and above, constructed before 01 July 2024, authorized by the Administration to carry more than 12 IP in accordance with IMO Resolution MSC.418(97).	Comply with regulations III/1, III/2 (except for paragraph 2.1.7), IV/7 and IV/8 of the IP Code by the first intermediate or renewal survey, whichever occurs first, after 01 July 2024.
HSC of 500 GT and above, constructed before 01 July 2024, authorized by the Administration to carry more than 12 IP in accordance with IMO Resolution MSC.418(97).	Comply with regulations III/1, III/2 (except for paragraph 2.1.7), V/7 and V/8 of the IP Code by the third periodical or first renewal survey, whichever occurs first, after 01 July 2024.
Cargo ships and HSCs of 500 GT and above, regardless of construction date, which prior to 01 July 2024 have not been authorized by the Administration to carry more than 12 IP based on IMO Resolution MSC.418(97).	Comply and be certified in accordance with SOLAS Chapter XV and the IP Code prior to the carriage of more than 12 IP on board.
Cargo ships and HSC, below 500 GT, constructed on or after 01 July 2024.	Comply with the IP Code as far as practicable from 01 July 2024.
Cargo ship and HSC, below 500 GT, constructed before 01 July 2024, authorized by the Administration to carry more than 12 IP based on IMO Resolution MSC.418(97).	Comply with regulations III/1, III/2 (except for paragraph 2.1.7), IV/7 or V/7 and IV/8 or V/8 as applicable, of the IP Code as far as practicable, by the first intermediate or renewal survey, whichever occurs first, after 01 July 2024.

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 above table. 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. A SOC for the carriage of IP, issued in accordance with IMO Resolution MSC.418(97) (Reference (c)) or the IP Code, may be issued by a RO to cargo ships and HSC constructed prior to 1 July 2024 for authorization to carry more than 12 IP prior to that date.
- 2.7. Ships of less than 500 GT which are issued an IPSC must have all relaxations, if any, indicated on the certificate.

Yours sincerely,

Deputy Registrar
Tuvalu Ship Registry