

**The International Regulations Commission met by Conference Call at
09:00 – 10:50 hours UTC on Wednesday 24 October 2021**



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Present:

Alan MASSEY - Chairman

Sally GARRETT (NZL)

Patrick LINDQVIST (FIN)

Soenke THOMSEN (GER) Vice Chairman

Elena MATZARIDOU (GRE)

Others Present:

Sarah Kenny (AUS) Vice President

Stuart CARRUTHERS (GBR) (WS at IMO Team)

Simon FORBES (Offshore Technical Manager)

David Brunskill (GBR) (WS at IMO Team)

Jaime NAVARRO (WS Head of Technical & Offshore)

1. Opening of the Meeting

A welcome from the new Chairman, Alan Massey.

The Chairman welcomed returning commission members, new members Soenke Thomsen and Sally Garrett, Vice President Sarah Kenny and observers to the meeting.

Few issues have arisen that are direct concern to World Sailing. There are some indirect issues which are bubbling away in the background which could be problematic for us in the future and we keep a close eye on those. The principal source of regulation is the International Maritime Organization (IMO) but they typically deal mostly with SOLAS-size vessels, which are passenger vessels or any other vessels over 500 Gross tonnes. There are forces at play at the IMO which seek to extend the tentacles of their regulation into to the smaller leisure craft areas. So we have to keep a look out for that.

Some of the particular issues that we have been taking an interest in this year are maritime security and piracy, navigation in polar waters, greenhouse gas reduction measures (targeted mainly at big ships, but we never know when that may become a problem for us as well). Search and rescue issues and satellite communication developments (which are often closely linked together) are always evolving, and we need to be on the case. Marine plastic litter, which could potentially include end-of-life grp sailing craft, is becoming a bigger area of concern to watch. There have been changes to routing measures off Norway, Poland, France and Australia which are of interest for those sailing offshore. Finally, the issue of lost shipping containers is becoming increasingly significant for both the environment and for small vessel safety.

In the International Standards Organisation world, Stuart Carruthers keeps a constant, well-informed watch on developments that could be of specific interest to the small craft sector.

2. Minutes of the Previous Meetings

(a) Minutes

The minutes were noted of the International Regulations Commission meeting of 24 October 2020 (circulated and approved after the meeting). The minutes can be downloaded at www.sailing.org/meetings

(b) Minutes - matters arising

- i) Regarding Item [IMO] 2(b) Navigations Lights, a letter detailed as 'Appendix 6' was sent to IMO in November 2019. No response on record.

As an observer, Stuart Carruthers was not aware of any response and was not aware of IMO engaging on this subject. To get an issue on to the work program of IMO generally requires the weight of one of the main member state participants, not an NGO like ourselves. He saw no appetite currently amongst the members of IMO to reopen the debate on COLREGs, as this would likely trigger wider and problematic considerations such as, for example, the applicability of COLREGs to autonomous ships. He felt that the Navigation Lights issue should be held in abeyance until IMO eventually does open up the COLREGS debate around autonomy, which would necessarily include the issue of what can and cannot be seen.

- ii) Minute 3(d) Piracy – “The Chairman highlighted that in 2015 World Sailing had re-published guidance to avoid piracy activity in the Gulf of Aden or Somali Basin. This had been published in co-operation with the EU NAVFOR Somalia Maritime Security Centre for the Horn of Africa (MSCHOA) based in Northwood (GBR).... Alan Massey asked: Now that MSCHOA had moved from Northwood(GBR) to Brest(FRA) do we still have a direct line of communication?”

Stuart Carruthers responded: the trail has gone cold, MSCHOA relocated. Stuart is following the thread of security on the European Commission Stakeholders Advisory Group on Maritime Security (SAGMAS), which will meet next on 6 November. WS no longer have a point of contact with EU MSCHOA. To some extent the International Chamber of Shipping best practice guide on how to avoid piracy for conventional shipping has helped to mitigate the issue. Convention shipping is no longer the target that it was, but that does not mean the danger has been eliminated for small craft, which might still be attacked. He felt that World Sailing still needed to put the advice out there that while the chances of being 'pirated' are very small, the consequences are potentially immense. So skippers and owners should really think very seriously before going into some of these areas: notably the Gulf of Aden, Malacca Straits, off the coast of Nigeria. There have also been attacks in places like the Caribbean, and one an incident last month off Ostend (BEL) where a boat was seized for 8 hours.

Alan Massey noted that World Sailing had promulgated some guidance to avoid piracy activity in the Gulf of Aden or Somali Basin. It sits centrally on the MSCHOA website (which is good for WS's profile), and so there would be merit in bringing it up to date. Stuart Carruthers will review the guidance and discuss with SAGMAS on 6 November. Stuart noted that he did not have any anecdotal evidence of people making transits past Somali and would consult the Ocean Cruising Club for their views.

Action:

Stuart Carruthers to review WS Guidance on MSCHOA website, discuss with SAGMAS and consult Ocean Cruising Club with a view to updating WS Guidance on Piracy. (See item 4(d)).

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- iii) Minute 4(a) – there was a mention of pushing International Standards Organisation for a review of ISO 12215 regarding keels – we will cover this under Item 5(a) of this meeting.
- iv) Minute 5 – Free passage, looking to share that paper with interested parties including yacht clubs.
- v) There were no other matters arising not covered elsewhere on the agenda.

3. Commission – Terms of Reference

The Commission's Terms of Reference (Regulation 8.7) were noted.

The Chairman asked if there were any concerns, or if it was felt there should be more or less detail, then members should please let him know.

Action:

Any Comments on the International Regulations Commission terms of reference should be sent to the Chairman.

4. International Maritime Organization

- (a) Reports were received on the IMO meetings attended by the 'World Sailing at IMO' team since the last meeting of the International Regulations Commission:

The Chairman noted that since the last International Regulations Commission meeting, the 'WS at IMO' team had attended most of the Maritime Safety Committee meetings (MSC 103 and 104). For the two Marine Environment Protection Committee (MEPC 75 & 76) meetings, we collated the outcome reports and there was nothing on either of those that directly concerned World Sailing. The Sub-committee on Navigation, Communications and Search and Rescue (NCSR) is closest to our hearts as it deals very directly with some of the issues that worry us. The IMO Polar Code is under pressure from some nations to incorporate more than SOLAS shipping, which we will talk about shortly on the agenda. Floating Shipping containers is an issue which World Sailing has been keen to promote because of the danger to small craft in particular.

- i) MSC 102 4 – 11- November 2020 (Maritime Safety Committee).

The MSC recognized the Indian Regional Navigation Satellite System (IRNSS) as a component of the World-wide radionavigation system. Issued advice regarding new routing measures off Poland, Norway, Ushant (France) and the Great Barrier Reef in Australia.

- ii) MSC 103 5 – 14- May 2021 (Maritime Safety Committee)

Maritime Autonomous Surface Ships (MASS) were discussed in relation to the scope of regulations. This is of tangential interest to WS but may have implications for COLREGS. Updates and advice were received on Maritime Security, piracy and armed robbery, particularly in the Gulf of Guinea off West Africa. The issue of lost shipping containers was also raised. David Brunskill noted that on behalf of WS he had circulated a paper summarising the history of concern regarding lost shipping containers and the risk posed to sailing boats. MSC 103 recognised that work was needed. Guidelines were issued for passenger vessels over 300GT not engaged in trade, regarding navigation in Polar Waters. Up to now the Polar Code has been applicable to SOLAS Convention-sized ships, but some nations and pressure groups

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are seeking to include smaller vessels.

iii) MSC 104 4 – 8- October 2021 (Maritime Safety Committee)

Piracy and armed robbery issues were updated. Modernisation of the Global Maritime Distress and Safety System (GMDSS) was discussed, and the Japanese Regional Satellite system was formally recognised. Autonomous shipping updates were provided.

iv) MEPC 75 – 16-20 November 2020 (Marine Environment Protection Committee)

Most of this is directed at SOLAS Convention-sized ships, but Greenhouse Gas emissions were discussed and how they might be of more relevance to smaller vessels as time goes on. Certain aspects of anti-fouling paints were also debated with a view to their limitation or prohibition.

v) MEPC 76 – 10-17 June 2021 (Marine Environment Protection Committee)

Greenhouse Gas reduction measures and antifouling paints.

vi) NCSR 8 -19-23 April 2021 (Sub-committee on Safety of Navigation, Communication and Search and Rescue).

The meeting reflected the amendments to the GMDSS service and promoted for recognition the Japanese Regional Satellite system. Also of interest were new performance standards for Emergency Position Indicating Radio Beacons (EPIRBs) and a report from International Civil Aviation Organization (ICAO) /IMO joint Working Group on Harmonisation of Aeronautical and Maritime Search and Rescue facilities, which introduced some updates to the IAMSAR Search and Rescue Manual.

The Polar Code and its applicability to non-SOLAS vessels was discussed. Following Alan Green's retirement, Patrick Lindqvist has taken over as the WS representative on the IMO Correspondence Group that is looking at the possibility to extend the Polar Code chapter 9 (Safety of navigation) and chapter 11 (Voyage Planning) to all ships on all voyages. The Chairman highlighted the existence and success of the Polar Yacht Guide. This is a voluntary, 24-page comprehensive guide [www.sailing.org/90563.php] and was developed with the Royal Cruising Club Pilotage Foundation. It invites yachts to take the same sort of precautions as the Polar Code but in a proportionate manner. Patrick Lindqvist will liaise with the original authors of the Polar Yacht Guide regarding any updates needed. Sally Garrett advised that she had worked on the IMO Polar Code and could be of assistance.

Action

Patrick Lindqvist to liaise with the original authors of the Polar Yacht Guide regarding any updates needed.

vii) CCC 7 - 6-10 September 2021 Sub-Committee on Carriage of Cargoes and Containers

David Brunskill, as a member of the WS at IMO Team, spoke to a paper he had circulated on the history of this item. In 2018 Vanuatu and World Sailing had jointly raised at MEPC the issue of tracking lost shipping containers.

The issue of tracking had been raised formally at CCC7 and after consideration, the CCC Sub-Committee:

- encouraged interested Member States and international organizations to submit further proposals to CCC 8, under the new output on "Development of measures

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regarding the detection and mandatory reporting of containers lost at sea that may enhance the positioning, tracking and recovery of such containers".

In addition to Vanuatu the following nations have shown an interest in this topic: France, Panama, UAE and Mexico.

Alan Massey noted that the scale of the problem is quite difficult to assess, although some 1500-3000 containers a year are reportedly lost overboard. The potential hazard is self-evidently very serious. David Brunskill noted the loss of containers off the French and Dutch coasts and suggested that, through the European Boating Association, we could activate the EU group at the IMO on this issue.

Action

Stuart Carruthers to discuss with European Boating Association activating EU group support at IMO concerning lost shipping containers.

(b) IMO Correspondence Group on Plastic Litter from Ships

David Brunskill reported that the whole floating shipping containers issue was originally raised by France and Vanuatu under the heading of plastic litter in containers. That specific item did not progress further, but the issue also covers lost fishing nets and gear. The scope has not impacted on recreational craft yet, and it was agreed to keep a watching brief on this working group.

Action:

David Brunskill to keep watching brief on IMO Correspondence Group on Plastic Litter from Ships.

(c) IMO GloFouling Partnerships Project

The aim of this IMO project is to develop a set of best practices for managing biofouling in recreational boating and marinas. World Sailing's involvement had been through Dan Reading, Head of Sustainability. Simon Forbes will look into how this project is progressing.

Action:

Simon Forbes to look into WS involvement with IMO Glofouling Project and report back to Commission.

(d) Piracy

This has already been discussed under matters arising 2(b)(ii).

There is a need to re-establish WS links with organisations MSCHOA for the Horn of Africa, Maritime Domain Awareness for Trade – Gulf of Guinea (MDAT-GoG) and the UK Maritime Trade Organisation. These all have useful guidance to offer.

We need to make sure that WS published guidance on piracy is kept as up-to-date as it can be.

It was also noted that French ocean races (Vendée Globe and Transat Jacques Vabre) are setting exclusions zones off the coast of Mauritania on the advice of the French Navy. FFV will be asked to provide guidance.

Action:

Simon Forbes to contact FFV for piracy information they use. To be considered with information from Minute 2(b)(ii) and updated.

(e) IMO Meeting Schedule

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MEPC 77 November 2021. David Brunskill volunteered to keep a watch.

Stuart Carruthers highlighted that on the issues of anti-fouling coatings and Ballast Water guidance for recreational craft, there was concern that the ISAF/World Sailing corporate knowledge might be short. The following two IMO papers are highlighted for reference:

- viii) Guidance for minimizing the transfer of invasive aquatic species as biofouling (hull fouling) for recreational craft, approved by MEPC at its sixty-fourth session in October 2012 and circulated as MEPC.1/Circ.792. This Guidance is for use by all owners and operators of recreational craft less than 24 metres in length, which may constitute an important vector for the transfer of invasive aquatic species due to their large numbers and their operating profile that may make them particularly susceptible to biofouling.
- ix) International Convention for the Control and Management of Ships' Ballast Water and Sediments, the equivalent compliance for pleasure craft of less than 50m LOA and with a maximum ballast water capacity of 8 Cu. M. is set out in Regulation A-5 and the guidelines it refers to are set out in IMO Resolution MEPC. 123(53).

5. International Standards Organization

Stuart Carruthers summarised that he represents World Sailing and EBA on ISO Technical Committee 188 which deals with recreational craft and equipment for boats up to 24m in length. That embraces all the ISO standards that support the Recreational Craft Directive within Europe and which boatbuilders may use around the world. Personal Safety Equipment also falls within a sub-committee of TC/188.

(a) ISO 12215-9 Yacht Appendages - Keel Fatigue

World Sailing's Plan Review Scheme relies on some parts of the Scantling Standard 12215, which has ten parts. We are aware that that some improvements could be made within Part 9 – Sailing yacht appendages.

- i) World Sailing correspondence to ISO/TC 188 was noted. The letter highlighted that in high stress areas on yacht keels, fatigue through cycling loads was a problem. This was particularly the case with hollow welded keels, and not just on racing yachts.
- ii) ISO/TC188 have agreed to put ISO 12215-9 Yacht Appendages out for voting to undergo a review and hopefully a revision. Through WS members we need to persuade interested parties to go their National Standards organisation and vote for a revision of 12215-9 and not merely a re-confirmation of that standard. Stuart has put the case to the British Standards Institute that they should vote for a revision of ISO 12215-9. In essence the fatigue design specification needs to be upgraded and should have more force than only a recommendation.

Action:

Simon Forbes to consult with Stuart Carruthers and WS Keel Improvements Working Party to contact TC/188 voting members regarding the WS case to vote for review of the ISO 12215-9.

- iii) ISO 15085- Man Overboard Prevention and Recovery is under review and is linked to WS Offshore Special Regulations.

(b) ISO TC 188/SC1 – Personal Safety Equipment

i) ISO 12402:2020 Personal Flotation Devices

Stuart Carruthers highlighted that the standard for an offshore sailing lifejacket has been published in part 6 of ISO 12402, which details special purpose lifejackets.

ii) ISO 12401:2009 – Deck safety harness and safety line

Stuart Carruthers highlighted the Offshore Special Regulations regarding what makes up a tether and how it should be hooked. Stuart has put the problem to TC/188 SC1 subcommittee and they will review the harness standard.

iii) ISO 15207 – Immersion Suits

ISO 15207 Immersion suits is being reviewed to achieve a better alignment between SOLAS requirements and ISO standards. Stuart has argued that the ISO standards should cater for the SOLAS requirement.

6. Regulatory Information from Regional and other Organisations

(a) European Boating Association

Stuart Carruthers highlighted that the European Boating Association(EBA) has been meeting virtually for the last two years.

The EBA agenda is becoming more orientated to environmental issues such as the end-life of boats, carbon zero, emissions-new means of propulsion, invasive species, anti-fouling problems in the Baltic region. The EBA have formed a partnership with European Marine Industry who have an equal interest in many of these issues. The environmental issues are the ones that the European Commission are seized with.

Production of boats, what you do with fibreglass, what you do with old boats, how you run your boat, how you clean your boat, the antifouling of the boat, how you prevent the spread of invasive species. The latest issue is how to get boats away from traditional fossil fuel methods of propulsion to more environmentally-friendly means.

David Brunskill noted that at IMO International Ports and Harbours meetings, port waste and reception facilities had been discussed and he asked if this was an issue for recreational craft and EBA?

Stuart Carruthers noted this is an active issue, covering waste that is landed from a recreational vessel from an international voyage. If you are berthing in a marina it is unlikely that there will be nearby or handy the facilities to deal with that at the moment. The RYA's current advice is that, providing that food from recreational craft is not landed and stays on the boat, you are not contravening regulations.

Offshore renewable energy exclusion zones – there is a mixed picture in Europe and trying to get a common regulatory treatment is a challenge. It is an issue dealt with nationally and there is no uniform solution for instance in the North Sea. Some countries ban you from sailing through offshore renewable energy installations (NED), others are relaxed about it (GBR). The vacant space between some energy installations is now being targeted for siting seaweed farms, which could further constrain the freedom of navigation for small vessels.

The Chairman asked Stuart what was United Kingdom's involvement with the EBA, post Brexit? Stuart's response that the UK's involvement with the EBA was more important than ever. The EBA is not an EU Boating Association, membership includes non-EU states but it is recognised by the European Commission as a European user organisation. WS should therefore remain closely engaged with EBA activities and

information.

Action:

International Regulations Commission to remain closely engaged with EBA Activities.

7. Reports from Commission Members

- (a) Soenke Thomsen expanded on what was partly covered by Stuart in relation to EBA, biofouling and Port Reception Facilities. In Germany and the Netherlands there are increasing discussions on which anti-fouling products can be used. In 2022 in the Netherlands several antifouling coatings will be prohibited. At the moment the paint producers are not offering any permitted alternative. There will be a problem of what antifouling to use, or you cannot take your boat to say the IJsselmeer.

Also the work of the Baltic Marine Environment Protection Commission (HELCOM) on antifouling, invasive species and underwater noise will have an impact on pleasure craft. He also noted that his colleague (and former Commission Member) Michael Stoldt wished to highlight the IMO adopted paper "Guidance for minimizing the transfer of invasive aquatic species as biofouling (hull fouling) for recreational craft"- (see Minute 4(e)(i)).

Soenke volunteered to attend future virtual IMO MEPC meetings.

Action:

Stuart Carruthers and Alan Massey to register Soenke Thomsen as a member of the WS Team at IMO for MEPC 78.

- (b) Elena Matzaridou proposed to begin a discussion on autonomous ships and how they will affect sailors. She felt the subject is not very well developed.

David Brunskill responded that he had been on an IMO working group undertaking a Regulatory Scoping Exercise on Maritime Autonomous Surface Ships (MASS). This will also bring in the issue of COLREGS. There are many trials being undertaken in the coastal waters of Finland, Japan and Norway.

The Chairman agreed that this was an important area to monitor, in order to ensure that the MASS WG considers the implications of their work for small vessel navigation.

Sally Garrett felt the other issue to consider is the proliferation of small un-manned surface vessels such as Saildrone which have circulated Antarctica and go to sea for up to a year. They do fisheries survey work, for example off the Alaskan coast for the US Fisheries inspectors. The size range is 28-70ft, and they are increasingly being used by scientists and regulatory authorities in coastal waters. Sally had also seen a lot of development in hydrographic survey from un-manned vessels. These are being used very close inshore, where people could be sailing dinghies - for instance in harbours.

The Chairman felt that WS and the Commission should consider how to address this development in a methodical manner. Any suggestions will be gratefully welcomed.

[Note: MSC 104 agreed to develop a goal-based instrument for MASS, with a target completion year of 2025. This has been included on MSC biennial agenda for 2022-2023 and the provisional agenda for MSC 105. The MASS Working Group will be re-established, starting at MSC 105] See MSC.1-Circ.1638.

Elena wished to congratulate those involved in producing the Polar Yacht Guide.

Action:

Commission Members to circulate any suggestions on how WS should consider a

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response to the increasing deployment of maritime autonomous surface ships.

- (c) Sarah Kenny wondered how the International Regulations Commission get connections with national organisations to agitate through their standards bodies for example. When we spot an issue such as ISO TC/188 vote for standard review, how do we activate the WS network of connections? Sarah Kenny offered her support via the WS Board to address issued which needed highlighting on a wider basis.

Action:

Stuart Carruthers and Simon Forbes would work with the WS Keel Improvement Working Party to make the case for a review of the standard and the Oceanic and Offshore Committee and Special Regulations SC members to contact the ISO TC/188 national voting members before the March voting deadline.(Also Minute 4(a)(ii)).

8. World Sailing Sustainability Agenda 2030

- (a) The World Sailing Sustainability Agenda 2030 is available here:
https://issuu.com/worldsailing/docs/sustainability2030_17may2018 (Page 11 to 14 includes the deliverables through technical standards)

Other WS sustainability programmes can be found here:
<https://www.sailing.org/about/Sustainability.php#.YUG7IbhKiUI>

- (b) Jaime Navarro reported that he joined the Ocean Race Sustainable Boatbuilding Forum where he facilitated a group discussion on how rules and regulations can drive towards sustainable boat building. It was noted that unless it becomes part of the rules of an event, there is hardly any initiatives put forward. The IMOCA Class Rules have introduced a requirement for the manufacturer to produce a life-cycle assessment as part of their design processes. The outcome for example was the carbon footprint of the new 11th Hour Racing is twice that of an IMOCA 60 built 10 years ago.

9. Any Other Business

The chairman thanked the commission members, observers and staff for their support and their being no further business closed the meeting at 11:50.