

Merchant Marine Circular

Panama Maritime Authority
General Directorate of Merchant Marine
Control and Compliance Department

MERCHANT MARINE CIRCULAR MMC-383

- To:** Recognized Organizations, Shipyards, Shipowners, Ship Operators and Managers, Ship Designers, Ship Masters and all other Stakeholders and Clients.
- Subject:** List of Recognized Organizations whose rules have been confirmed as conforming to the GBS.
- Reference:**
- a) Resolution No.106-OMI-93-DGMM dated December 12, 2011, adopted Resolution MSC.290(87) of May 21, 2010 Adoption of Amendments to the International Convention for the Safety of Life at Sea, 1974, as amended;
 - b) MARPOL Annex I, Unified Interpretation 4-Unforeseen delay in delivery of ships (Reg.1.28)
 - c) Resolution MSC.287(87) dated May 20, 2010;
 - d) Resolution MSC.296(87) dated May 20, 2010;
 - e) MSC.1/Circ.1518/Rev.1 - List of organizations recognized by administrations in accordance with the provisions of SOLAS regulation XI-1/1 whose rules have been confirmed as conforming to the standards;
 - f) MSC.1/Circ.1247- Unified interpretation of "Unforeseen delay in delivery of ships"
 - g) MSC.1/Circ.1343-Guidelines for the information to be included in a Ship Construction File (SCF).
 - h) MSC.1-Circ.1394/Rev.2- Generic guidelines for developing IMO Goal-Based Standards;
 - i) MSC-MEPC.5/Circ.8-Unified interpretation of the application of regulations governed by the building contract date, the keel laying date and the delivery date for the requirements of the SOLAS and MARPOL Conventions.
 - j) Circular Letter No.4204-Add.7-(Covid-19) - Guidance concerning 'Unforeseen delays in the delivery of ships'.

1. Purpose

- 1.1. The purpose of this circular is to inform the list of organizations recognized by administrations in accordance with the provisions of SOLAS regulation XI-1/1, whose rules have been confirmed as conforming to the GBS, as per MSC.1/Circ.1518/Rev.1, dated on December 4, 2018, as amended.

Merchant Marine Circular

2. Preamble

2.1. Goal-Based Standards (GBS) are high-level standards and procedures that are to be met through regulations, rules and standards for ships. GBS are comprised of at least one goal, functional requirement(s) associated with that goal, and verification of conformity that rules/regulations meet the functional requirements including goals. In order to meet the goals and functional requirements, recognized organizations (ROs) shall develop rules and regulations accordingly.

These detailed requirements become a part of a GBS framework when they have been verified, by independent auditors and/or appropriate IMO organs, as conforming to the GBS.

2.2. The basic principles of IMO goal-based standards/regulations are:

2.2.1. Broad, over-arching safety, environmental and/or security standards that ships are required to meet during their lifecycle.

2.2.2. The required level to be achieved by the requirements applied by recognized organizations, Administrations and IMO.

2.2.3. Clear, demonstrable, verifiable, long standing, implementable and achievable, irrespective of ship design and technology.

2.2.4. Specific enough in order not to be open to differing interpretations.

2.3. The above basic principles were developed to be applicable to all goal-based standards developed by IMO and not only to ship construction standards, in recognition that, in the future, IMO may develop goal-based standards for other safety areas, e.g. machinery, equipment, fire-protection, etc., as well as security and environment protection related areas, and that all goal-based standards developed by IMO should follow the same basic principles. The latest IMO instruments using the GBS approach are the Polar Code, IGF Code and Goal-Based Ship Construction Standards for Bulk Carriers and Oil Tankers.

2.4. Goal-based ship construction standards for bulk carriers and oil tankers and the GBS verification audit scheme

2.4.1. The Maritime Safety Committee, at its eighty-seventh session in May 2010, adopted a new SOLAS regulation II-1/3-10 on *Goal-based ship construction standards for bulk carriers and oil tankers* [refer to resolution MSC.290(87)].

This regulation, which entered into force on 1 January 2012, requires that all oil tankers and bulk carriers of 150 m in length and above, for which the building contract is placed on or after 1 July 2016, satisfy applicable structural requirements conforming to the functional requirements of the *International Goal-based Ship Construction Standards for Bulk Carriers and Oil Tankers (GBS Standards)* [refer to resolution MSC.287(87)].

Merchant Marine Circular

2.4.2. Under the GBS Standards, the construction rules for bulk carriers and oil tankers of recognized organizations (ROs) shall be verified, by international GBS Audit Teams established by IMO's Secretary-General, based on the *Guidelines for verification of conformity with goal-based ship construction standards for bulk carriers and oil tankers* [resolution MSC.296(87)] (GBS Guidelines). These Guidelines foresee that recognized organizations submit requests for verification of their ship construction rules to the Secretary-General, who will forward these requests to the Audit Teams to be established for a verification of the submitted information through an independent review. The final reports of the Teams with relevant recommendations are then forwarded to the MSC for consideration and approval.

3. Scope

3.1. *The International Goal-Based Ship Construction Standards for Bulk Carriers and Oil Tankers* (hereinafter referred to as "GBS") describe the goals and establish the functional requirements that the rules for the design and construction of bulk carriers and oil tankers of an organization recognized by the Administration shall conform to as defined in SOLAS regulations II-1/2.28 and II-1/3-10. Additionally, the GBS establish that the above mentioned rules shall be verified as conforming to the goals and functional requirements.

4. Applicability (SOLAS regulation II-1/3-10)

4.1. This regulation shall apply to oil tankers of 150 m in length and above and to bulk carriers of 150 m in length and above, constructed with single deck, top-side tanks and hopper side tanks in cargo spaces, excluding ore carriers and combination carriers:

1. For which the building contract is placed on or after **1 July 2016**;
2. In the absence of a building contract, the keels of which are laid or which are at a similar stage of construction on or after **1 July 2017**; or
3. The delivery of which is on or after **1 July 2020**.

4.2. Ships shall be designed and constructed for a specified design life to be safe and environmentally friendly, when properly operated and maintained under the specified operating and environmental conditions, in intact and specified damage conditions, throughout their life.

5. Definitions

5.1. Goal-based Ship Construction Standards for Bulk Carriers and Oil Tankers means the International Goal-Based Ship Construction Standards for Bulk Carriers and Oil Tankers, adopted by the Maritime Safety Committee by Resolution MSC.287(87), as may be amended by the Organization.

Merchant Marine Circular

- 5.2. Safe and environmentally friendly means the ship shall have adequate strength, integrity and stability to minimize the risk of loss of the ship or pollution to the marine environment due to structural failure, including collapse, resulting in flooding or loss of watertight integrity.
 - 5.3. Environmentally friendly also includes the ship being constructed of materials for environmentally acceptable recycling.
 - 5.4. Safety also includes the ship's structure, fittings and arrangements providing for safe access, escape, inspection and proper maintenance and facilitating safe operation.
 - 5.5. Specified operating and environmental conditions are defined by the intended operating area for the ship throughout its life and cover the conditions, including intermediate conditions, arising from cargo and ballast operations in port, waterways and at sea.
 - 5.6. Specified design life is the nominal period that the ship is assumed to be exposed to operating and/or environmental conditions and/or the corrosive environment and is used for selecting appropriate ship design parameters. However, the ship's actual service life may be longer or shorter depending on the actual operating conditions and maintenance of the ship throughout its life cycle.
 - 5.7. Ship Construction File: file with specific information on how the functional requirements of the *Goal-based Ship Construction Standards for Bulk Carriers and Oil Tankers* have been applied in the ship design and construction. It shall be provided upon delivery of a new ship, and shall be kept on board the ship and/or ashore and updated as appropriate throughout the ship's service. The contents of the *Ship Construction File* shall, at least, conform to the guidelines developed by the IMO {Refer to the *Guidelines for the information to be included in a Ship Construction File (MSC.1/Circ.1343)*}.
6. List of Recognized Organizations whose rules have been confirmed as conforming to the GBS
- 6.1. The following Recognized Organizations authorized by the Republic of Panama, whose rules have been verified and confirmed its conformity with the Goal-Based Ship Constructions Standards for Bulk Carriers and Oil Tankers, as per MSC.1/Circ.1518/Rev.1, dated on December 4, 2018, as amended:

Merchant Marine Circular

Recognized Organization	Date of Confirmation	Session of MSC
American Bureau of Shipping (ABS)	11 May 2016	MSC 96
Bureau Veritas (BV)	11 May 2016	MSC 96
China Classification Society (CCS)	11 May 2016	MSC 96
Croatian Register of Shipping (CRS)	11 May 2016	MSC 96
DNV	11 May 2016	MSC 96
Indian Register of Shipping (IRS)	11 May 2016	MSC 96
Korean Register (KR)	11 May 2016	MSC 96
Lloyd's Register (LR)	11 May 2016	MSC 96
Nippon Kaiji Kyokai (ClassNK)	11 May 2016	MSC 96
Polski Rejestr Statków S.A (PRS)	11 May 2016	MSC 96
RINA Services S.p.A. (RINA)	11 May 2016	MSC 96
Russian Maritime Register of Shipping (RS)	11 May 2016	MSC 96
Türk Loydu Uygunluk Değerlendirme Hizmetleri A.Ş. (Türk Loydu)	4 December 2018	MSC 100

6.2. Consequently, the aforementioned organizations are recognized by the Panama Maritime Authority with the provision of SOLAS regulation XI-1/1, whose rules have been verified as conforming to the GBS by the International Maritime Organization, applicable to oil tankers and bulk carriers of 150 m in length, delivered on or after 1 July 2020, and updated as appropriate throughout the ship's life service as defined in SOLAS regulation II-1/2.28 and II-1/3-10, accordingly.

6.3. The Panama Maritime Authority draws the attention of recognized organizations, shipyards, shipowners, ship designers, ship operators and managers, ship masters and all other stakeholders and clients concerned to the above list.

7. IMO Circular Letter No.4204-Add.7 - Coronavirus (Covid-19) - Guidance Concerning Unforeseen Delays in the Delivery of Ships.

7.1. IMO's Secretary-General, is receiving communications from other Administrations regarding the difficulties faced by shipbuilders, equipment suppliers, shipowners, surveyors and service engineers in respect of the timely delivery of ships due to the COVID-19 pandemic, and taking into account that the current situation is due to unforeseen circumstances beyond the control of the shipbuilder and the owner, therefore this Administration wishes to draw the attention to the following unified interpretations approved by the Maritime Safety Committee (MSC):

7.1.1. *MSC-MEPC.5/Circ.8*, approved on July 1st, 2013, set out in Annex 1 of *Circular Letter No. 4204-Add.7 dated on April 3, 2020 for 'Unified interpretation of the application of regulations governed by the building contract date, the keel laying date and the delivery date for the requirements of the SOLAS and MARPOL Conventions'* and;

Merchant Marine Circular

7.1.2. *MSC.1/Circ.1247*, approved on November 6, 2007, set out in Annex 2 of *Circular Letter No. 4204-Add.7 dated on April 3, 2020* for 'Unified interpretation of "unforeseen delay in the delivery of ships'.

7.2. Special attention to paragraph 3.3 of *MSC-MEPC.5/Circ.8*, which states that:
".3 regardless of the building contract signing date or keel laying date, if a ship's delivery date occurs on or after the delivery date specified for a particular set of regulation amendments, then, that set of regulation amendments applies except in the case where the Administration has accepted that the delivery of the ships was delayed due to unforeseen circumstances beyond the control of the shipbuilder and the owner (*). The delivery date means the completion date (day, month and year) of the survey on which the certificate is based (i.e. the initial survey before the ship is put into service and certificate issued for the first time) as entered on the relevant statutory certificates. (*) *Refer to Unified Interpretation of "Unforeseen delay in the delivery of ships" (MSC.1/Circ.1247 and MARPOL Annex I, Unified Interpretation 4).*

7.3. Considering the interpretation of SOLAS regulation II-1/3-10 concerning the term "unforeseen delay in the delivery of ships" established by IMO on *Circular Letter No. 4204- Add.7 dated on April 3, 2020*, take into account the following considerations:

7.3.1. For the purpose of defining the category of a ship under SOLAS regulation II-1/3-10, a ship for which the building contract (or keel laying) occurred, and scheduled delivery date was, before the dates specified in this regulation, but where the delivery has been subject to delay beyond the specific date due to '*unforeseen circumstances beyond the control of the builder and the owner*', may be accepted by this Administration as a ship delivered before the date of delivery specified in this regulation. The treatment of such ships should be considered by this Administration on a case-by-case basis requested to Segumar Regional offices, bearing in mind the particular circumstances.

7.3.2. It is important that ships accepted by this Administration under the provisions of paragraph 7.3.1 above should also be accepted as such by port States. In order to ensure this, the following practice is recommended when considering an application for such a ship:

7.3.2.1. This Administration should thoroughly consider applications on a case-by-case basis requested to Segumar Regional Offices, bearing in mind the particular circumstances. In doing so in the case of a ship built in a foreign country, this Administration may require a formal report from the authorities of the country in which the ship was built, stating that the delay was due to '*unforeseen circumstances beyond the control of the builder and the owner*';

Merchant Marine Circular

- 7.3.2.2.** when a ship is accepted by this Administration under the provisions of paragraph 7.3.1 above, the *delivery* date annotated on statutory certificates, as applicable, should be footnoted to indicate that the ship is accepted by this Administration under the *unforeseen delay in delivery provisions of this interpretation*; and
- 7.3.2.3.** this Administration should report to the IMO on the identity of the ship and the grounds on which the ship has been accepted under the *unforeseen delay in delivery provisions of this interpretation*.

March, 2023 – References, Paragraph 3 & 6.2 were amended and change of name of Korean Register of Shipping to Korean Register.

February, 2021 – DNV GL change of name to DNV.

June, 2020.

Inquiries concerning the subject of this Merchant Marine Circular or any other request should be forward to:

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