

Participant’s Country/Org:

Date Completed:

1.a General Length Definition (SLF 53/5, annex 4, issue No. 1)

Requirement/Interpretation TM Convention, Article 2(8) "Length" means 96 per cent of the total length on a waterline at 85 per cent of the least moulded depth measured from the top of the keel, or the length from the fore side of the stem to the axis of the rudder stock on that water line, if that be greater. In ships designed with a rake of keel the waterline on which this length is measured shall be parallel to the designed waterline. TM.5/Circ.5, Definitions, Paragraph Length should be calculated at 96% of the total length of a waterline at 85% of the least moulded depth measured from the top of the keel.

Description of Issue There are several areas where neither the TM Convention nor TM.5/Circ.5 provide sufficient information to permit assignment in a consistent manner of the length dimension, which is a determining factor for applicability of the TM Convention, and is widely used for applying design standards and, in some cases, fees. Also, length can vary depending on treatment of bulbous bows, raked bows, raked transoms, sloping transoms, etc

Proposed Solutions

Italy (CG Round 1) "Length" means the greater of the following values:

- 96% of overall length on a waterline at 85% of the least moulded depth; or
- the length from the fore side of the stem to the axis of the rudder stock (if fitted) on that waterline.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

United States (CG Round 1) Establish interpretations to the effect that, where a Load Line Certificate has been issued and is available, the length, breadth and depth specified on the ITC shall be the same, with an associated remark to that effect. The interpretations would make it clear that if necessary, the “novel craft” provisions of the TM Convention would apply to situations where Load Line assignments are based on updated definitions of the 1988 Protocol, or other unique considerations allowed by the Load Line Convention.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

TM Conv CG Round 1 Questionnaire Rev 0 30Mar2012
Issue 1 – Length Definition

United States (CG Round 1) Expand and modify the interpretation of TM.5/Circ.5 on column stabilized units to mandate that for such novel craft, the maximum longitudinal dimension of what is considered to be the ship's hull is used when establishing the length measurement, to which is applied a factor of 0.96.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

France [Prelim] (CG Round 1) TM Length definition is the same as LL66 one. Any interpretation for this definition would have to be accepted for LL66 too. On the other hand, some interpretation required for TM may already exist in LL66 interpretations. For ships without rudder stock it could be useful to find an equivalent abaft structure.

Assessment

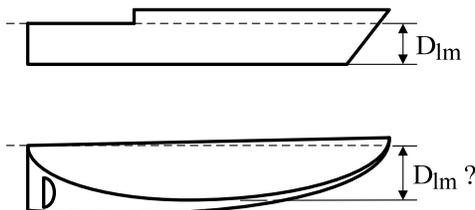
Agree	Agree but with changes	Neither agree nor disagree	Disagree
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Comments

1.b Determining Least Moulded Depth (SLF 53/5, annex 4, issue No. 1)

Requirement/Interpretation TM Convention, Article 2(8) "Length" means 96 per cent of the total length on a waterline at 85 per cent of the least moulded depth measured from the top of the keel, or the length from the fore side of the stem to the axis of the rudder stock on that waterline, if that be greater. In ships designed with a rake of keel the waterline on which this length is measured shall be parallel to the designed waterline. TM.5/Circ.5, Definitions, Paragraph Length should be calculated at 96% of the total length of a waterline at 85% of the least moulded depth measured from the top of the keel.

Description of Issue The term "least moulded depth", which is the basis for the length assignment, is undefined, and various interpretations of the term can lead to length dimensions varying on the order of 5% or more.



Proposed Solutions

Japan (CG Round 1) If it is impossible to decide the minimum depth due to the ship having a curved keel as indicated in the above figure, the length should be the greater of (a) or (b), below:

- a) 96% of the length from the fore side of the stem to the aft side of the stern plate at the underside of the upper deck.
- b) The length from the fore side of the stem to the axis of the rudder at the underside of the upper deck.

Reference: TM.5/Circ.5 article 2(8).2).

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

TM Conv CG Round 1 Questionnaire Rev 0 30Mar2012
Issue 1 – Length Definition

IACS (SLF 54/9) Define least moulded depth as "The least moulded depth is the smallest depth along the length of the ship from the top of the keel to the upper deck as defined in regulation 2 of the Convention and corresponds to the length in the Load Line Convention". Accompanying sketches and figures will be required.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

Italy (CG Round 1) For ships designed with a rake of keel, the waterline on which this length is measured should be parallel to the designed waterline. A set of diagrams / pictures are needed for more better clarify the position in which the least moulded depth must be measured in the various keel configuration

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

United States (CG Round 1) Develop an interpretation of least moulded depth along the lines of "the vertical distance between: 1) the top of the flat plate keel (or equivalent) at the lowest point along its length; and 2) the horizontal line that is tangent to the underside of the upper deck at the ship's side at the lowest point along the upper deck's length". For the purposes of this definition, the ship is considered to be trimmed on a waterline parallel to the design waterline."

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

TM Conv CG Round 1 Questionnaire Rev 0 30Mar2012
Issue 1 – Length Definition

Canada (CG Round 1) Interpretation of the moulded depth: The least moulded depth is the smallest moulded depth along the length of the ship measured as defined in regulation 2(2).

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

France [Prelim] (CG Round 1) The moulded depth is defined in LL66 for a ship with an inclined keel.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

1.c Trainable Rudders & Rudderless Ships (SLF 53/5, annex 4, issue No. 1)

Requirement/Interpretation TM Convention, Article 2(8) "Length" means 96 per cent of the total length on a waterline at 85 per cent of the least moulded depth measured from the top of the keel, or the length from the fore side of the stem to the axis of the rudder stock on that waterline, if that be greater. In ships designed with a rake of keel the waterline on which this length is measured shall be parallel to the designed waterline.

Description of Issue With the increasing use of trainable water-jet propulsion units and similar combination steering/propelling devices, many ships are no longer fitted with rudder stocks, which is a key input in the length determination.



Proposed Solutions

IACS (SLF 54/9) Where a ship does not have a rudder stock, the length should be determined as follows: taken as 0.96 of the length overall (LOA) at 0.85D.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

Japan (CG Round 1) If the ship is not fitted with a rudder stock (e.g., water-jet propulsion units, similar combination steering/propelling devices), the length should be 96% of the total length on a waterline at 85% of the least moulded depth measured from the top of the keel. Reference: TM.5/Circ.5 article 2(8).1).

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

TM Conv CG Round 1 Questionnaire Rev 0 30Mar2012
Issue 1 – Length Definition

Japan (CG Round 1) If the ship is fitted with plural (multiple) rudders, the axis of the rudder should be the rearmost one.

Assessment

Agree

Agree but
with changes

Neither agree
nor disagree

Disagree

Comments

Italy (CG Round 1) In case the ships are not fitted with rudder stocks "length" means 96% of total length on a waterline at 85% of the least moulded depth (in this case no comparison is possible).

Assessment

Agree

Agree but
with changes

Neither agree
nor disagree

Disagree

Comments

TM Conv CG Round 1 Questionnaire Rev 0 30Mar2012
Issue 1 – Length Definition

United States (CG Round 1) Establish the interpretation that trainable propulsion units are not taken into consideration when determining the length under the TM Convention. These units are occasionally changed out, which could require a recertification to reflect the changed length if the location of the vertical axis of rotation changes.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

Canada (CG Round 1) Regarding ships that do not have rudder stock, the interpretations of the current circular TM.5/Circ.5, June 10, 1994 on the definition of length (see page 1, Definitions (article 2(8), paragraph 1) may require some amendments as follows: “When establishing the length of a ship that does not have a rudder stock, the length shall be taken as 96% of the total length on a waterline at 85% of the least moulded depth measured as defined in regulation 2(2).”

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

France [Prelim] (CG Round 1) For ships without a rudder stock it could be useful to find an equivalent abaft structure.

Assessment

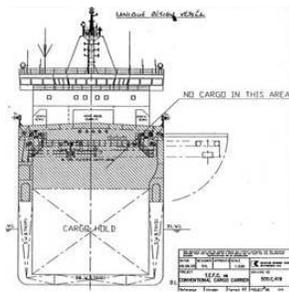
Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

Issue 2 Novel Craft Provisions (SLF 53/5, annex 4, issue No. 2)

Requirement/Interpretation TM Convention, Article 2(4) "Gross tonnage" means the measure of the overall size of a ship determined in accordance with the provisions of the present Convention. TM Convention, Regulation 1(3) The gross tonnage and the net tonnage of novel types of craft whose constructional features are such as to render the application of the provisions of these Regulations unreasonable or impracticable shall be as determined by the Administration.

Description of Issue Regulation 1(3) has been construed as allowing a flag State to calculate gross tonnage based on economic and safety considerations, "exempting" fully enclosed spaces which would otherwise have been included in tonnage. The result is the assignment of gross tonnage not reflective of a ship's "overall size" as defined in Article 2(4). As reported to Contracting Governments via TM Circular, the reduction in gross tonnage was approximately 60% in this case. Applying novel craft provisions in this manner can result in assignment of gross/net tonnages that have no relationship to a ship's overall size/useful capacity.



Proposed Solutions

IACS (SLF 54/9) Define "novel craft" as "For the purposes of regulation 1(3) a novel craft is one which is novel in its design. It does not include general cargo ships, oil tankers, chemical carriers, container ships, passenger ships, offshore supply ships, yachts, tugs, barges or other craft of usual shape. Where ships include new types of structures fitted on board (for example loaders) that may impact on the tonnage measurements, these can also be considered novel craft".

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

Japan (CG Round 1) The provision which restricts using the novel craft rule should be added to the TM interpretation. If the information of the novel craft is circulated in accordance with Regulation 1 (3), the method of measuring the novel craft could be discussed at IMO after circulation. If the method is applicable, the treatment of measuring the novel craft will be added to the TM interpretation. If the method is inapplicable, IMO will recommend that the method should not be applied. If this solution is adopted, there are several merits/demerits as follows.

Merits:

- a) It may be a deterrent effect for application of novel craft because there is a risk of the tonnage change for ship owners.
- b) It is good system for the integrity and uniform implementation of the TM69 to various ships, because it is possible to amend the defect of the TM69 and the interpretation properly.

Demerits (Disadvantages):

- a) It may take a lot of time to get the results of such a deliberation.
- b) If the ship is not considered a novel craft as a result of such deliberation, it may be to the ship owner's disadvantage.
- c) The interpretation may be changed frequently.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

Italy (CG Round 1) Ships having novel design and/or new types of structures fitted on board (for example loaders) that may impact on the tonnage measurement, these can be considered novel craft for the purposes of Regulation 1(3) TM Convention. It is obvious that ships with usual shape or intended for usual service cannot be considering as "novel craft".

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

United States (CG Round 1) Establish interpretations that in applying novel craft provisions of Regulation 1(3), the gross and net tonnages must be reflective of the ship's overall size and useful capacity, respectively. When an Administration has applied a novel craft interpretation that is not identified in the TM.5/Circ.5 update, a remark should be included on the ITC to this effect (e.g., referencing the IMO circular notifying Contracting Governments of the Administration's novel craft interpretation).

Assessment

Agree

Agree but
with changes

Neither agree
nor disagree

Disagree

Comments

Canada (CG Round 1) For the purpose of Regulation 1(3) the right of the Administration to determine tonnage of novel types of craft by application of methods other than those provided in the Regulations shall not be construed to allow exempting from measurement of those enclosed spaces which would otherwise have been included in tonnage. A novel type of craft shall be understood as one which is novel in its design and shall not include existing traditional types of ships of usual shape or those types already covered by the interpretations in the circular TM.5/Circ.5. The Administration shall communicate to the Organization the details of the method used to determine tonnage of a novel type of craft together with the definition/description of the novel type of craft and initiate necessary measures to include the corresponding interpretations to the circular TM.5/Circ.5 as official IMO interpretations.

Assessment

Agree

Agree but
with changes

Neither agree
nor disagree

Disagree

Comments

France [Prelim] (CG Round 1) TM regulation 1(3) is not provided for economic or safety considerations but for novel type of ship as were open-top container-ships. In the example shown, the volume has to be included in GT according regulation 2(4) without the possibility of using regulation 2(5) items.

Assessment

Agree

Agree but
with changes

Neither agree
nor disagree

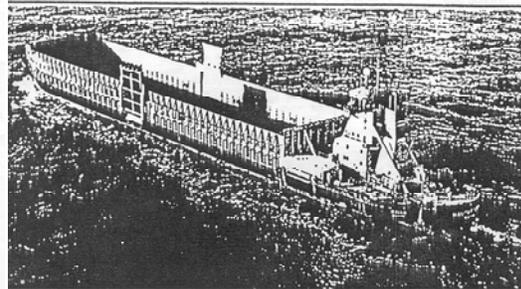
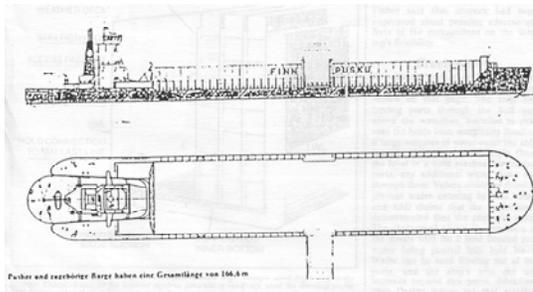
Disagree

Comments

3.a Requirement for a Deck Above to Bound Enclosed Space (SLF 53/5, annex 4, issue No. 9)

Requirement/Interpretation TM Convention, Regulation 2(4) *Enclosed spaces are all those spaces which are bounded by the ship's hull, by fixed or portable partitions or bulkheads, by decks or coverings other than permanent or movable awnings. No break in a deck, nor any opening in the ship's hull, in a deck or in a covering of a space, or in the partitions or bulkheads of a space, nor the absence of a partition or bulkhead, shall preclude a space from being included in the enclosed space.*

Description of Issue Regulation 2(4) is unclear as to whether a space not within the ship's hull must be bounded by a deck above, in order for that space to be considered enclosed and therefore included in the total volume of all enclosed spaces (V). The issue was discussed at SLF 30 (document SLF 30/WP 4 dated 27 February 1985), and a decision made that, in effect, a deck above was required to bound an enclosed space, although there was not universal agreement on this interpretation. In theory, under this interpretation, the space bounded by the high coamings is not enclosed. Subsequently, IMO has taken different approaches, with volumes inside coamings of open-top containerships included in V, while volumes inside of coamings of dockships have been omitted.



Proposed Solutions

IACS (SLF 54/9) If a space is bounded on at least three sides and is not utilized for the storage of cargo and/or stores, etc., then it should be regarded as an excluded space. If it is utilized for the carriage of cargo and stores, etc., then it should be included in the calculation of V and V_c where applicable.

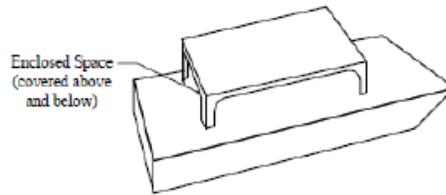
Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
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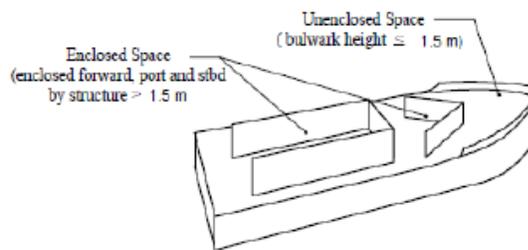
Comments

Panama (CG Round 1) The following proposed solution is offered for what constitutes enclosed spaces:

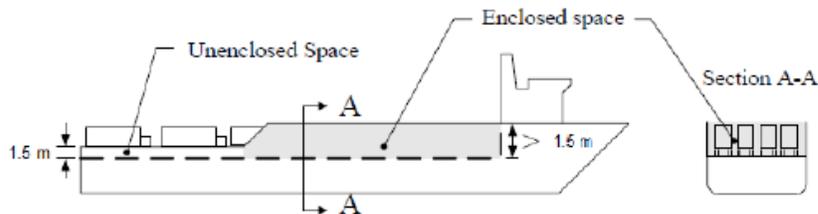
- (a) covered from above and below; or



- (b) covered from above or below and enclosed on three or more sides by partitions or bulkheads that exceed 1.5 meters in height as measured from the lowest point of the enclosed space.



In the situation where only a portion of a bulkhead or partition exceeds 1.5 meters in height, the entire inboard space in way of that portion of the structure from the deck to the top of the structure must be included in the total volume of all enclosed spaces (V).



- (c) Temporary deck equipment which has enclosed volume (e.g., processing tanks, seismic trailers, housed portable machinery, stabilizer pontoons, etc.)
- (d) Spaces below cargo hatches of multipurpose vessels which have the facility to trade with cargo hatches open or closed, regardless of the hatch position when the vessel is measured.
- (e) Uncovered spaces bounded on three sides by bulwarks - or portions of bulwarks - that exceed 1.5 meters in height.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

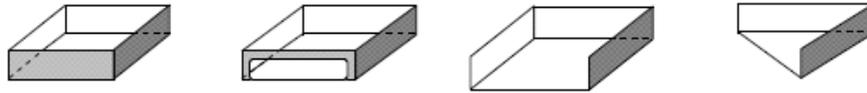
Comments

Japan (CG Round 1) A space bounded by high side coamings where a cover is not fitted should be an enclosed space. A space on a deck of the hull bounded by at least two connected side bulkheads/partitions, or by a cover should be enclosed space. This is in accordance with the following categorization of enclosed spaces per regulation 2(4):

a) the ship's hull



b) fixed or portable partitions or bulkheads, as vertical division



c) decks or coverings, as horizontal division



In this manner, enclosed space can be composed only of the ship's hull (a), by combination of the ship's hull and partitions/bulkheads ((a) and (b)), by combination of the ship's hull and a deck/covering((a) and (c)), or by all elements((a), (b), and (c)). Therefore, the minimum unit of enclosed space above the upper deck can be the space bounded by at least a deck and connected two side bulkheads/partitions, or by a deck and covering (see following figure).



Fig. The minimum unit of enclosed space above upper deck

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

TM Conv CG Round 1 Questionnaire Rev 0 30Mar2012
Issue 3 – Enclosed Spaces

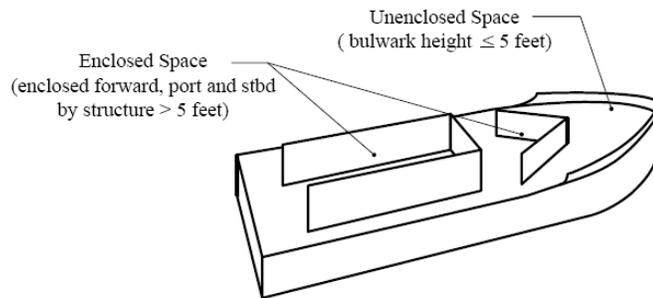
Italy (CG Round 1) In order to consider a space not within the ship's hull as enclosed space, and therefore included in the Gross Tonnage, a deck or covering above should be required. (For the spaces appropriated for transport of cargo see 3c).

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

United States (CG Round 1) Develop generalized interpretations, covering all types of ships, that would require treatment as enclosed space of uncovered (undecked) spaces with three or more sides that are above bounded from above or below and enclosed on three or more sides by partitions or bulkheads. These interpretations would treat spaces bounded by low-sided bulwarks, coamings and similar structures (e.g., those that do not exceed 1.5 meters (5 feet) in height) as unenclosed, and thus not subject to inclusion in the total volume of all enclosed spaces (V). See figure below.



Assessment

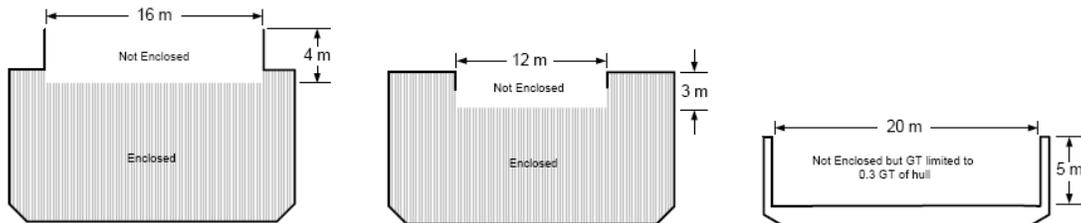
Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

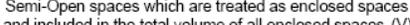
Comments

United States (CG Round 1) Establish novel craft provisions to address the large high-sided spaces on any ship-type, including open-top containerships, as if the upper portion of that space is not enclosed, along the lines of an aspect ratio (e.g., “1 in 4”) rule based on the height (vertical direction) and width (transverse direction) of the space, regardless of whether or not there is a deck above. This is to reflect the relative “openness” of such space, subject to a restriction to openings less than a certain percentage (e.g., 50%) of the ship’s breadth (B), to avoid conflicts with how the TM Convention treats space beneath “true” deck openings. Restrictions on the amount of GT reduction (e.g., 30%) are envisioned to preclude “abuse”. Make corresponding changes to the TM.5/Circ.5 interpretations on hopper barges, dockships, etc. This would also eliminate the need for special novel craft provisions for offshore support (supply) vessels (OSVs). See illustrations below and on next page.

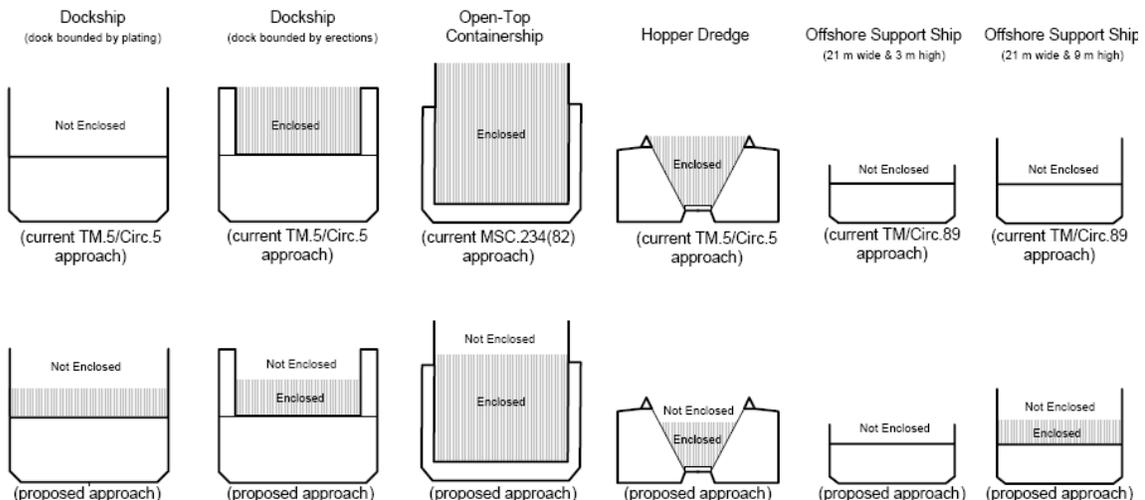


**Proposed “1 in 4” rule
for treatment of large uncovered spaces**



 Enclosed
 Semi-Open spaces which are treated as enclosed spaces and included in the total volume of all enclosed spaces (V)

Examples of application of “1 in 4” rule



TM Conv CG Round 1 Questionnaire Rev 0 30Mar2012
Issue 3 – Enclosed Spaces

Assessment

Agree

Agree but
with changes

Neither agree
nor disagree

Disagree

Comments

Canada (CG Round 1) This issue is connected with both Reg. 2(4) – Enclosed Spaces and Reg. 2(5) - Excluded Spaces, means for securing cargo or stores. Following the meaning of Reg. 2(4) and 2(5), the absence of an overhead deck would not preclude a space from being treated as an enclosed space but such enclosed space would still be excluded from the volume of enclosed spaces (and from tonnage calculations) unless fitted with any “means for securing cargo or stores”. To resolve issue 3a the “means for securing cargo or stores” in Reg.2(5) shall be interpreted to include boundary structures (such as fixed or portable partitions or bulkheads) of spaces appropriated for stowage of cargo or stores [as these structures serve the purpose of cargo or stores containment].

Assessment

Agree

Agree but
with changes

Neither agree
nor disagree

Disagree

Comments

France [Prelim] (CG Round 1) The volumes inside both open-top containerships and dockships coamings have to be included in V (see figure 6 and 9 TM.5/Circ.5). However, it is unclear if the ship figured belongs to one of these types of ships.

Assessment

Agree

Agree but
with changes

Neither agree
nor disagree

Disagree

Comments

3.b Treatment of Temporary Deck Equipment (SLF 53/5, annex 4, issue No. 10)

Requirement/Interpretation TM Convention, Regulation 2(4) *Enclosed spaces are all those spaces which are bounded by the ship's hull, by fixed or portable partitions or bulkheads, by decks or coverings other than permanent or movable awnings. No break in a deck, nor any opening in the ship's hull, in a deck or in a covering of a space, or in the partitions or bulkheads of a space, nor the absence of a partition or bulkhead, shall preclude a space from being included in the enclosed space. TM.5/Circ.5, Definitions, Paragraph 4.3 Tanks, permanently located on the upper deck, provided with removable pipe connections to the cargo system or the vent (de-airing) lines of the ship, should be included in V_c .*

Description of Issue Increasingly, ships in certain services are being fitted with temporary/semi-permanent tanks or modular installations such as portable quarters, seismic trailers, and processing facilities, which are sometimes referred to as “temporary deck equipment”. Per Regulation 2(4), spaces bounded by portable partitions are included in volume measurement for tonnage calculation, yet TM.5/Circ.5 implies that a tank on the upper deck that is connected to ship systems must be “permanent” in order for it to be included in tonnage. While at least one flag State treats temporary deck equipment in the same manner as any other enclosed structure, it is not clear how other flag States are treating such spaces, nor is it clear how such spaces are to be identified on International Tonnage Certificates.



Proposed Solutions

IACS (SLF 54/9) Temporary/semi-permanent spaces should be excluded in the calculation of V and recorded as a temporary space when listed on the ITC. A clear definition of permanent and temporary equipment is required. The securing arrangement for these spaces may be influential and this will require clarity also.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

Japan (CG Round 1) The space associated with deck equipment that is fitted, whether the deck equipment is temporary or not, should be included in the total volume of enclosed space.

Assessment

Agree

Agree but
with changes

Neither agree
nor disagree

Disagree

Comments

Japan (CG Round 1) If the deck equipment is fitted/removed, the tonnage should be remeasured each time.

Assessment

Agree

Agree but
with changes

Neither agree
nor disagree

Disagree

Comments

Italy (CG Round 1) If temporary/semi-permanent spaces above the upper deck are welded or bolted to the ship's structure, then the spaces should be included in the ship's tonnage. They should be also included in the ship's tonnage if they are connected to ship systems, except for containerized cargo above the upper deck that is connected to on board electrical system for the preservation of the contents.

Assessment

Agree

Agree but
with changes

Neither agree
nor disagree

Disagree

Comments

TM Conv CG Round 1 Questionnaire Rev 0 30Mar2012
Issue 3 – Enclosed Spaces

United States (CG Round 1) Modify the interpretations of TM.5/Circ.5 to provide for the inclusion of portable enclosed spaces in the total volume of all enclosed spaces (V). Develop a definition for portable enclosed spaces that distinguishes such spaces from "movable" spaces that, by nature, are an integral part of the ship (such as mobile cranes, crane booms, etc.), and does NOT rely on the concept of "permanent"/"temporary", whether in reference to the duration that the space will remain on board, means of attachment, or connection to ship services. Include provisions for assigning gross and net tonnage based on a maximum specified "allowance" for portable spaces, upon request by the ship owner (e.g., remark on the ITC that reads: "Assigned tonnages include 103 cubic meters reserved for portable enclosed spaces, located FR 46-47").

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

France [Prelim] (CG Round 1) TM5/Cir5 4.3 is only provided for permanent tanks connected with cargo spaces and so included in V and Vc. Concerning temporary spaces and specialty structures in the photos, it could be difficult to include such spaces for temporary time. If such structures are permanent, there is no problem including them.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

3.c Treatment of Deck Cargo Bounded by Enclosing Structure (SLF 53/5, annex 4, issue No. 11)

Requirement/Interpretation TM Convention, Regulation 2(4) *Enclosed spaces are all those spaces which are bounded by the ship's hull, by fixed or portable partitions or bulkheads, by decks or coverings other than permanent or movable awnings. No break in a deck, nor any opening in the ship's hull, in a deck or in a covering of a space, or in the partitions or bulkheads of a space, nor the absence of a partition or bulkhead, shall preclude a space from being included in the enclosed space.*

Description of Issue Neither the TM Convention nor TM.5/Circ.5 specifically addresses treatment of deck cargo. The space associated with deck cargo that is containerized or otherwise bounded by enclosing structure (e.g., portable liquid cargo tanks) appears to meet the definition of “enclosed space” in the sense that the space is bounded by “portable partitions or bulkheads”. Therefore, it is unclear under what authority such enclosed deck cargo space may be ignored when calculating tonnage, as is typically the case, or why such spaces are treated differently from portable quarters and other temporary deck equipment spaces.



Proposed Solutions

IACS (SLF 54/9) Spaces which are bounded on at least three sides by wall sided ship's permanent structure and which are used to house cargo and/or stores, etc., should be included when calculating the gross and net tonnages.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

Japan (CG Round 1) Deck cargo should not be included in enclosed spaces. The spaces bounded by deck cargo should not be included in enclosed spaces.

Assessment

Agree

Agree but
with changes

Neither agree
nor disagree

Disagree

Comments

Italy (CG Round 1) Ship's spaces appropriated for the transport of the cargo and bounded on at least three sides by extended ship's structures should be included in the gross and net tonnages. In this definition is necessary to clarify that:

- 1 the cargo containers carried on deck without any protection should not be included in the gross and net tonnages. For cargo containers should be considered any "box storage" that is loaded and unloaded from the ship with the contents;
- 2 the concept of "three sides boundaries" apply regardless of the fact that the space has a cover; however, for more clarity, the floor deck is not considered as being one of the three mentioned boundaries;
- 3 the concept of extended ship's structures should be intended as structures highest than a standard side bulwarks;

In addition set of diagrams / pictures are needed for more better clarify the uncovered cargo spaces that should be included in the gross and net tonnages for specific ship's type.

Assessment

Agree

Agree but
with changes

Neither agree
nor disagree

Disagree

Comments

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Issue 3 – Enclosed Spaces

United States (CG Round 1) Establish interpretations to the effect that deck cargo and life saving (and other craft) carried aboard a ship are not part of the ship, and therefore are not included in the total volume of all enclosed spaces (V). A definition of deck cargo should be established, along the lines of “deck cargo is freight carried on the weather decks of a ship for the sole purpose of its transport between two separate and distinct locations and which is off-loaded from the ship in its original container (if applicable) without undergoing any processing or other use while onboard the ship.”

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

France [Prelim] (CG Round 1) Concerning temporary spaces see 3b above. According to the TM Convention, only spaces included in GT can be included in NT. Considering deck cargo as containers, there is no "enclosed space". Also containers cannot be included in GT; neither in NT. The Panama Canal Authority solves this problem by creating a new NT parameter. But I think this group is not mandated to solve this question.

Assessment

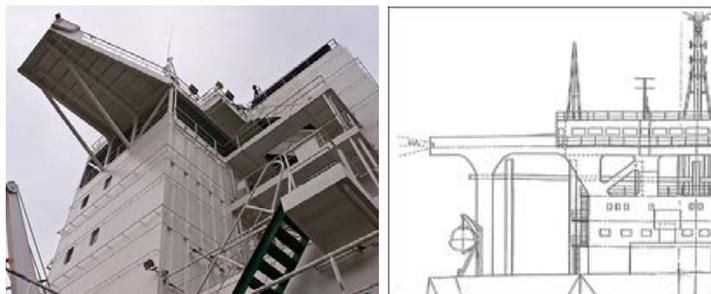
Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

3.d Treatment of Spaces Underneath Overhangs (SLF 53/5, annex 4, issue No. 12)

Requirement/Interpretation TM Convention Regulation 2(4) *Enclosed spaces are all those spaces which are bounded by the ship's hull, by fixed or portable partitions or bulkheads, by decks or coverings other than permanent or movable awnings. No break in a deck, nor any opening in the ship's hull, in a deck or in a covering of a space, or in the partitions or bulkheads of a space, nor the absence of a partition or bulkhead, shall preclude a space from being included in the enclosed space.*

Description of Issue Under the enclosed space definition of Regulation 2(4), space bounded by a deck above is considered enclosed space, and can be excluded only if it meets the excluded space requirements of Regulation 2(5). It appears that bridge wings and other overhangs do, in fact, bound enclosed space under this definition, even though as a matter of practice such spaces are generally ignored. Consideration should be given to developing generalized criteria (possibly under novel craft provisions) that could allow spaces with large height to breadth/depth aspect ratios, such as those bounded from above by bridge wings, to be considered as “unenclosed” and ignored from volume calculations.



Proposed Solutions

IACS (SLF 54/9) Open spaces below a bridge wing structure should not be considered as enclosed for the purposes of the tonnage calculation. This does not warrant any further consideration, or the development of any criteria.

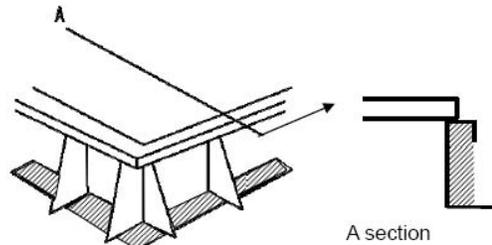
Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

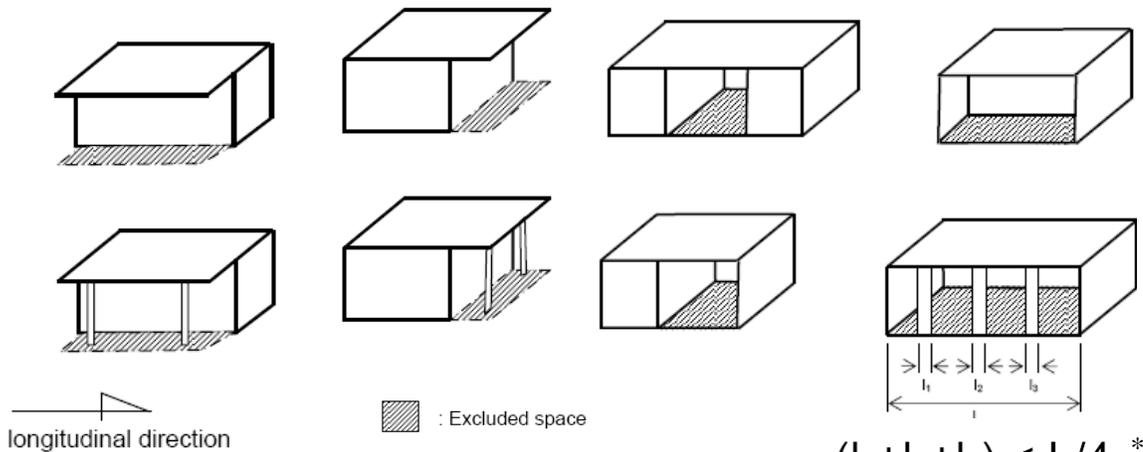
Comments

Japan (CG Round 1) Having considered SLF29/WP.3, the interpretation of the regulation 2(5)(b) should be added to TM.5/Circ.5 as follows:

- a. Regulation 2(5)(b) can be applied not only to erections extending from side to side of ship, but also to erections such as structures that do not extend from side to side. For example, if the space around the hatch coaming pictured below exceeds 1m^3 and 1m^2 , it is appropriate to apply regulation 2(5)(b), and the space can be excluded.



Hatch coaming



* Considering that the vertical plate could obstruct the opening, the total area of stanchions could be restricted to not exceed 25% of the opening area.

- b. "Exposed side" refers to the longitudinal side and not to the ends of the erections.
- c. Stanchions , supporting and other similar structures having a volume not exceeding one cubic meter, or the largest cross-sectional area in the longitudinal direction of the structure not exceeding one square meter, should be included in excluded space.

Assessment

Agree

Agree but
with changes

Neither agree
nor disagree

Disagree

Comments

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Issue 3 – Enclosed Spaces

Italy (CG Round 1) Open spaces below bridge wing structures should not be included in the ship's tonnage. This comment is relevant to the picture provided as is not clear whether the drawing refers to the same type of arrangement. In fact, it is difficult from it to understand if the area covered by the overhanging deck is closed in its entire length. For this, it is suggested to add a long view.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

United States (CG Round 1) Establish interpretations along the lines that, in general, any space beneath a cantilevered overhanging structure like a bridge wing (i.e., one connected to ship's structure on only one side and open both fore and aft) is not considered an enclosed space. The volume is, therefore, not included in the total volume of all enclosed spaces (V), regardless of whether it is fitted with means of securing cargo or stores.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

Canada (CG Round 1) Spaces bounded by a deck above or by any other overhang such as bridge wings or similar structures can be excluded if they satisfy the conditions of regulation 2(5)(b) or (c).

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

3.e Treatment of Topside Spaces of Complex Shape (SLF 53/5, annex 4, issue No. 22)

Requirement/Interpretation Convention, Regulation 6(2) Volumes of appendages shall be included in the total volume. TM Convention, Regulation 7(2) The volumes shall be calculated by generally accepted methods for the space concerned and with an accuracy acceptable to the Administration. TM.5/Circ.5, Definitions, Enclosed Spaces, Paragraph 4.6 Masts, kingposts, cranes, crane and container support structures, which are completely inaccessible and above the upper deck, separated on all their sides from other enclosed spaces should not be included in the total volume of all enclosed spaces. Air trunks having a cross-sectional area not exceeding 1 m² may also be excluded under the before-mentioned conditions. TM.5/Circ.5, Calculation of Volumes, Paragraph 3 Enclosed spaces above the upper deck, appendages and spaces open to the sea not exceeding 1 m³ should not be measured.

Description of Issue Accounting for the volume measurement of miscellaneous topside spaces having complex shape can be problematic in terms of evaluating whether the space may be ignored under TM.5/Circ.5 guidance as “not exceeding not exceeding 1 m³”, and/or in the excessive amount of time involved in calculating the “enclosed volume”. Examples include shore gangway storage, double skin bulwarks, outside moulded seating (which may or may not be part of a bulwark), Jacuzzis and sun lounges, recessed swimming pools and spaces bounded from above by complex roof designs. These features are typically seen on yachts of modern construction, but may also be encountered in other ship types, including passenger ships.



Proposed Solutions

IACS (SLF 54/9) All spaces with a horizontal or vertical cross sectional area of 1m² or greater and a combined volume of 1 m³ or greater should be included in V. Accessibility to these spaces should be considered when determining if they should be included or excluded from the gross tonnage. There needs to be a consistent approach for all items (e.g. masts, king posts, vents, bulwarks, etc.).

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

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Issue 3 – Enclosed Spaces

Japan (CG Round 1) The space should be evaluated by considering the boundary plating of a structure (regulation 6(1)). The space fitted around the boundary plating having a volume not exceeding one cubic meter, and having the largest cross-sectional area in the longitudinal direction of the structure not exceeding one square meter, should not be included as enclosed space.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

Italy (CG Round 1) All fixed enclosed spaces above the upper deck with a vertical (transversal) cross sectional area not exceeding 1 m², separated on all their sides from other enclosed spaces included in the Gross Tonnage, apart the surface of contact on the deck, should not be included in the ship's Gross Tonnage provided that they are not accessible and/or utilized for any purpose. A space used for accommodating systems (e.g. electrical cable or pipes) or storage is meant to be "accessible" for the purpose of the above explanation. Regardless, from the above:

1. enclosed space above the upper deck, separated on all their sides from other enclosed spaces included in the Gross Tonnage, apart the surface of contact on the deck, not exceeding 1 m³, should not be included in the ship's Gross Tonnage;
2. enclosed space above the upper deck, separated on all their sides from other enclosed spaces included in the Gross Tonnage, with a horizontal surface of contact on the deck not exceeding 1m², should not be included in the ship's Gross Tonnage. In case the horizontal surface, above the point of contact on the deck, became more than 1 m², the consideration given in the above for the exclusion of spaces are to be met.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

TM Conv CG Round 1 Questionnaire Rev 0 30Mar2012
Issue 3 – Enclosed Spaces

United States (CG Round 1) Establish interpretations providing for approximations of volumes of linear structures and similar parts of the ships of less than 1 cubic meter in sectional area (e.g., hollow deckhouse overhangs, cockpit coamings, settees, etc.) by multiplying an average (approximate) sectional area by an average (approximate) length.

Assessment

Agree

Agree but
with changes

Neither agree
nor disagree

Disagree

Comments

France [Prelim] (CG Round 1) "Amount of time" considerations to calculate GT or NT should not be an argument to ignore space. In the example attached, the space seems excluded except if seats are considered as means for securing cargo (in this case the passengers).

Assessment

Agree

Agree but
with changes

Neither agree
nor disagree

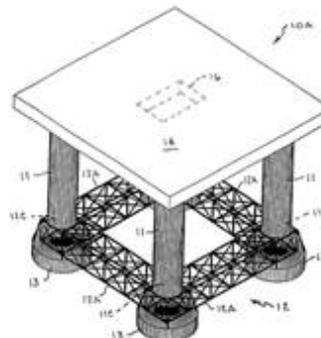
Disagree

Comments

3.f Treatment of Hull Spaces of Complex Shape (SLF 53/5, annex 4, issue No. 23)

Requirement/Interpretation TM Convention, Regulation 6(2) Volumes of appendages shall be included in the total volume. TM Convention, Regulation 7(2) The volumes shall be calculated by generally accepted methods for the space concerned and with an accuracy acceptable to the Administration. TM.5/Circ.5, Definitions, Enclosed Spaces, Paragraph 4.6 Masts, kingposts, cranes, crane and container support structures, which are completely inaccessible and above the upper deck, separated on all their sides from other enclosed spaces should not be included in the total volume of all enclosed spaces. Air trunks having a cross-sectional area not exceeding 1 m² may also be excluded under the before-mentioned conditions. TM.5/Circ.5, Calculation of Volumes, Paragraph 3 Enclosed spaces above the upper deck, appendages and spaces open to the sea not exceeding 1 m³ should not be measured.

Description of Issue Column-stabilized units, such as semi-submersible drilling units, and ships of similar design are often fitted with cross-bracing, for which volumes can be extremely difficult to calculate. Consideration should be given to developing guidance on how to treat such volumes in an efficient and consistent manner.



Proposed Solutions

IACS (SLF 54/9) Develop clear definitions as to what should and should not be included into the measurement. The method for determining volumes should be left to the Naval Architect's discretion.

Assessment

Agree

Agree but
 with changes

Neither agree
 nor disagree

Disagree

Comments

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Issue 3 – Enclosed Spaces

Japan (CG Round 1) Having considered SLF 30/WP.4, the definitions of the terms are required as follows (see also Japan's proposed solution to Issue 6.a):

- a. "Hull" means the main part of the ship which is bounded by shell and other similar fairings or covers.
- b. "Appendage" means the structure fitted on the outer surface of the shell.
- c. A space bounded by a metal cover that is hollow should be treated as an "Appendage".
- d. Solid material made of other than metal could be an "Appendage" (e.g., styrofoam bulge, rubber buoyancy).

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

United States (CG Round 1) Establish interpretations requiring the inclusion of all appendages, bracings, and other linear hull elements in the total volume of all enclosed spaces (V), that are larger than 1 cubic meter in volume. Include provisions to approximate volumes of such items, especially those with cross sectional areas less than one square meter (e.g., use average cross sectional areas and average linear dimensions to approximate volumes).

Assessment

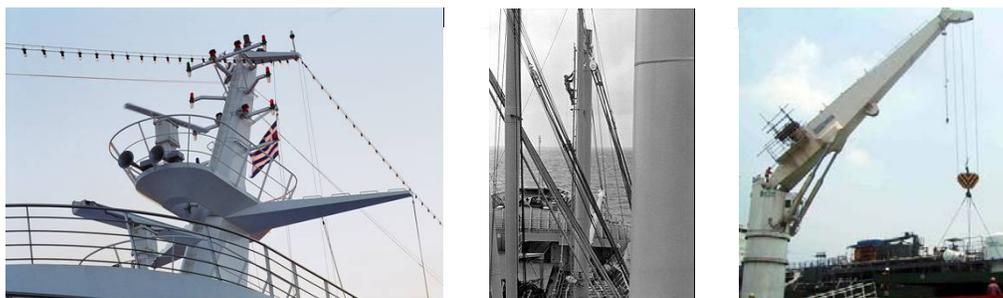
Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

3.g Evaluating Accessibility of Mast, Kingposts and Support (SLF 53/5, annex 4, issue No. 24)

Requirement/Interpretation TM Convention, Regulation 6(2) *Volumes of appendages shall be included in the total volume.* TM Convention, Regulation 7(2) *The volumes shall be calculated by generally accepted methods for the space concerned and with an accuracy acceptable to the Administration.* TM.5/Circ.5, Definitions, Enclosed Spaces, Paragraph 4.6 *Masts, kingposts, cranes, crane and container support structures, which are completely inaccessible and above the upper deck, separated on all their sides from other enclosed spaces should not be included in the total volume of all enclosed spaces.*

Description of Issue TM.5/Circ.5 allows masts, kingposts, cranes, crane and container support structures that are greater than 1 m³ in volume to ignored when calculating volume, if they are “completely inaccessible”. In practice, however, the majority of such spaces are accessible in some fashion for survey and maintenance, which brings the “accessibility” constraint into question. This matter should be reviewed in the interest of ensuring consist measurement treatment of such spaces.



Proposed Solutions

IACS (SLF 54/9) Define "completely inaccessible" as "Not readily accessible while the ship is undertaking its usual duties either at sea or in port". A space with an access panel held in position with a number of bolts would allow the space to qualify as not readily accessible, whereas, a space with quick release clips would be counted as accessible. IACS further suggests that 4.6 of TM.5/Circ.5 is amended "Masts, king posts, cranes, crane, container support structures and structures of those similar shape (e.g. dodger pillar) which are completely inaccessible ..."

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

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Issue 3 – Enclosed Spaces

Panama (CG Round 1) All Masts, king posts, cranes, container support structures with any kind of accessibility should be included as enclosed space.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

Japan (CG Round 1) The term of TM.5/Circ.5 4.6 "completely inaccessible" should be replaced with "not fitted with shelves or other means for securing cargo or stores, nor to allow access except for repairing, inspection, and maintenance". It means that a space fitted with an access panel with a number of bolts that does not allow access except for repairing, inspection and maintenance, should not be included as enclosed space.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

Italy (CG Round 1) TM.5/Circ.5, Paragraph 4.6 should be amended to read " Mast, king posts, cranes and container support structures and similar spaces located above the upper deck, separated on all their sides from other enclosed spaces should not be included in the ship's gross tonnage when they are not accessible or accessible only through bolted manhole or similar arrangement that are necessary for survey purposes.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

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Issue 3 – Enclosed Spaces

United States (CG Round 1) Amend the TM.5/Circ.5 language to require such spaces to be measured and included in the volume of all enclosed spaces if they are larger than 1 cubic meter in volume, regardless of whether or not they are inaccessible or are of lesser cross sectional areas. Include provisions to approximate volumes of such structures (e.g., use average cross sectional areas and average linear dimensions to approximate volumes).

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

France [Prelim] (CG Round 1) No opinion concerning the possible constraint of inclusion of this space for security. To allow special treatment for ensuring security could create a new kind of condition for exclusion of spaces which could be extended to many other kind of structures.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

3.h Vertical Truss Structures (Russian Federation)

Requirement/Interpretation TM Convention, Regulation 2(4) *Enclosed spaces are all those spaces which are bounded by the ship's hull, by fixed or portable partitions or bulkheads, by decks or coverings other than permanent or movable awnings. No break in a deck, nor any opening in the ship's hull, in a deck or in a covering of a space, or in the partitions or bulkheads of a space, nor the absence of a partition or bulkhead, shall preclude a space from being included in the enclosed space.* TM Convention, Regulation 6(2) *Volumes of appendages shall be included in the total volume.* TM Convention, Regulation 7(2) *The volumes shall be calculated by generally accepted methods for the space concerned and with an accuracy acceptable to the Administration.* TM.5/Circ.5, Definitions, Enclosed Spaces, Paragraph 4.6 *Masts, kingposts, cranes, crane and container support structures, which are completely inaccessible and above the upper deck, separated on all their sides from other enclosed spaces should not be included in the total volume of all enclosed spaces. Air trunks having a cross-sectional area not exceeding 1 m² may also be excluded under the before-mentioned conditions.* TM.5/Circ.5, Calculation of Volumes, Paragraph 3 *Enclosed spaces above the upper deck, appendages and spaces open to the sea not exceeding 1 m³ should not be measured.*

Description of Issue Self-elevating drilling units are often fitted with vertical truss structures (e.g., legs and rigs). Unfortunately, there are no clear instructions on measurement of the truss structures. Clarification would be helpful to ensure a uniform approach.



Proposed Solutions

Russian Federation (CG Round 1) Truss structures (e.g., legs and rigs of self-elevating drilling units) should not be included in the total volume of all enclosed spaces.

Assessment

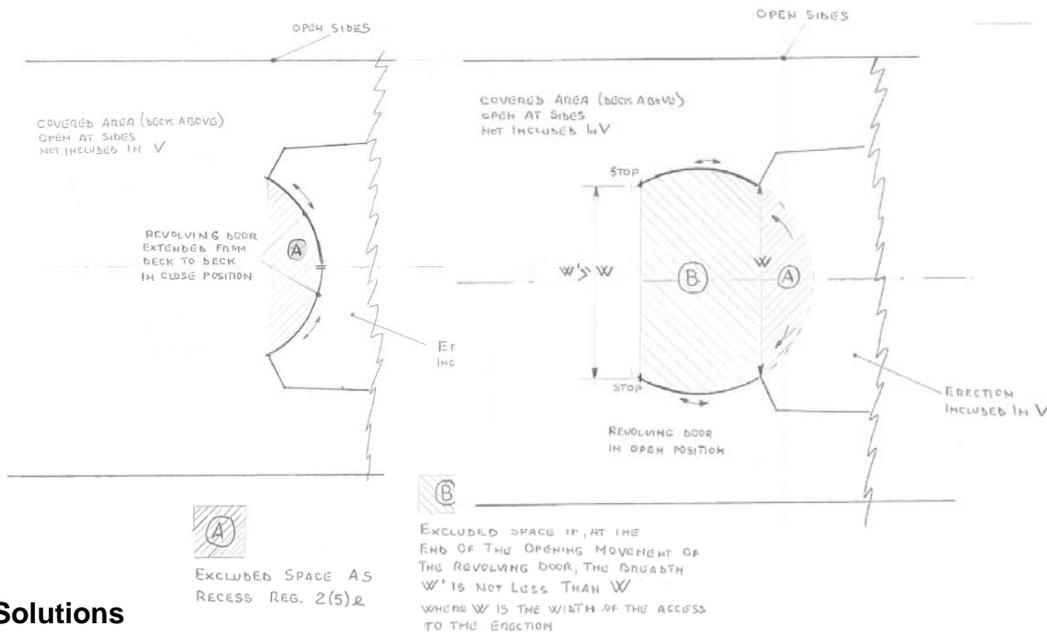
Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

3.i Revolving Door Within a Covered Space (Italy)

Requirement/Interpretation TM Convention, Regulation 2(4) Enclosed spaces are all those spaces which are bounded by the ship's hull, by fixed or portable partitions or bulkheads, by decks or coverings other than permanent or movable awnings. No break in a deck, nor any opening in the ship's hull, in a deck or in a covering of a space, or in the partitions or bulkheads of a space, nor the absence of a partition or bulkhead, shall preclude a space from being included in the enclosed space. TM Convention, Regulation 2(5)(e) A recess in the boundary bulkhead of an erection which is exposed to the weather and the opening of which extends from deck to deck without means of closing, provided that the interior width is not greater than the width at the entrance and its extension into the erection is not greater than twice the width of its entrance (Figure 10 in Appendix 1).

Description of Issue In figure A (left) is showed a revolving door, extended from deck to deck in a covered area, in closed position. In figure B (right) is showed the revolving door in open position. This position creates a new space B, covered and protected by sides



Proposed Solutions

Italy (CG Round 1) In our opinion, it is necessary to clarify that if the breadth W at the maximum opening movement of the revolving door is not less than W , the width of the access to the erection, the spaces $A+B$ are not included in Total Volume for Gross Tonnage calculation. Our opinion is supported by the fact that the revolving door should not be considered as portable partitions or bulkheads.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

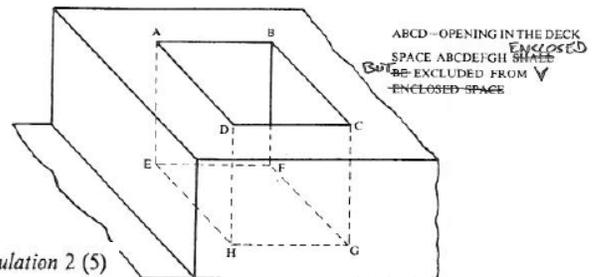
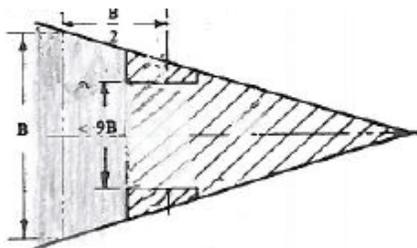
3.j Enclosed Space Versus Excluded Space (United States and Argentina – CG Round 1)

Requirement/Interpretation TM Convention, Regulation 2(4) *Enclosed spaces are all those spaces which are bounded by the ship's hull, by fixed or portable partitions or bulkheads, by decks or coverings other than permanent or movable awnings. No break in a deck, nor any opening in the ship's hull, in a deck or in a covering of a space, or in the partitions or bulkheads of a space, nor the absence of a partition or bulkhead, shall preclude a space from being included in the enclosed space.* TM Convention, Regulation 2(5) *Notwithstanding the provisions of paragraph (4) of this Regulation, the spaces referred to in subparagraphs (a) to (e) inclusive of this paragraph shall be called excluded spaces and shall not be included in the volume of enclosed spaces . . .* TM Convention, Regulation 6(3) *Volumes of spaces open to the sea may be excluded from the total volume.* TM Convention Annex II Certificate *An asterisk (*) should be added to those spaces listed above which comprise both enclosed and excluded spaces.*

Description of Issue The TM Convention is inconsistent in how it describes and treats spaces that are “excluded” from tonnage. The Convention states, in effect, that “excluded” means “excluded from the total volume of all enclosed spaces (V)”. However, associated figures indicate that “excluded” means “not enclosed”. It appears that the labeling in the figures (“O” (for “Open”), “C” (for “Closed”) and “I” (for “Included”)) derive from that used in Proposals A & C discussed at the 1969 Tonnage Conference, which eventually became the basis for the gross tonnage measurement of the Convention, but which did not use the term “excluded”.

Proposed Solutions

United States (CG Round 1) Establish the interpretation that an excluded space is an enclosed space in all cases. Revise the Appendix 1 figures along the lines of the examples provided below if the TM Convention is amended for other reasons.



Figures referred to in Regulation 2 (5)

In the following figures:
 = enclosed and included in V
 = enclosed but excluded from V

Assessment

- | | | | |
|--------------------------|---------------------------|-------------------------------|--------------------------|
| Agree | Agree but
with changes | Neither agree
nor disagree | Disagree |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Comments

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Issue 3 – Enclosed Spaces

Argentina (CG Round 1) Attempt, if there is agreement is to amend the TM Convention, a broader definition containing detail on how to identify and address excluded spaces, knowing that in all cases such space are “indoors”.

Assessment

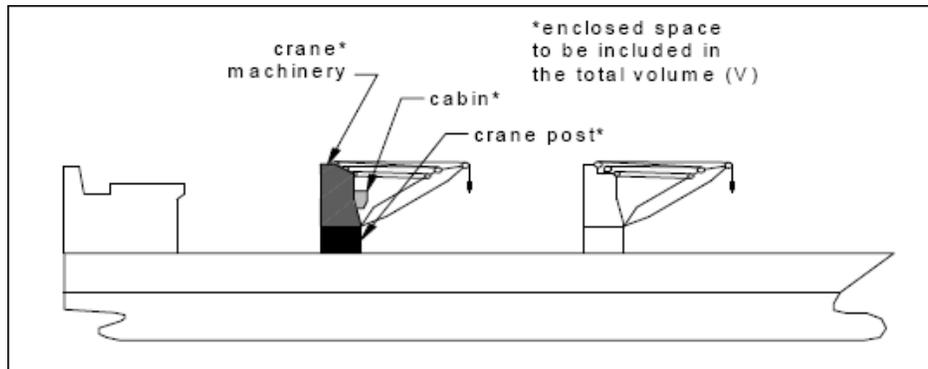
Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

3. k Mobile Cranes (Panama – CG Round 1)

Requirement/Interpretation TM Convention, Regulation 2(4) *Enclosed spaces are all those spaces which are bounded by the ship's hull, by fixed or portable partitions or bulkheads, by decks or coverings other than permanent or movable awnings. No break in a deck, nor any opening in the ship's hull, in a deck or in a covering of a space, or in the partitions or bulkheads of a space, nor the absence of a partition or bulkhead, shall preclude a space from being included in the enclosed space. TM.5/Circ.5, Definitions, Enclosed Spaces, Paragraph 4.6 Masts, kingposts, cranes, crane and container support structures, which are completely inaccessible and above the upper deck, separated on all their sides from other enclosed spaces should not be included in the total volume of all enclosed spaces. All mobile cranes should be exempted.*

Description of Issue A clear definition of the term “mobile” should be given, as the term, as it is, leads to misunderstanding. A generally-accepted definition of mobile crane is one that is easily moved from one location to another. On cranes like the one shown in the picture below, the upper part rotates in its own axis; it does not actually “move” from its location so should be included in the total volume of all enclosed spaces (V).



Proposed Solutions

Panama (CG Round 1) The only type of cranes that should be exempted from the total volume are those that displace from one point to another (e.g. Gantry cranes).

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

3.I Spaces Like Ventilators and Air Trunks Exceeding 1 m³ (Panama – CG Round 1)

Requirement/Interpretation TM Convention, Regulation 2(4) *Enclosed spaces are all those spaces which are bounded by the ship's hull, by fixed or portable partitions or bulkheads, by decks or coverings other than permanent or movable awnings. No break in a deck, nor any opening in the ship's hull, in a deck or in a covering of a space, or in the partitions or bulkheads of a space, nor the absence of a partition or bulkhead, shall preclude a space from being included in the enclosed space. TM.5/Circ.5, Definitions, Enclosed Spaces, Paragraph 4.6 Masts, kingposts, cranes, crane and container support structures, which are completely inaccessible and above the upper deck, separated on all their sides from other enclosed spaces should not be included in the total volume of all enclosed spaces. Air trunks having a cross-sectional area not exceeding 1 m² may also be excluded under the before-mentioned conditions. TM.5/Circ.5, Calculation of Volumes, Paragraph 3 Enclosed spaces above the upper deck, appendages and spaces open to the sea not exceeding 1 m³ should not be measured.*

Description of Issue Some flag states do not include this type of structures in their total volume. This type of structure does not represent a significant volume on most ship types however they do represent a lot of volume on ships like vehicle carriers.



Proposed Solutions

Panama (CG Round 1) These structures should not be measured when the cross-sectional area is less than 1m²; otherwise they are to be treated as enclosed spaces.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

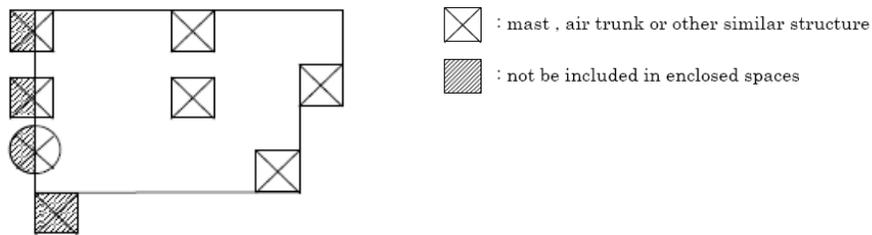
3. m Spaces Fitted to Outer Structure Boundary (Japan – CG Round 1)

Requirement/Interpretation TM.5/Circ.5, Definitions, Enclosed Spaces, Paragraph 4.6 *Masts, kingposts, cranes, crane and container support structures, which are completely inaccessible and above the upper deck, separated on all their sides from other enclosed spaces should not be included in the total volume of all enclosed spaces. Air trunks having a cross-sectional area not exceeding 1 m² may also be excluded under the before-mentioned conditions.* TM.5/Circ.5, Calculation of Volumes, Paragraph 3 *Enclosed spaces above the upper deck, appendages and spaces open to the sea not exceeding 1 m³ should not be measured.*

Description of Issue Clarification is required regarding treatment of the part of the mast, air trunk and other similar space fitted to the outer surface of a structure’s boundary.

Proposed Solutions

Japan (CG Round 1) The part of the mast, air trunk and other similar space fitted to the outer surface of a structure’s boundary having at least three exposed sides and having the largest cross-sectional area in the longitudinal direction of the structure not exceeding one square meter should not be included as enclosed space.



Assessment

Agree

Agree but with changes

Neither agree nor disagree

Disagree

Comments

3.n Devices for Safety, Fire Protection and Pollution Prevention (Japan – CG Round 1)

Requirement/Interpretation TM Convention, Regulation 2(4) *Enclosed spaces are all those spaces which are bounded by the ship's hull, by fixed or portable partitions or bulkheads, by decks or coverings other than permanent or movable awnings. No break in a deck, nor any opening in the ship's hull, in a deck or in a covering of a space, or in the partitions or bulkheads of a space, nor the absence of a partition or bulkhead, shall preclude a space from being included in the enclosed space. TM.5/Circ.5, Calculation of Volumes, Paragraph 3 Enclosed spaces above the upper deck, appendages and spaces open to the sea not exceeding 1 m³ should not be measured.*

Description of Issue Clarification is required regarding treatment of devices for safety, fire protection, prevention of pollution and other similar equipment which is required by other conventions.

Proposed Solutions

Japan (CG Round 1) Devices for safety, fire protection, prevention of pollution and other similar equipment which is required by other conventions should not be included as enclosed spaces.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

3.o Width of End Openings (Panama – CG Round 1)

Requirement/Interpretation: TM Convention, Regulation 2(5)(a)(i) A space within an erection opposite an end opening extending from deck to deck except for a curtain plate of a depth not exceeding by more than 25 millimetres (one inch) the depth of the adjoining deck beams, such opening having a breadth equal to or greater than 90 per cent of the breadth of the deck at the line of the opening of the space. This provision shall be applied so as to exclude from the enclosed spaces only the space between the actual end opening and a line drawn parallel to the line or face of the opening at a distance from the opening equal to one half of the width of the deck at the line of the opening (Figure 1 in Appendix 1). TM Convention, Regulation 2(5)(a)(ii) Should the width of the space because of any arrangement except by convergence of the outside plating, become less than 90 per cent of the breadth of the deck, only the space between the line of the opening and a parallel line drawn through the point where the athwartships width of the space becomes equal to, or less than, 90 per cent of the breadth of the deck shall be excluded from the volume of enclosed spaces (Figures 2, 3 and 4 in Appendix 1). TM Convention, Regulation 2(5)(a)(iii) Where an interval which is completely open except for bulwarks or open rails separates any two spaces, the exclusion of one or both of which is permitted under sub-paragraphs (a) (i) and/or (a) (ii), such exclusion shall not apply if the separation between the two spaces is less than the least half breadth of the deck in way of the separation (Figures 5 and 6 in Appendix 1).

Description of Issue: Additional clarification must be made in the definition of Opposite End Opening (OEO), Regulation 2(5)(a)(i-iii). It is not clear if the erection with the OEO has to be “side to side” (width = beam of the ship) or if it might happen also in a structure which is not side to side (e.g., a round house).



Proposed Solution: None.

Assessment

(not applicable)

Comments

3.p Machinery as Enclosed Space (Japan – CG Round 1)

Requirement/Interpretation TM Convention Regulation 2(4) *Enclosed spaces are all those spaces which are bounded by the ship's hull, by fixed or portable partitions or bulkheads, by decks or coverings other than permanent or movable awnings. No break in a deck, nor any opening in the ship's hull, in a deck or in a covering of a space, or in the partitions or bulkheads of a space, nor the absence of a partition or bulkhead, shall preclude a space from being included in the enclosed space.* TM.5/Circ.5, Definitions, Enclosed Spaces, Paragraph 4.6 *Masts, kingposts, cranes, crane and container support structures, which are completely inaccessible and above the upper deck, separated on all their sides from other enclosed spaces should not be included in the total volume of all enclosed spaces.*

Description of Issue: It is unclear as to whether machinery should be included as enclosed space.

Proposed Solution

Japan (CG Round 1) Machinery should not be included as enclosed space. Machinery means revolving cranes, movable loading/unloading equipment and other similar items or structures.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

3.q Machinery Support Structures (Japan)

Requirement/Interpretation TM Convention Regulation 2(4) *Enclosed spaces are all those spaces which are bounded by the ship's hull, by fixed or portable partitions or bulkheads, by decks or coverings other than permanent or movable awnings. No break in a deck, nor any opening in the ship's hull, in a deck or in a covering of a space, or in the partitions or bulkheads of a space, nor the absence of a partition or bulkhead, shall preclude a space from being included in the enclosed space. TM.5/Circ.5, Definitions, Enclosed Spaces, Paragraph 4.6 Masts, kingposts, cranes, crane and container support structures, which are completely inaccessible and above the upper deck, separated on all their sides from other enclosed spaces should not be included in the total volume of all enclosed spaces.*

Description of Issue: It is unclear as to whether machinery, or their support structures, should be included as enclosed space.

Proposed Solution

Japan (CG Round 1) Machinery should not be included as enclosed space. Machinery means revolving cranes, movable loading/unloading equipment and other similar structures. Support structures for machinery having a volume not exceeding one cubic meter should also not be included as enclosed space. Similar support structures having the largest cross-sectional area in the longitudinal direction of the structure not exceeding one square meter should also not be included as enclosed space.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

4.a Definition of Awning (SLF 53/5, annex 4, issue No. 13)

Requirement/Interpretation TM Convention Regulation 2(4) *Enclosed spaces are all those spaces which are bounded by the ship's hull, by fixed or portable partitions or bulkheads, by decks or coverings other than permanent or movable awnings. No break in a deck, nor any opening in the ship's hull, in a deck or in a covering of a space, or in the partitions or bulkheads of a space, nor the absence of a partition or bulkhead, shall preclude a space from being included in the enclosed space.*

Description of Issue The TM Convention treats spaces bounded by awnings differently than other spaces, but neither the TM Convention nor TM.5 Circ.5 defines what an awning is. For example, is an awning only cloth (e.g., canvas, tarpaulin), or does the term include other flexible solids such as plastic sheeting, or even materials such as Kevlar that have strength properties comparable to steel? Alternatively, should the term "awning" be defined on a functional basis (e.g., as a permanent or movable structure to protect the deck from the sun only). There have also be differences in interpretations as to whether, by extension, fabric covers and partitions are considered to bound space that would otherwise be enclosed. Depending on how this is interpreted, designers can obtain substantial reductions in tonnage through substitution of materials.



Proposed Solutions

IACS (SLF 54/9) Definitions for "awning" should be developed and agreed to. As an initial suggestion IACS suggests "An awning is a completely flexible material such as canvas or tarpaulin or plastic sheeting, designed to reduce the impact of wind or water although not necessarily wind or water proof". A list of accepted awning materials should be developed and included in TM.5/Circ.5. However, IACS has the following concern over the maintenance of this list: How would it be ensured that all materials currently accepted as awnings are on it, and how would it be updated?

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

TM Conv CG Round 1 Questionnaire Rev 0 30Mar2012
Issue 4 – Definition of Deck, Cover and Partition

Japan (CG Round 1) It should be defined that "an awning means a cover of an unspecific form, such as is provided by canvas". It should also be defined that "the cover of the unspecific form can be folded or rolled up easily". If a drop (like a drape/skirt) will be fitted to the awning, the space should be included as enclosed space.

Assessment

Agree

Agree but
with changes

Neither agree
nor disagree

Disagree

Comments

Italy (CG Round 1) In our opinion, any rigid material cannot be defined as "awning". As far as we know, kevlar can be presented in the form of tissue or as solid piece of equipment. Kevlar (as any other similar material) presented in the form of tissue (e.g. for manufacturing curtain and similar) is to be considered as "awning".

Assessment

Agree

Agree but
with changes

Neither agree
nor disagree

Disagree

Comments

United States (CG Round 1) Develop a definition of "awning" that limits the term to an overhead covering (as opposed to a vertical partition) along the lines of "a fabric canopy or other overhead covering that is stretched over a frame and offers shelter from the sun or weather".

Assessment

Agree

Agree but
with changes

Neither agree
nor disagree

Disagree

Comments

TM Conv CG Round 1 Questionnaire Rev 0 30Mar2012
Issue 4 – Definition of Deck, Cover and Partition

Canada (CG Round 1) Awning is a permanent or movable overhead structure to protect the deck from the sun only and does not include any side boundaries such as fixed or portable partitions, bulkheads or screens even if these side boundaries are made of non-weathertight materials. According to Regulation 2(4), unlike decks or coverings, awnings do not make a bounding structure. The current interpretation in TM.5/Circ.5 for Regulation 2 - Definitions of terms used in the Annexes, paragraph 4.2 should be amended accordingly.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

France [Prelim] (CG Round 1) Awning should be considered only as cloth or even plastic light structure.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

4.b Treatment of Exterior Spaces Bounded by Awnings (SLF 53/5, annex 4, issue No. 14)

Requirement/Interpretation TM Convention, Regulation 2(4) *Enclosed spaces are all those spaces which are bounded by the ship's hull, by fixed or portable partitions or bulkheads, by decks or coverings other than permanent or movable awnings.* TM.5/Circ.5, Definitions, Paragraph 4.2 *Space located within the boundaries of "permanent or movable awnings" should be subject to treatment under regulation 2(5).*

Description of Issue. While Regulation 2(4) indicates that a “permanent or movable awning” is not considered to bound an enclosed space, TM.5/Circ.5 treats space within the bounds of such awnings as enclosed spaces, which is excluded from volume calculations only if it meets certain conditions. It is possible that Paragraph 4.2 was referring to spaces bounded on the sides by fabric-like material. Either way, it appears that TM.5/Circ.5 requires clarification.



Proposed Solutions

IACS (SLF 54/9) A space bounded by an awning as defined in Issue 13 should under no circumstances be considered as an enclosed space.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

Panama (CG Round 1) If the awning is used to protect cargo or stores, it should be considered an enclosed space.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

Japan (CG Round 1) The vertical awning should be considered a “partition”. If the space is bounded by a vertical awning, then regulation 2(5) can be applied, and the space could be excluded.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

Italy (CG Round 1) A space bounded by awning should not be considered as an enclosed space.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

United States (CG Round 1) Remove the language in TM.5/Circ.5 that requires qualification of a space under an awning as an excluded space in order for the space to not be measured (in other words, ignored). Reg 2(4) explicitly states that such spaces are not enclosed spaces, and therefore they are not subject to treatment as excluded space.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

TM Conv CG Round 1 Questionnaire Rev 0 30Mar2012
Issue 4 – Definition of Deck, Cover and Partition

Canada (CG Round 1) If the definition of awning proposed under the issue 4.a above is accepted then awnings would be regarded as overhead structures only which would exclude any side structures (such as fixed or portable partitions, bulkheads, screens, etc.) from being treated as awnings. In other words, if an awning is used in a combination with the other boundary structures then the resulting space should be analyzed for compliance with Regulation 2(4) and (5) disregarding the awning overhead as if the space were open from above. Designs which employ side structures made of non-weather-tight materials (including any fabrics, films or other flexible materials) shall not preclude spaces bounded by such side structures from being included in the enclosed space. The current interpretation in TM.5/Circ.5 for Regulation 2 - Definitions of terms used in the Annexes, paragraph 4.2 should be amended accordingly.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

France [Prelim] (CG Round 1) Obtain agreement on the apparent contradiction between regulation 2(4) and 4.2 prescriptions.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

4.c Treatment of Interior Spaces Bounded by Awnings (SLF 53/5, annex 4, issue No. 14)

Requirement/Interpretation TM Convention, Regulation 2(4) *Enclosed spaces are all those spaces which are bounded by the ship's hull, by fixed or portable partitions or bulkheads, by decks or coverings other than permanent or movable awnings.* TM.5/Circ.5, Definitions, Paragraph 4.2 *Space located within the boundaries of "permanent or movable awnings" should be subject to treatment under regulation 2(5).*

Description of Issue. While Regulation 2(4) indicates that a “permanent or movable awning” is not considered to bound an enclosed space, TM.5/Circ.5 treats space within the bounds of such awnings as enclosed spaces, which is excluded from volume calculations only if it meets certain conditions. It is possible that Paragraph 4.2 was referring to spaces bounded on the sides by fabric-like material. Either way, it appears that TM.5/Circ.5 requires clarification.



Proposed Solutions

United States (CG Round 1) To address fabric-like or other non-structural partitions that are located within excluded spaces (e.g., flexible partitions, false ceilings, etc.) establish an interpretation to the effect that the presence of such partitions, other than when the ship is moored, will prevent the further "progression" of excludable space past the partition. For example, the space above the false ceiling in the "open" side passageway of a yacht would be included in the total volume of all enclosed spaces (V).

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

4.d Fitting of Grates Over Side/End Openings (Italy - CG Round 1)

Requirement/Interpretation TM Convention, Regulation 2(5) *Notwithstanding the provisions of paragraph (4) of this Regulation, the spaces referred to in subparagraphs (a) to (e) inclusive of this paragraph shall be called excluded spaces and shall not be included in the volume of enclosed spaces, except that any such space which fulfils at least one of the following three conditions shall be treated as an enclosed space: - the space is fitted with shelves or other means for securing cargo or stores; - the openings are fitted with any means of closure; - the construction provides any possibility of such openings being closed.* TM Convention, Regulation 2(5)(b) *A space under an overhead deck covering open to the sea and weather, having no other connexion on the exposed sides with the body of the ship than the stanchions necessary for its support. In such a space, open rails or a bulwark and curtain plate may be fitted or stanchions fitted at the ship's side, provided that the distance between the top of the rails or the bulwark and the curtain plate is not less than 0.75 metres (2.5 feet) or one-third of the height of the space, whichever is the greater (Figure 7 in Appendix 1).*

Description of Issue Due to different reasons (not last, piracy), it is becoming more frequent to see the fitting of grates (e.g. devices intended to provide a barrier against intrusion) at external openings. The picture below provides an excellent example of this kind of arrangement.



Proposed Solutions

Italy (CG Round 1) In our opinion it is necessary to clarify that grates arranged as described in the picture above should not be considered as a means of closure for the purpose of the TM regulation.

Assessment

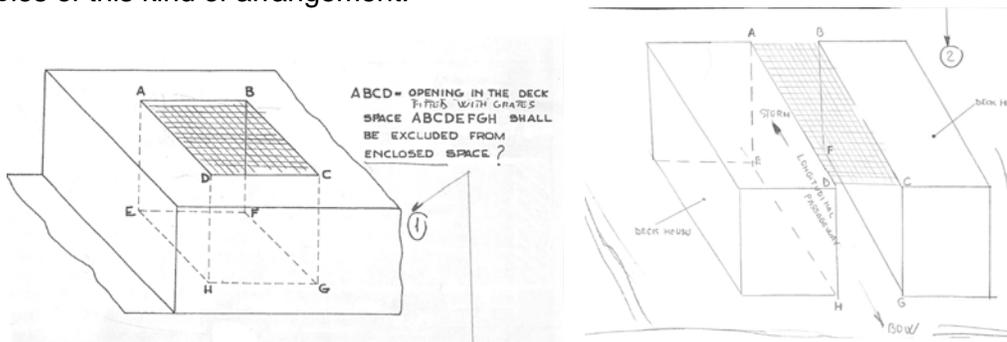
Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

4.e Fitting of Grates Over Deck Openings (Italy - CG Round 1)

Requirement/Interpretation TM Convention, Regulation 2(5) *Notwithstanding the provisions of paragraph (4) of this Regulation, the spaces referred to in subparagraphs (a) to (e) inclusive of this paragraph shall be called excluded spaces and shall not be included in the volume of enclosed spaces, except that any such space which fulfils at least one of the following three conditions shall be treated as an enclosed space: - the space is fitted with shelves or other means for securing cargo or stores; - the openings are fitted with any means of closure; - the construction provides any possibility of such openings being closed.*

Description of Issue Spaces that can be excluded in accordance to the Regulation 2(5)(d), are frequently fitted with grates (e.g. in order to allow crossing). Also longitudinal passageways between deck houses are sometimes fitted with grates on the top. The following figures provide an examples of this kind of arrangement.



Proposed Solutions

Italy (CG Round 1) In our opinion, it is necessary to clarify that in the cases described in the above, grates should be considered as means of closure for the purpose of the a.m. regulation and the space below the grate shall not be considered as excluded space.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

5.a Shelves or Other Means for Securing Cargo or Stores in Excluded Spaces (SLF 53/5, annex 4, issue No. 15)

Requirement/Interpretation TM Convention, Regulation 2(5) *Notwithstanding the provisions of paragraph (4) of this Regulation, the spaces referred to in subparagraphs (a) to (e) inclusive of this paragraph shall be called excluded spaces and shall not be included in the volume of enclosed spaces, except that any such space which fulfils at least one of the following three conditions shall be treated as an enclosed space: - the space is fitted with shelves or other means for securing cargo or stores; - the openings are fitted with any means of closure; - the construction provides any possibility of such openings being closed.*

Description of Issue Under Regulation 2(5), certain qualifying spaces may be excluded from tonnage calculations provided they are not “fitted with shelves or other means for securing or stores”, regardless of whether or not the spaces are appropriated for the carriage of cargo or stores. Consistent application of this provision has proven problematic, as designers have devised ways to effectively secure cargo without the need for the space to be “fitted” with any means of securing it. In addition, there has been disagreement on what constitutes “stores”, as under the equally authentic French version of the TM Convention, the term “provisions” is used. “Provisions” includes food and possibly other items of necessity, but not items such as ropes and life-jackets.



Proposed Solutions

IACS (SLF 54/9) Provide clarification that if a space is utilized in any way, regardless of whether or not shelves or other means for securing are provided, then it should be included in the tonnage calculations. Cargoes could be secured in place with air bags which can be inflated to keep the cargo in place during the voyage and deflated on arrival so that the cargo can be removed.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

Panama (CG Round 1) Agree with the definition provided by IACs; however the term “stores” should be defined as: “all items of necessity required to, either sustain crew including provisions, and ship maintenance items”.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

Japan (CG Round 1) Equipment required by Safety or Prevention of Pollution provisions should not be “stores”.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

Japan (CG Round 1) Tools for navigation, maintenance, repairing, or other similar operation (e.g. oxygen/acetylene bomb, ropes and other similar tools) should not be “stores”.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

Italy (CG Round 1) If a space can be used for the carriage of cargo or store, regardless of whether or not shelves or other means for securing are provided, then it should be included in the ship's tonnage.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

United States (CG Round 1) Establish interpretations defining “stores” along the lines of “food and other provisions for the consumption of the ship's passengers and crew”

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

United States (CG Round 1) In the interest of consistent application and compliance with the language of the TM Convention, establish interpretations clarifying that a space must be fitted with means designed for securing cargo or stores to be rendered ineligible for exclusion under the associated provisions of Regulation 2(5).

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

United States (CG Round 1) If the TM Convention is amended for other reasons, include amendments to delete the "fitted with shelves or other means of securing cargo or stores" prohibition for excluded spaces. Interpreting and enforcing this requirement has been problematic and leads to unnecessary adverse safety impacts when proper cargo securing devices are not fitted to avoid a tonnage increase. Further, it makes no "sense" that two ships - identical in every respect except for cargo securing devices - should have different gross tonnages because one is fitted with cargo securing devices in its excluded spaces. It appears that this Regulation 2(5) language was introduced at the 1969 Tonnage Conference during the development of the current Regulation 2(4) language on enclosed spaces, when gross tonnage was only to be reflective of enclosed spaces used for carriage or cargo or berthing or accommodation of passengers or crew (TM-CONF-C2-WP14). After this regulation 2(4) language was subsequently generalized to expand what was considered to be an enclosed space, the Conference attendees neglected to make a related change - removing the cargo/stores securing prohibition - from what is now regulation 2(5).

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

Canada (CG Round 1) See comments to Issue 3.a. To resolve issue 5.a the "means for securing cargo or stores" in Reg.2(5) shall be interpreted to include boundary structures (such as fixed or portable partitions or bulkheads) of spaces appropriated for stowage of cargo or stores [as these structures serve the purpose of cargo or stores containment].

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

France [Prelim] (CG Round 1) If the space is intended for the carriage of cargo, there is no need of "means for securing cargo" (i.e. TM.5/Circ.5 paragraph 2.3 of dockships). According to reg.2(7) cargo spaces are enclosed spaces appropriated for the transport of cargo (and have to be marked with letters CC). An addition to 2(5) should be useful.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

5.b Impact of End Opening Obstructions on Excluded Spaces (SLF 53/5, annex 4, issue No. 16)

Requirement/Interpretation TM Convention, Regulation 2(5)(a) *Should the width of the space because of any arrangement except by convergence of the outside plating, become less than 90 per cent of the breadth of the deck, only the space between the line of the opening and a parallel line drawn through the point where the athwartships width of the space becomes equal to, or less than, 90 per cent of the breadth of the deck shall be excluded from the volume of enclosed spaces (Figures 2, 3 and 4 in Appendix 1).*

Description of Issue While Regulation 2(5)(a) addresses obstructions to end openings within a deck structure, neither this regulation nor TM.5/Circ.5 addresses the situation where there is an obstruction external to the opening. For example, gantry structures on fishing trawlers, large cable reels on certain towing and industrial vessels, and excessively high bulwarks extending on either side of the openings may serve to “protect” the openings, and are taken into consideration by some flag States. Guidance on how to address such situations would be helpful to ensure consistent treatment, and prevent exclusion of spaces that are effectively protected from the sea and weather.



Proposed Solutions

IACS (SLF 54/9) For obstructions external to the opening, it is suggested that these are ignored when the separation is at least half the breadth (B/2) of the deckhouse/deck structure. The breadth should be taken at deck level. If the obstruction is closer than this, but has a height or breadth of less than a metre, then it should be ignored. Obstructions with a height or breadth of at least 1 m which are located closer than B/2 will disallow the space for consideration as an end opening. It is recommended that B/2 be applied within the regulations to maintain consistency throughout. Supporting diagrams are required.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

Panama (CG Round 1) Agree with the definition provided by IACS, but only if the structure obstructing is included in the volume, then it qualifies.

Assessment

Agree

Agree but
with changes

Neither agree
nor disagree

Disagree

Comments

Japan (CG Round 1) Having considered SLF29/WP.3, the interpretation of the regulation 2(5) should be added to TM.5/Circ.5 as follows.

1. Small spaces not exceeding 1 cubic meter or having a cross sectional area not exceeding 1 square meter should be ignored. However spaces having a projected area exceeding 25 percent of the opening area should not be ignored.
2. Spaces can be ignored such as masts, air trunks, and machinery. Other similar structures should also not be included in enclosed space.

Assessment

Agree

Agree but
with changes

Neither agree
nor disagree

Disagree

Comments

Italy (CG Round 1) If the obstruction is closer than half the local deck breadth, it is disregarded if the obstruction itself is not included in Gross Tonnage.

Assessment

Agree

Agree but
with changes

Neither agree
nor disagree

Disagree

Comments

France [Prelim] (CG Round 1) By example, French treatment of gantry structures on fishing trawlers :

When there is no interval between the gantry and the space onwards, the width of the space is considered including the gantry pillars (so it could be closed according regulation 2(5)a ii if the pillars are separate by less than 90% of the breadth of the deck). If there is a reasonable interval between the two structures, gantry structures are not considered to apply regulation 2(5)a ii to the space onwards, except regulation 2(5)a iii (figure 6) can be applied.

Assessment

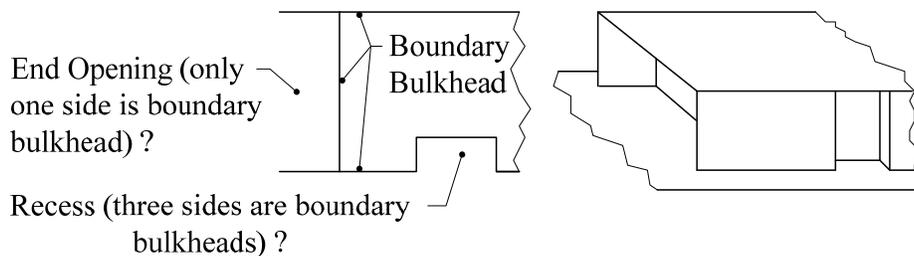
Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

5.c Excluding Space Opposite an End Opening as a Recess (SLF 53/5, annex 4, issue No. 17)

Requirement/Interpretation TM Convention, Regulation 2(5)(a) This provision shall be applied so as to exclude from the enclosed spaces only the space between the actual end opening and a line drawn parallel to the line or face of the opening at a distance from the opening equal to one half of the width of the deck at the line of the opening (Figure 1 in Appendix 1). TM Convention, Regulation 2(5)(e) A recess in the boundary bulkhead of an erection which is exposed to the weather and the opening of which extends from deck to deck without means of closing, provided that the interior width is not greater than the width at the entrance and its extension into the erection is not greater than twice the width of its entrance (Figure 10 in Appendix 1).

Description of Issue If an opening in the end of a structure is treated as a “recess” under Regulation 2(5)(e) instead of a “space opposite an end opening” under Regulation 2(5)(a), up to twice the amount of space may be excluded. Various approaches have been used to address this issue, including the establishment of definitions for the term “boundary bulkhead” that would preclude treatment of a “typical” end opening as a recess. Clarification would be helpful to ensure consistency and avoid misuse.



Proposed Solutions

IACS (SLF 54/9) Clarify the definition of "recess" to cover only spaces bounded by three bulkheads which themselves form a boundary to an enclosed space. To qualify as an excluded space there must be a deck over as a space without a deck over would not be included anyway. The distinction between a recess and an end opening needs to be clarified.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

Panama (CG Round 1) These types of spaces cannot be evaluated as a “recess” and “opposite an end opening (OEO)” at the same time. Therefore, we also consider also that a clarification must be established. We agree with the additional description of “recess” to state: “space bounded by three bulkheads which themselves form a boundary to an enclosed space”. Examples of such qualifying recesses, which are in the center of the erections and are bounded by 3 bulkheads that themselves bound an enclosed space, follow:



Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

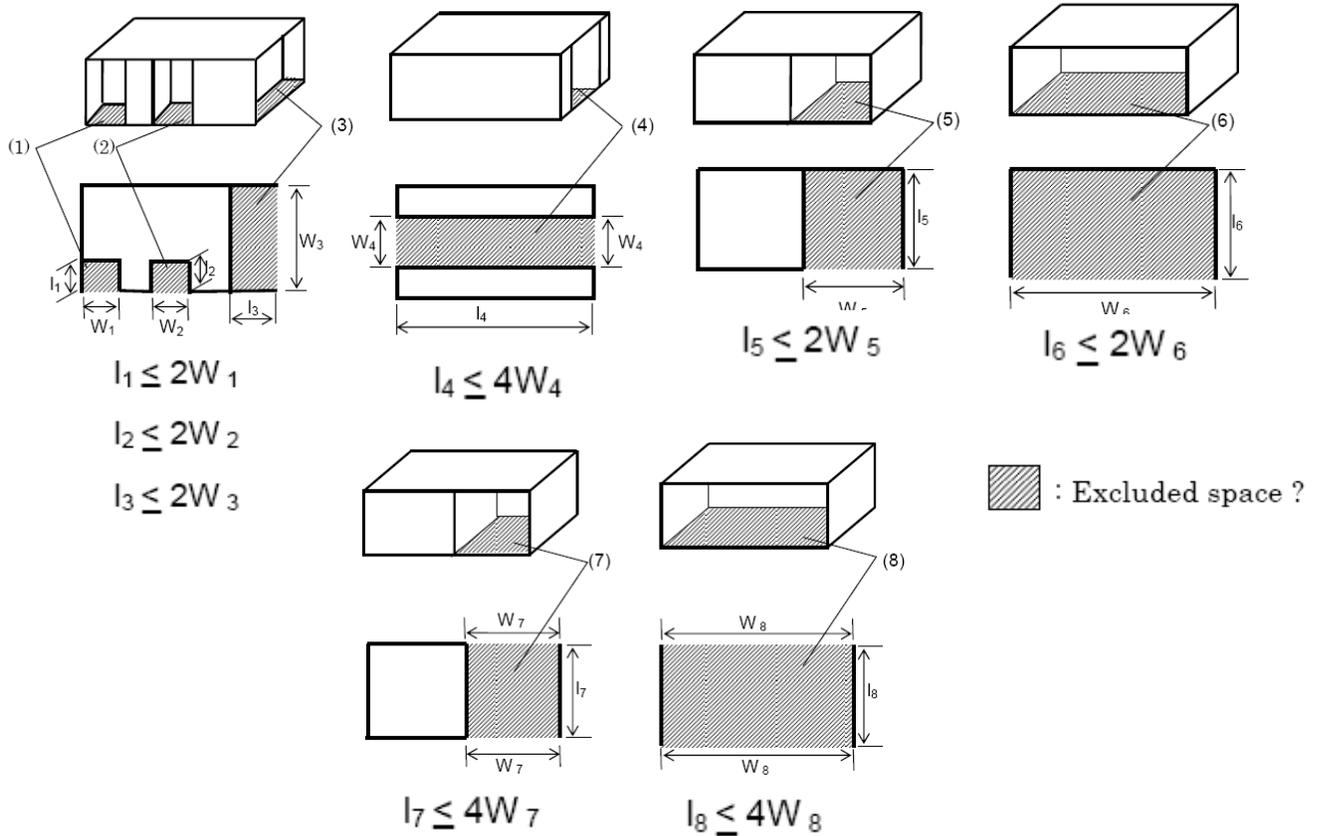
Japan (CG Round 1) When the opening is fitted with a curtain plate of a depth not exceeding by more than 25 millimeters the depth of adjoining deck beams, the opening should be considered to “extend from deck to deck” when applying regulation 2(5)(e).

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

Japan (CG Round 1) The definition of recess is required (see following figures). According to an unofficial international experts meeting in 1990, 6 of the countries considered that (3) in the figures could be excluded. 5 of the countries considered that (4) in the figures could be excluded.



Assessment

- | | | | |
|--------------------------|--------------------------|----------------------------|--------------------------|
| Agree | Agree but with changes | Neither agree nor disagree | Disagree |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Comments

Italy (CG Round 1) A recess is a space bounded by three bulkheads which themselves form a boundary to an enclosed space. (I agree with the definitions in the above pictures). It is also necessary to clarify if:

1. a recess extending for more than one tier can be exempted;
2. a recess, located in the sides (left or right) of the erection can be exempted also if the extension into the erection is greater than twice the width of its entrance, if there are not any obstructions at the ship's side, taking into account the provisions of the Reg. 2(5)(b) and 2(5)(c).

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

United States (CG Round 1) Establish interpretations clarifying that a recess must be bounded on at least two sides by a boundary bulkhead, and define “boundary bulkhead” along the lines of “a bulkhead or partition that separates an enclosed interior space from the surrounding weather”. For example, under this interpretation, the volume of the side passageway shown in Figure 5 would be ineligible for exclusion as a recess under regulation 2(5)(e).



Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

France [Prelim] (CG Round 1) To see regulation 2(5)e used instead of regulation 2(5)a to exclude a greater volume may obviously be a temptation for owners. However a recess is not an end opening. The proposition of three sides is interesting, but in fig.10 the recess not excluded at the right (only because $l > 2w$) has only 2 boundary bulkheads (but is this structure a real recess?). May we consider that a recess has to be surrounded by enclosed volumes on three side.

Assessment

Agree

Agree but
with changes

Neither agree
nor disagree

Disagree

Comments

5.d Characteristics of End and Side Openings for Excluded Spaces (SLF 53/5, annex 4, issue No. 18)

Requirement/Interpretation Example: TM Convention, Regulation 2(5)(b) *A space under an overhead deck covering open to the sea and weather, having no other connexion on the exposed sides with the body of the ship than the stanchions necessary for its support. In such a space, open rails or a bulwark and curtain plate may be fitted or stanchions fitted at the ship's side, provided that the distance between the top of the rails or the bulwark and the curtain plate is not less than 0.75 metres (2.5 feet) or one-third of the height of the space, whichever is the greater (Figure 7 in Appendix 1).*

Description of Issue Under Regulation 2(5), the criteria for excluding space opposite end and side openings are largely prescriptive in nature, and can result in substantively different tonnage assignment on ships for which the physical arrangement varies only on the order of centimeters. Examples include: 1) criteria based on deck beam size under 2(5)(a); 2) requirements for a structure to be “side-to-side” under 2(5)(c); 3) impact of fitting of rails (allowed under 2(5)(b) but not under 2(5)(c)); and 4) prohibition against fitting of fashion plating to stanchions under 2(5)(b). Consideration should be given to development of functional requirements (possible under novel craft provisions). This would provide a more accurate indication of spaces that are sufficiently open to qualify for exclusion from tonnage where prescriptive requirements are inadequate and could adversely affect ship design.



Proposed Solutions

IACS (SLF 54/9) The current requirement should be more clearly defined and supported by a comprehensive set of diagrams to clarify the overall position.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

Japan (CG Round 1) Having considered SLF29/WP.3, a new interpretation of the regulation 2(5) should be added to TM.5/Circ.5 as follows:

1. Small spaces not exceeding 1 cubic meter or having a cross sectional area not exceeding 1 square meter should be ignored. However, spaces that constitute an obstruction exceeding 25 percent of the opening area should not be ignored (i.e., would prevent the space from being excluded).
2. Spaces such as masts, air trunks, machinery and other similar structure can be ignored, and should also not be included in enclosed space.
3. When the opening is fitted a curtain plate of a depth not exceeding by more than 25 millimeters the depth of adjoining deck beams, the opening should be considered to “extend from deck to deck” when applying regulation 2(5)(e).

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

Italy (CG Round 1) We may concur with the proposal, but we deem that a set of diagrams / pictures are needed for more better clarify the overall situation.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

United States (CG Round 1) If the TM Convention is amended for other reasons, develop amendments that would replace the highly prescriptive requirements, where practical, with more generalized criteria. For example, provide for exclusion of any space strictly "in way of" a side or end opening up to an amount not exceeding half the length/width of the opening, ignoring railings, gratings, etc.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

France [Prelim] (CG Round 1) This has to be more documented to consider more precisely if a structure cannot be treated according the regulation 2(5) prescriptions.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

5.e Deck Structure Height Requirements for Excluded Space Side Openings (SLF 53/5, annex 4, issue No. 19)

Requirement/Interpretation TM Convention, Regulation 2(5)(c) *A space in a side-to-side erection directly in way of opposite side openings not less in height than 0.75 metres (2.5 feet) or one-third of the height of the erection, whichever is the greater. If the opening in such an erection is provided on one side only, the space to be excluded.*

Description of Issue Increasingly, ships of certain types (e.g., cruise ships, car carriers) have spaces opposite large side openings that may not qualify for exclusion as recesses under Regulation 2(5)(e), but could possibly be considered for exclusion under 2(5)(c). However, 2(5)(c) requires side openings to be at least “one third of the height” of the associated deck structure (erection) in order to allow a qualifying space to be excluded from volume calculations. It is unclear whether this height is taken to the top of the entire structure (the most “conservative” approach), or to an internal deck within the structure (an approach which could lead to fitting of “false” decks within the ship to allow smaller openings).



Proposed Solutions

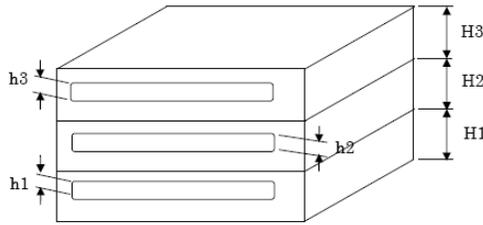
IACS (SLF 54/9) A clear definition of what constitutes a deck as opposed to an intermediate platform is required. Diagrams are also required.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

Japan (CG Round 1) The height of the opening should be evaluated by the height between the continuity/complete decks in each tier. The tier should be defined as the space between decks/covers.



H1, H2 and H3 are heights of each tier
 h1, h2 and h3 are heights of opening in each tier

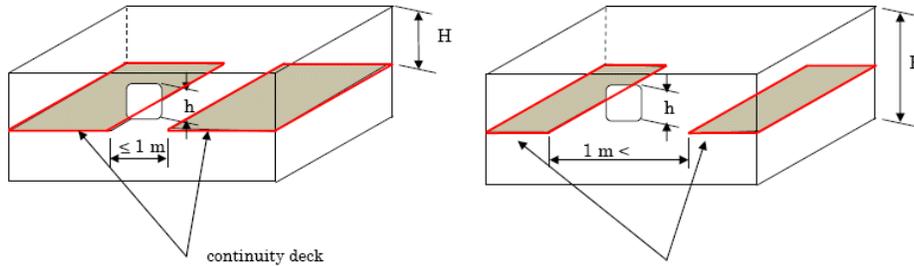
Assessment

- | | | | |
|--------------------------|--------------------------|----------------------------|--------------------------|
| Agree | Agree but with changes | Neither agree nor disagree | Disagree |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Comments

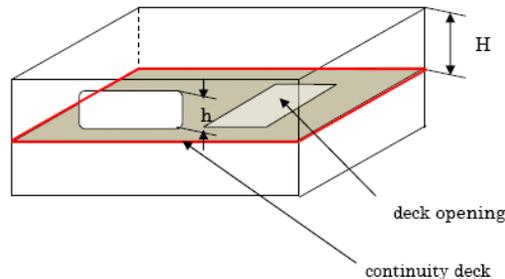
Japan (CG Round 1) If the deck has breaks, openings or steps, the height should be per the following:

- a. A deck in a deck which extends side to side for the breadth of the structure and is in excess of 1 meter in length should be a discontinuous/stepped deck (reference TM.5/Circ.5 1.1).



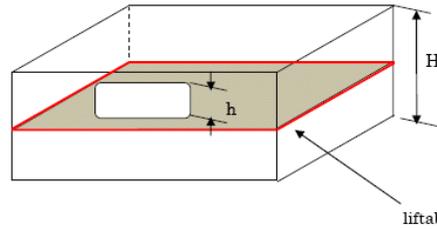
H is height of the tier
 h is height of opening in tier

- b. A deck opening which does not extend side to side for the breadth of the structure should be a continuous/complete deck (reference TM.5/Circ.5 1.3).



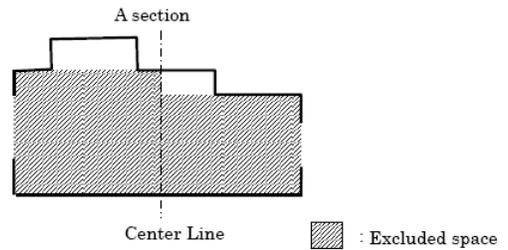
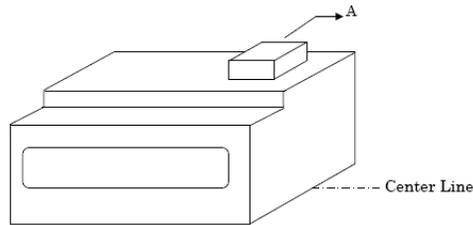
H is height of the tier
 h is height of opening in tier

c. Liftable decks or removable decks should not be continuous/complete decks



H is height of the tier
 h is height of opening in tier

d. If there is a step or protrusions in the deck, the top of the excluded space should be the lowest level of the superior/upper deck.



Assessment

Agree

Agree but with changes

Neither agree nor disagree

Disagree

Comments

Italy (CG Round 1) The height should be taken from structural decks. False or movable decks or platform should not be taken into account. A clear definition of what constitutes a structural deck as opposed to an intermediate platform is needed.

Assessment

Agree

Agree but with changes

Neither agree nor disagree

Disagree

Comments

United States (CG Round 1) Because the language in regulation 2(5)(c) is explicit about the height of the "erection", and differs from that in 2(5)(b) which refers to the height of the "space", there is little choice but to clarify this matter by establishing the interpretation that in all cases, the height measurement is taken to the top of the superstructure. Interpretations and an accompanying figure should be included to this effect. This would render all of the spaces in photos above ineligible for exclusion under regulation 2(5)(c).

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

United States (CG Round 1) If the TM Convention is amended for other reasons, develop amendments to 2(5)(b) and 2(5)(c) to provide consistent treatment of spaces that are opposite side openings.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

France [Prelim] (CG Round 1) Regulation 2(5)c and 2(5)e apply to constructions located above the upper deck. If such openings are located in such erections, the rule of "one third of the height" applies considering the height of the construction between the two decks.

Assessment

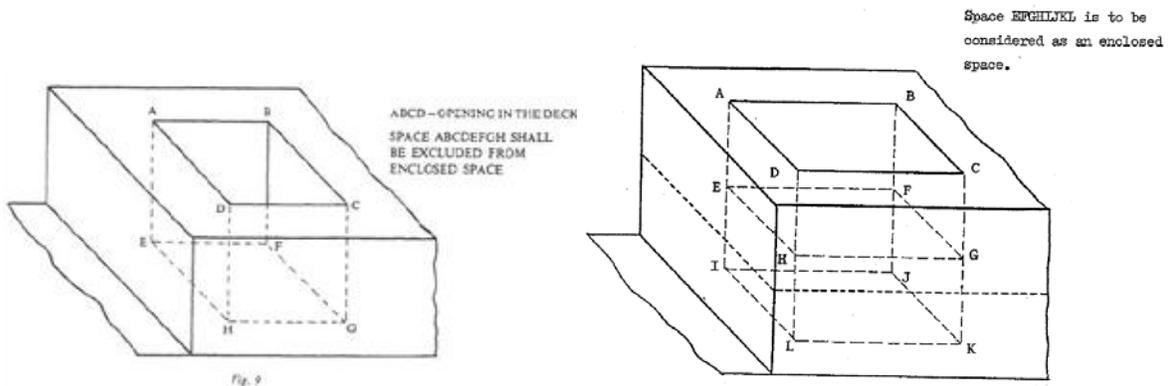
Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

5.f Restrictions on Excluding Space Below Uncovered Openings (SLF 53/5, annex 4, issue No. 20)

Requirement/Interpretation TM Convention, Regulation 2(5)(d) *A space in an erection immediately below an uncovered opening in the deck overhead, provided that such an opening is exposed to the weather and the space excluded from enclosed spaces is limited to the area of the opening (Figure 9 in Appendix 1)*

Description of Issue The text of Regulation 2(5)(d) and the accompanying figure leave it unclear as to the extent to which a space “immediately below” a deck opening may be excluded. A question along these lines was raised by a flag State in document SLF 29/10 (3 November 1983), but was not resolved. Clarification would be helpful to ensure consistency and avoid misuse.



Proposed Solutions

IACS (SLF 54/9) Define "immediately below" as extending from the deck in which the opening occurs to the next complete structural deck below. For definition of structural deck see issue 19. A supporting diagram should be included.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

Panama (CG Round 1) Only the open space in the above figure lettered ABCDEFGH should be excluded from volume calculations.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

Japan (CG Round 1) As a conclusion of the SLF29 working group, the interpretation of regulation 2(5)(d) should be added to TM.5/Circ.5 that, according to the definitions in this regulation, there is no limit to the number of tiers of erections. For this reason the space shown in the above figure lettered ABCDLIJK is to be considered as an excluded space, provided this space is not fitted for cargo or stores.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

Italy (CG Round 1) Define "immediately below" as extending from the deck in which the opening occurs to the next structural deck underneath it. Also here a clear definition of what constitutes a structural deck is necessary.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

United States (CG Round 1) Consistent with the proposed solution for Issue 3.a, establish the interpretation that the expression "immediately below" means to a depth not exceeding the distance to the deck below, or one-fourth the breadth of the ship, whichever is less.

Assessment

Agree

Agree but
with changes

Neither agree
nor disagree

Disagree

Comments

France [Prelim] (CG Round 1) This requires better documentation.

Assessment

Agree

Agree but
with changes

Neither agree
nor disagree

Disagree

Comments

5.g Structures Along the Line of an Opening (Panama – CG Round 1)

Requirement/Interpretation TM Convention, Regulation 2(5)(a)(i) *A space within an erection opposite an end opening extending from deck to deck except for a curtain plate of a depth not exceeding by more than 25 millimeters (one inch) the depth of the adjoining deck beams, such opening having a breadth equal to or greater than 90 per cent of the breadth of the deck at the line of the opening of the space.*

Description of Issue The text of regulation 2(5)(a)(i) and the accompanying figure leave it unclear whether the curtain plate depth is the only consideration that should be taken into account when evaluating the space.



Proposed Solutions

Panama (CG Round 1) Add in the text of the regulation the following text; “the presence of structures like a transverse bulkhead or any other structure along the line of the opening which prevents it from being deck to deck, except for the stanchions necessary for its support, would disqualify a space within an erection opposite an end opening.”

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

5.h Adjoining Deck Beams on End Openings (Panama – CG Round 1)

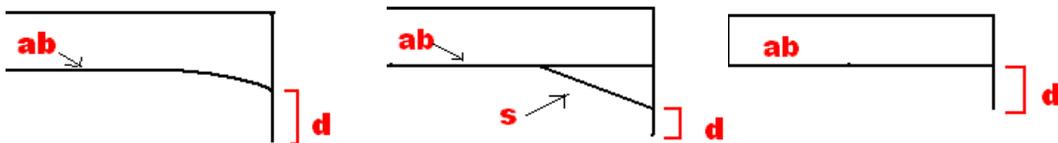
Requirement/Interpretation TM Convention, Regulation 2(5)(a)(i) *A space within an erection opposite an end opening extending from deck to deck except for a curtain plate of a depth not exceeding by more than 25 millimeters (one inch) the depth of the adjoining deck beams, such opening having a breadth equal to or greater than 90 per cent of the breadth of the deck at the line of the opening of the space.*

Description of Issue It is unclear how the presence of additional plates acting as stiffeners (as shown in the pictures below) affect the depth of the curtain plate to that of the adjoining beam.



Proposed Solutions

Panama(CG Round 1) To determine the depth of the curtain plate, the following illustrative additional sketches should be provided:



where d = curtain plate depth, s = stiffener, ab = adjoining beam

Assessment

- | | | | |
|--------------------------|---------------------------|-------------------------------|--------------------------|
| Agree | Agree but
with changes | Neither agree
nor disagree | Disagree |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Comments

5 i Rails and Fashion Plating for Side Openings (Panama – CG Round 1)

Requirement/Interpretation TM Convention, Regulation 2(5)(b) *A space under an overhead deck covering open to the sea and weather, having no other connection on the exposed sides with the body of the ship other than the stanchions necessary for its support. In such a space, open rails or a bulwark and curtain plate may be fitted or stanchions fitted at the ship's side, provided that the distance between the top of the rails or the bulwark and the curtain plate is not less than 0.75 meters (25 feet) or one-third of the height of the space, whichever is the greater (Figure 7 in Appendix 1).*

Description of Issue Under Regulation 2(5)(b), once rails or fashion plating are fitted on the space, no specific details are given as to what extend such space should be fitted with such rails or solid plates in order for it to be considered as an exclusion.



Proposed Solutions

Panama (CG Round 1) If the space in discussion is fitted with rails and/or solid plates, and they occupy 3 frame spaces or more, then the space is not to be excluded.

Assessment

Agree

Agree but
with changes

Neither agree
nor disagree

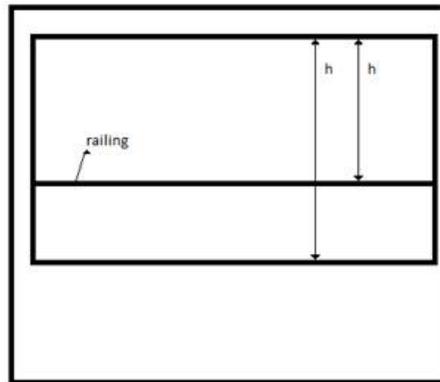
Disagree

Comments

5 j Height of Side Opening Railings (Panama – CG Round 1)

Requirement/Interpretation TM Convention, Regulation 2(5)(c) *A space in a side-to-side erection directly in way of opposite side openings not less in height than 0.75 metres (2.5 feet) or one-third of the height of the erection, whichever is the greater. If the opening in such an erection is provided on one side only, the space to be excluded.*

Description of Issue Under Regulation 2(5)(c), it is not clear, in the case where a horizontal railing is present, whether the opening height above the railing should be considered when applying the one-third height criterion.



Proposed Solutions

Panama (CG Round 1) The existence of an horizontal railing should be considered for the calculation of the height of the erection (Regulation 2(5)(c)).

Assessment

Agree

Agree but with changes

Neither agree nor disagree

Disagree

Comments

6.a Treatment of Spaces Inside the Hull as Open to the Sea (SLF 53/5, annex 4, issue No. 25)

Requirement/Interpretation TM Convention, Regulation 6(3) *Volumes of spaces open to the sea may be excluded from the total volume.* TM.5/Circ.5, Calculation of Volumes, Paragraph 2 *Hawse pipes, sea-valve recesses, thruster tunnels, stern chutes in fishing vessels, dredging wells in dredgers and other similar spaces fitted in the ship's hull should be dealt with as spaces open to the sea.*

Description of Issue Regulation 6(3) allows volumes of spaces open to the sea to be excluded from tonnage. The degree to which a normally flooded or free-flooding space inside the hull is considered “open” has required interpretation, in view of the criteria of Regulation 2(5) that requires spaces above the upper deck to be reasonably “open” before they may be excluded. Further, designers have sought to reduce tonnage or principal dimensions through contrivances to treat otherwise enclosed spaces as spaces that are “open spaces to the sea”. Examples include: 1) standpipes in underdeck voids and ballast spaces; 2) holes in bows and sterns of ships of all types; and 3) holes in cross-deck structures on multi-hull ships. Consideration should be given to developing guidance on how to treat such volumes in a consistent manner



Proposed Solutions

IACS (SLF 54/9) For a space inside the hull to be considered as open to the sea, it has to be in free communication with the sea and the clear opening (i.e., not including any grating) must be more than [75]% of the bounded space to which it provides access. A hole, holes or pipe openings are not sufficient to consider a space for exclusion.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

Japan (CG Round 1) A decision on a unified definition of the hull is needed before considering spaces open to the sea, as follows:

- a. "Hull" means the main part of the ship which is bounded by shell and other similar fairings or covers.
- b. "Appendage" means the structure fitted on the outer surface of the shell.
- c. A space bounded by a metal cover that is hollow should be treated as an "Appendage".
- d. Solid material made of other than metal could be an "Appendage" (e.g., styrofoam bulge, rubber buoyancy).

Once this definition is agreed to, spaces which fulfill at least one of following two conditions shall not be excluded from the total volume of enclosed spaces:

- a. The construction or arrangement of the ship, including the fitting of mechanisms or devices, restricts the influx of water to the space.
- b. The space provides buoyancy, or has means for securing cargo or stores (e.g. live fish carrier).

In the above context, mechanism means the function constituted by machineries and parts.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

Italy (CG Round 1) In order to consider a space inside the hull open to the sea, a percentage of the bounded surface that has to be in free communication with the sea should be considered. Hawse pipes, sea valve recesses and thruster tunnels should always be considered as spaces open to the sea.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

United States (CG Round 1) Include such spaces in the total volume of all enclosed spaces (V), while establishing interpretations as to what constitutes the “hull” (e.g., non-structural fairings are ignored). “Borderline” situations could be addressed under novel craft provisions.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

United States (CG Round 1) If the TM Convention is amended for other reasons, make exclusion of any space that is open to the sea mandatory, instead of optional. From discussions at the 1969 Tonnage Conference, it appears that the word "may" was included to avoid the need to perform volume calculations for small, inconsequential volumes like sea chest recesses, if desired (see TM/CONF/C.2/SR.18). However, in view of the subsequent international consensus on allowing volumes of under 1 cubic meter to be ignored from measurement, and the advent of electronic computational tools that greatly facilitate the calculation process, it appears that the underlying rationale for this optional treatment is no longer valid. Additionally, making it "optional" goes against the desire for uniformity, especially when considering larger "open to the sea" spaces, that may not have been envisioned by those attending the 1969 Tonnage Conference.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

Canada (CG Round 1) The existing text in TM.5/Circ.5, Calculation of Volumes, Paragraph 2: Hawse pipes, sea-valve recesses, thruster tunnels, stern chutes in fishing vessels, dredging wells in dredgers and other similar spaces fitted in the ship's hull should be dealt with as spaces open to the sea. The following could be added to the existing text: "Spaces open to the sea are the spaces fitted in the ship's hull which [are permanently flooded during normal operation of the ship or] are open to the action of waves and/or allow free communication with the sea provided that in no circumstances they could contribute to the buoyancy of the ship at any time." Free communication with the sea means that sea water comes out of a space as quickly as it gets in solely under the force of gravity and no amount of water could be trapped in the space. Any holes or pipe openings are not sufficient to consider a space as being open to the sea. Spaces open to the sea shall not have any means for securing cargo or stores and shall not be appropriated for the stowage of cargo or stores in any form.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

France [Prelim] (CG Round 1) TM.5/Circ.5 paragraph 2 should be expanded to include more precise examples, to reduce the number of "similar spaces" not yet defined.

Assessment

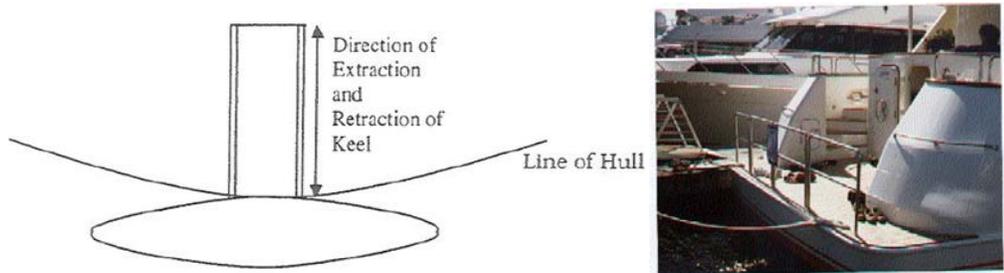
Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

6.b Treatment of Spaces Outside the Hull as Open to the Sea (SLF 53/5, annex 4, issue No. 26)

Requirement/Interpretation TM Convention, Regulation 6(3) *Volumes of spaces open to the sea may be excluded from the total volume.* TM.5/Circ.5, Calculation of Volumes, Paragraph 2 *Hawse pipes, sea-valve recesses, thruster tunnels, stern chutes in fishing vessels, dredging wells in dredgers and other similar spaces fitted in the ship's hull should be dealt with as spaces open to the sea.*

Description of Issue Regulation 6(3) allows volumes of spaces open to the sea to be excluded from tonnage. The degree to which a space outside the hull is considered open to the sea has required interpretation in cases where free communication between the space and the sea is in some way restricted. Examples include: 1) “wells” or “pockets” for retractable keels and stabilizers with fairing plates; 2) semi-weatherproof storage spaces in the stern step areas of yachts that are protected from the sea non-watertight closures; 3) bow thrusters tunnels fitted with doors to reduce underwater resistance; and 4) sea valve recesses (“sea chests”) fitted with fine mesh strainers.



Proposed Solutions

IACS (SLF 54/9) If a space has the capability of being closed by a closing device which can be either watertight or non-watertight then it should be included in the calculation for gross and net tonnage where applicable.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

Japan (CG Round 1) Apply the solution proposed by Japan for Issue 6.a.

Assessment

Agree

Agree but
with changes

Neither agree
nor disagree

Disagree

Comments

Italy (CG Round 1) If the space can be closed by a closing device, then it should be included in the ship's Tonnage. The presence of a grate, per se, should not preclude a space to be considered as open to the sea (for example, sea chests recesses that, even if fitted with grates, are always open to the sea).

Assessment

Agree

Agree but
with changes

Neither agree
nor disagree

Disagree

Comments

United States (CG Round 1) Establish interpretations to the effect that for a space to be considered open to the sea, the space shall be below the upper deck and in free communication with the sea, without constructional features that could, at any time, prevent the free exchange of water between all portions of the space and the sea. Give examples of spaces typically open to the sea such as: 1) hawse pipes; 2) stern chutes in fishing vessels; 3) thruster tunnels; and 4) sea-valve recesses. Give examples of spaces typically not open to the sea such as: 1) compartments for dredge spoils within split-hull dredges; 2) ballast tanks with open flood ports at the bottom; and 3) spaces bounded by fairing plates that fit tightly against the ship's hull.

The interpretations should allow Administrations the flexibility, when evaluating whether construction features could prevent the exchange of water between the space and the sea, to use a variety of approaches, including outflow calculations or area ratios. Guidelines could be established to the effect that, and depending on the specific construction features involved, if a space completely filled with water could empty within approximately one second of being raised above the surface of the sea, or if the ratio of the opening area to the boundary area of the space exceeds some number, the space would be considered as open to the sea.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

6.c Treatment of Moon Pools (SLF 53/5, annex 4, issue No. 27)

Requirement/Interpretation TM Convention, Regulation 6(3) *Volumes of spaces open to the sea may be excluded from the total volume.* TM.5/Circ.5, Calculation of Volumes, Paragraph 2 *Hawse pipes, sea-valve recesses, thruster tunnels, stern chutes in fishing vessels, dredging wells in dredgers and other similar spaces fitted in the ship's hull should be dealt with as spaces open to the sea.*

Description of Issue Moon pools and similar large “though hull” openings that are sometimes fitted with covers or are otherwise covered from above by enclosing structure within the ship’s hull or above the upper deck. In addition, some moon pool wells are fitted with retractable doors at their lower extremities, or at some distance from the keel, which in some cases serve as non-watertight fairings and in others as watertight closures. It is unclear as to whether spaces fitted with such covers or doors may be excluded as open to the sea under Regulation 6(3), and if so, to the extent the space above the doors may be treated as excluded.



Proposed Solutions

IACS (SLF 54/9) Where moon pools are fitted with closing devices which can be watertight or non-watertight, only that portion below the closing device should be excluded. Supporting diagrams should be included.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

Japan (CG Round 1) Apply the solution proposed by Japan for Issue 6.a.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

Italy (CG Round 1) Where moon pools can be closed by closing devices, only that portion below the devices should be excluded.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

France [Prelim] (CG Round 1) This kind of volume, entirely open to the sea underneath with no means for securing cargo or use for cargo, should be excluded according regulation 6(3), even if such structure provides any possibility of such opening being closed.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

6.d Large Volumes of Spaces Open to the Sea (SLF 53/9/5)

Requirement/Interpretation TM Convention, Regulation 6(3) *Volumes of spaces open to the sea may be excluded from the total volume.* TM.5/Circ.5, Calculation of Volumes, Paragraph 2 *Hawse pipes, sea-valve recesses, thruster tunnels, stern chutes in fishing vessels, dredging wells in dredgers and other similar spaces fitted in the ship's hull should be dealt with as spaces open to the sea.*

Description of Issue Some ship designs have been developed to obtain additional buoyancy or an additional cargo capacity with less gross tonnage, making use of regulation 6(3). Examples of such designs are: 1) ships with open bottom spaces between the inner skin and outer shell to hold air to gain additional buoyancy (figure 1); and 2) ships with cargo spaces between cross-deck structures with gratings openings to the sea (figure 2). The existing unified interpretations do not cover the situation. The volumes of spaces open to sea in the ship designs mentioned in the previous paragraph are dominant, compared against the total volume of the ships. Therefore, lack of unified interpretations and inconsistent treatment by Administrations are to lead to inconsistent implementation of the TM Convention, and allow some designers to attempt to gain certain tonnage reduction by treating spaces as "spaces open to the sea."

Figure 1: A ship fitted with spaces between the inner skin and the outer shell to fill air for buoyancy

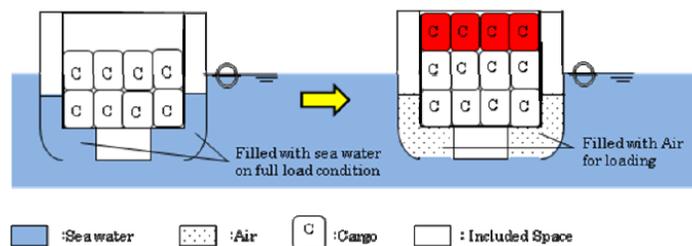
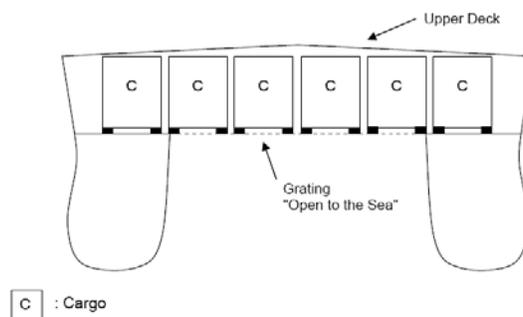


Figure 2: A ship fitted with grating cross-deck for securing cargo in multi-hull case



Proposed Solutions

Japan and Korea (SLF 54/9/5) Spaces open to the sea, which are used for holding cargo and/or are contributing to buoyancy, shall not be excluded from the total volume of the ship. In other words, "gross tonnage" and "net tonnage" must be reflective of the ship's overall size and useful capacity. Taking this into account, we propose the following new interpretation of regulation 6(3) to the unified interpretations being developed: "*Volumes open to the sea should not be excluded from the total volume if the spaces are appropriated for holding cargo and/or contributing to obtain buoyancy of the ship.*"

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

Italy (CG Round 1) The ship's spaces open to the sea, appropriated for holding cargo and/or contributing to obtain buoyancy of the ship should be included in the ship's tonnage.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

United States (CG Round 1) Include such spaces in the total volume of all enclosed spaces (V), by establishing the interpretation that "open to sea" means that the space must be in free communication with the sea at all times.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

France [Prelim] (CG Round 1) First case: tonnage of a ship is calculated without consideration of the conditions of particular use. If the space between the inner skin and outer shell is not always open to the sea, these spaces should be included in GT. According to regulation 2(4), "no break in a deck, nor any opening in the ship's hull..." shall preclude a space from being included in the enclosed space. According to regulation 2(5), spaces fitted for securing cargo cannot be excluded. So the cargo spaces in case two have to be included in GT and NT.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

7.a Remeasurement Following Alterations (SLF 53/5, annex 4, issue No. 7; SLF 54/INF.11)

Requirement/Interpretation TM Convention, Article 10(1) *Subject to any exceptions provided in the Regulations, an International Tonnage Certificate (1969) shall cease to be valid and shall be cancelled by the Administration if alterations have taken place in the arrangement, construction, capacity, use of spaces, total number of passengers the ship is permitted to carry as indicated in the ship's passenger certificate, assigned load line or permitted draught of the ship, such as would necessitate an increase in gross tonnage or net tonnage.*

Description of Issue There are no universally accepted criteria for remeasuring a ship following alterations/modifications. Different administration apply different criteria: tonnage changes of unity, 1%, 2%, 5% and 10% have all been quoted, which can be problematic when a ship changes flag. Even small changes in assigned gross tonnage can cause ships to exceed critical regulatory breakpoints, affecting the design and operating standards that apply the ship (e.g., SOLAS, MARPOL, and STCW tonnage-based requirements). Further, it is unclear why a decrease in gross or net tonnage does not necessitate the remeasurement of a ship, if these parameters are to remain reflective of the ship's overall size and useful capacity, respectively.



Proposed Solutions

IACS (SLF 54/9) Option 1 Set the criteria for requiring remeasurement at [1]% for ships of 500 GT and over and [2]% for ships less than 500 GT to cover both increases and decreases. Changes which result in a difference of less than the agreed limit should be recorded on the ITC in the "Remarks" area on page 2 or in a designated box on the addendum to the ITC to ensure that cumulative minor changes are recorded traced. If the addendum is utilized for recording changes then a reference to this should be included in the appropriate box on the ITC.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

TM Conv CG Round 1 Questionnaire Rev 0 30Mar2012
Issue 7 – Re-Certification for Changes Affecting Tonnage

IACS (SLF 54/9) Option 2 Require any changes to the parameters used to calculate tonnage to require the reissue of the ITC such that the ITC always reflects the actual arrangements on board the ship. In the case of a tonnage decrease, it should be the owner's decision whether the tonnage certificate is reissued.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

IACS (SLF 54/9) Option 3 Require the remeasurement after increase/decrease of 1% for all ships.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

Japan (CG Round 1) This should be left to the Administration.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

TM Conv CG Round 1 Questionnaire Rev 0 30Mar2012
Issue 7 – Re-Certification for Changes Affecting Tonnage

Italy (CG Round 1) Require the remeasurement of the ship after any changes to the parameters used to calculate tonnage, such that the International Tonnage Certificate always reflects the actual arrangement on board the ship.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

United States (CG Round 1) Establish the interpretation that it is each Administration's responsibility to determine what constitutes a change necessitating an increase in gross or net tonnage. In the absence of established criteria from the Administration, a 1% change in gross or net tonnage is recommended.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

United States (CG Round 1) If the TM Convention is amended for other reasons, amend article 10(1) to require remeasurement and recertification following tonnage decreases as well as increases, to ensure that gross and net tonnage assignments reflect the ship's overall size and useful capacity, respectively.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

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Issue 7 – Re-Certification for Changes Affecting Tonnage

Canada (CG Round 1) See also the comments to issue 8. For the purposes of article 10(1) the alterations which would necessitate an increase in gross tonnage or net tonnage means those alterations which lead to increase in gross tonnage or net tonnage of more than 1%. Although article 10(1) requires the ITC-69 to be cancelled only in case of increase in gross tonnage or net tonnage, nothing in this article could prevent cancellation of the Certificate by the Administration in a situation when gross tonnage or net tonnage was decreased (on condition that the provisions of regulation 5(3) are met). The alterations which would necessitate a decrease in gross tonnage or net tonnage means those alterations which lead to decrease in gross tonnage or net tonnage of more than 1%. Changes in gross tonnage or net tonnage of less than 1% should be recorded on the ITC-69 in the "Remarks" area to ensure that the cumulative changes due to alterations over a period of time would not become bigger than 1%.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

France [Prelim] (CG Round 1) In France, according to article 10, if there is a GT increase of 1 (unity), a new certificate is delivered. In practice only an increase of 3 cubic meters (i.e. Limit $dV = 1/0,32$) involves a new certificate. For NT, only modifications that increase the minima of 0,25GT or 0,30GT (according as the ship is a passengers ship or not) have a real impact on final NT and involve a new certificate.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

7.b Remeasurement Following Net Tonnage Change (SLF 53/5, annex 4, issue No. 21; SLF 54/INF.11)

Requirement/Interpretation TM Convention, Regulation 5(1) *When the characteristics of a ship, such as V, Vc, d, N₁ or N₂ as defined in Regulations 3 and 4, are altered and where such an alteration results in an increase in its net tonnage as determined in accordance with the provisions of Regulation 4, the net tonnage of the ship corresponding to the new characteristics shall be determined and shall be applied without delay.* TM Convention, Regulation 5(3) *When the characteristics of a ship such as V, Vc, d, N₁ or N₂ as defined in Regulations 3 and 4 are altered or when the appropriate assigned load line referred to in paragraph (2) of this Regulation is altered due to the change of the trade in which the ship is engaged, and where such an alteration results in a decrease in its net tonnage as determined in accordance with the provisions of Regulation 4, a new International Tonnage Certificate (1969) incorporating the net tonnage so determined shall not be issued until twelve months have elapsed from the date on which the current Certificate was issued; provided that this requirement shall not apply: (a) if the ship is transferred to the flag of another State, or (b) if the ship undergoes alterations or modifications which are deemed by the Administration to be of a major character, such as the removal of a superstructure which requires an alteration of the assigned load line, or (c) to passenger ships which are employed in the carriage of large numbers of unberthed passengers in special trades, such, for example, as the pilgrim trade.*

Description of Issue It is unclear how the Regulation 5 language relates to the language in Article 10 of the Convention, which also addresses remeasurement. For example, if a change in the characteristics cited in Regulation 5 causes net tonnage to change by an amount of unity (one unit of net tonnage), does the Regulation 5 language require both gross and net tonnage to be recalculated and recertified, even if the gross tonnage change is not of sufficient magnitude to cause remeasurement?

Proposed Solutions

IACS (SLF 54/9) Any changes to the net tonnage should result in the reissue of a new ITC. If the principal dimensions or passenger numbers change, then regardless of the magnitude of the change in the tonnage, the tonnage certificate should be re-issued immediately. This should be implemented even when there is no change to the gross or net tonnage. In the case of a tonnage decrease, it should be the owner's decision whether the tonnage certificate is reissued.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

TM Conv CG Round 1 Questionnaire Rev 0 30Mar2012
Issue 7 – Re-Certification for Changes Affecting Tonnage

Japan (CG Round 1) This should be left to the Administration.

Assessment

Agree

Agree but
with changes

Neither agree
nor disagree

Disagree

Comments

Italy (CG Round 1) Any changes to the characteristics of a ship, such as V, Vc, D, d, N1 or N2, as defined in Regulation 3 and 4 TM Convention, should result in the reissue of the International Tonnage Certificate, taking into account the provision of the Regulation 5 (3) in case of decrease of Net Tonnage.

Assessment

Agree

Agree but
with changes

Neither agree
nor disagree

Disagree

Comments

TM Conv CG Round 1 Questionnaire Rev 0 30Mar2012
Issue 7 – Re-Certification for Changes Affecting Tonnage

United States (CG Round 1) Establish interpretations that, for situations where the net tonnage is decreased without the ship undergoing "alterations or modifications which are deemed by the Administration to be of a major character", a new ITC be reissued with a remark citing the change, the date of the change, and the Reg 5(1) restriction on changing the net tonnage for twelve months. Based on discussions at the 1969 Tonnage Conference (see TM/CONF/C.1/SR.16), it appears there was agreement to annotate the "old" ITC with a remark to indicate that characteristics of the ship had been modified, for use during the twelve month interim period. Since current electronic processing of certificates can quickly achieve the same end, it appears that the Reg 5(1) language is flexible enough to allow administrations to reissue the ITC with the same net tonnage, but with a remark indicating the twelve month "waiting" period. This also addresses the situation where the gross tonnage would have to be immediately recertified, but the net tonnage cannot be recertified until after the twelve month period has elapsed.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

Canada (CG Round 1) See also the comments to issue 8 and 7a. For the purposes of regulation 5(1) an increase in net tonnage means the increase of more than 1%.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

TM Conv CG Round 1 Questionnaire Rev 0 30Mar2012
Issue 7 – Re-Certification for Changes Affecting Tonnage

France [Prelim] (CG Round 1) If necessary, only the net tonnage has to be modified.

Assessment

Agree

Agree but
with changes

Neither agree
nor disagree

Disagree

Comments

7.c Alterations to Tonnage Following Remeasurement by Another Body (IACS - CG Round 1)

Requirement/Interpretation TM Convention, Article 10(1) *Subject to any exceptions provided in the Regulations, an International Tonnage Certificate (1969) shall cease to be valid and shall be cancelled by the Administration if alterations have taken place in the arrangement, construction, capacity, use of spaces, total number of passengers the ship is permitted to carry as indicated in the ship's passenger certificate, assigned load line or permitted draught of the ship, such as would necessitate an increase in gross tonnage or net tonnage. TM Convention, Regulation 5(3) When the characteristics of a ship such as V, Vc, d, N₁ or N₂ as defined in Regulations 3 and 4 are altered or when the appropriate assigned load line referred to in paragraph (2) of this Regulation is altered due to the change of the trade in which the ship is engaged, and where such an alteration results in a decrease in its net tonnage as determined in accordance with the provisions of Regulation 4, a new International Tonnage Certificate (1969) incorporating the net tonnage so determined shall not be issued until twelve months have elapsed from the date on which the current Certificate was issued; provided that this requirement shall not apply: (a) if the ship is transferred to the flag of another State, or (b) if the ship undergoes alterations or modifications which are deemed by the Administration to be of a major character, such as the removal of a superstructure which requires an alteration of the assigned load line, or (c) to passenger ships which are employed in the carriage of large numbers of unberthed passengers in special trades, such, for example, as the pilgrim trade.*

Description of Issue Consideration should be given to inclusion of criteria (e.g., percent change in the gross tonnage) due to a remeasurement (without alterations/modifications) carried out by other entities (e.g., the Panama Canal Authority). Regarding the example of remeasurement by the Panama Canal Administration (ACP):

- This re-measurement has, in general, no effect on GT;
- The remeasurement by ACP will alter the PC/UMS Net Tonnage. If a flag Administration alters GT and/or NT, classification societies have to adopt this data when issuing the ITC "on behalf of".

Proposed Solutions

IACS (CG Round 1) Where a body other than the flag Administration (or recognized organization acting on its behalf) calculates a tonnage which results in a change to the net tonnage, then the 1969 TM certificate should be re-issued when the change results in a change of more than [1%] of the net tonnage.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

8.a Criterion for Use of “Existing” Tonnage (SLF 53/5, annex 4, issue No. 3)

Requirement/Interpretation TM Convention, Article 3(2) *The present Convention shall apply to (a) new ships; (b) existing ships which undergo alterations or modifications which the Administration deems to be a substantial variation in their existing gross tonnage; (c) existing ships if the owner so requests; and (d) all existing ships, twelve years after the date on which the Convention comes into force, except that such ships, apart from those mentioned in (b) and (c) of this paragraph, shall retain their then existing tonnages for the purpose of the application to them of relevant requirements under other existing International Conventions.* TM.5/Circ.5, Application (Article 3(2)(d)) *The term "alterations or modifications which affect its tonnage" in Resolution A.758(18) means increase or decrease of more than 1% in either existing gross tonnage or gross tonnage calculated in accordance with the 1969 Tonnage Convention.*

Description of Issue Articles 3(2)(b) and (d) grant grandfathering privileges to certain older ships that have not undergone alterations “deemed by the Administration” to be a “substantial variation in their existing gross tonnage”. This provision allows a qualifying ship’s owner to use the preexisting national tonnage (GRT) to apply older breakpoints in international conventions, including SOLAS and MARPOL. As described in document SLF 38/10/1 dated 16 December 1993, there appeared to be broad agreement that “substantial variation” meant a gross tonnage change on the order of 10%, and that a 1% change was effectively within the limit of calculation accuracy. Nonetheless, TM.5/Circ.5 established a 1% change as the breakpoint for loss of grandfathering privileges, creating confusion among ship owners, presenting difficulties in ensuring compliance, and raising the possibility of legal challenge.



Proposed Solutions

IACS (SLF 54/9) Define a "substantial change" as "For the purposes of articles 3(2)(b) and (d) a "substantial change" is one where the gross tonnage is changed by more than 1% of the original gross tonnage. Where the gross tonnage changes by more than this value then the new gross tonnage should be used for all purposes."

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

Italy (CG Round 1) In my opinion in this issue there are two different cases:

- 1) the first is relevant to the entity of the alterations or modifications carried out on an existing ship during the 12 years transition period (July 1982 - July 1994). If a ship undergo an alteration in this period and the Administration deems to be a substantial variation in the existing Gross Tonnage, the ship must be measured with ITC'69 before the expiry of the transition period.
- 2) the second is relevant to the entity of the alterations or modifications carried out on ships measured with ITC'69 that, in accordance to Article 3(2)(d) or IMO Res. A.494, use the gross tonnage measured under the national tonnage rules which are in effect prior to the coming into force of the ITC'69 for the purpose of application of the provisions of the International Conventions.

In the first case a variation of 10% should have be considered for apply the ITC'69 to an existing ship before the expiry of the transition period. In the second case where the gross tonnage (International Tonnage or National Tonnage) changes by more than 1% (increase or decrease) then the International Gross Tonnage (1969) should be used for all purposes.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

United States (CG Round 1) . Amend the TM.5/Circ.5 interpretation to reflect that the variation in "existing" tonnage refers to the national (GRT) tonnage only, and that it is strictly up to each contracting Government as to what constitutes a "substantial variation". As documented in SLF 54/INF 11, the establishment of a specific criterion was debated at the 1969 Tonnage Conference, and it was agreed a specific criterion would not be established. While some recommended change in GRT could be specified as a guideline, a statement should be included to the effect that such a recommendation is strictly non-binding, and that a range of values has been considered acceptable in the past (e.g., from 1% to 10%), while encouraging each Administration to inform IMO of any policy that it has on this subject in accordance with Article 15 of the Convention.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

TM Conv CG Round 1 Questionnaire Rev 0 30Mar2012
Issue 8 – Criterion for Use of “Existing” Tonnage

Canada (CG Round 1) For the purposes of article 3(2)(b) "alterations or modifications which the Administration deems to be a substantial variation in ... existing gross tonnage" is one where the gross tonnage is changed by more than 1% of the original gross tonnage. Where the gross tonnage of an existing ship changes by more than this value then, according to article 3(2)(d), the new gross tonnage should be used for all purposes. The term "alterations or modifications which affect its tonnage" in resolution A.758(18) means increase or decrease of more than 1% in either existing gross tonnage or gross tonnage calculated in accordance with the 1969 Tonnage Convention..

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

France [Prelim] (CG Round 1) At SLF38, the drafting group chose 1% change to favor the entry into force of the TM Convention. So there is no possibility of confusion since July 1994.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

8.b Use of National Tonnage Under Interim Schemes (United States - CG Round 1)

Requirement/Interpretation TM Convention, Article 3(2)(d) *All existing ships, twelve years after the date on which the Convention comes into force, except that such ships, apart from those mentioned in (b) and (c) of this paragraph, shall retain their then existing tonnages for the purpose of the application to them of relevant requirements under other existing International Conventions. TM.5/Circ.5, Application (Article 3(2)(d)) The term "alterations or modifications which affect its tonnage" in resolution A.758(18) means increase or decrease of more than 1% in either existing gross tonnage or gross tonnage calculated in accordance with the 1969 Tonnage Convention.*

Description of Issue Clarifications, corrections and updates are needed regarding use of national tonnages under the older Interim Schemes (e.g., IMO Resolutions A.494(XII) dated 4 January 1982 and A.540(13) dated 16 April 1984). This need stems from the fact that when the Interim Schemes were adopted, they were to expire in 1994, and were only later extended for the life of the ship by a decision made at MSC (see paragraph 23.7 of MSC 50/27). In addition, when written they did apply to ships covered by article 3(2)(d) of the TM Convention, since at that time, these ships were not “required to be measured under the provisions of” the Convention. As a consequence, the Interim Schemes:

1. Do not address the loss of GRT tonnage grandfathering upon alteration or modification, since by 1994, ITC tonnage was to be used for all ships covered by the Interim Scheme, regardless of whether or not they were altered or modified. This grandfathering loss is implied, but not explicitly stated, by resolution A.758(18), which was developed by SLF 37 (see Annex 5 of SLF 37/25).

2. Are unclear as to whether they apply to ships addressed by article 3(2)(d) of the TM Convention, or instead are restricted only to ships with keel laid/substantial alterations dates between 18 July 1982 and 19 July 1994.

3. Appear to extend GRT tonnage grandfathering, not just to older tonnage-based provisions of SOLAS and MARPOL, but newer tonnage-based provisions as well (e.g., ISPS Code, ISM Code and LRIT). This has led to considerable confusion, requiring additional interpretations by IMO, and newer tonnage “Interim Schemes (e.g., MSC.1/Circ. 1231 for ISM Code and MSC/Circ.1157 for ISPS Code).

Further, the STCW Interim Scheme was effectively canceled with the coming into force of the 1995 amendments, as reflected in resolution A.1052(27). However, the STCW Interim Scheme continues to be referenced by documents that remain in effect (e.g., resolution A.791(19)), compounding confusion.

Proposed Solutions

United States (CG Round 1) Develop a draft Assembly resolution, for consideration by the Sub-Committee, that supersedes existing resolutions, where appropriate, and explains and consolidates updated requirements on GRT tonnage grandfathering for Interim Scheme ships.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

8.c Loss of Tonnage Grandfathering Under Interim Schemes (United States and Argentina - CG Round 1)

Requirement/Interpretation TM Convention, Article 3(2)(d) *All existing ships, twelve years after the date on which the Convention comes into force, except that such ships, apart from those mentioned in (b) and (c) of this paragraph, shall retain their then existing tonnages for the purpose of the application to them of relevant requirements under other existing International Conventions. TM.5/Circ.5, Application (Article 3(2)(d)) The term "alterations or modifications which affect its tonnage" in resolution A.758(18) means increase or decrease of more than 1% in either existing gross tonnage or gross tonnage calculated in accordance with the 1969 Tonnage Convention.*

Description of Issue Resolution A.758(18) provides for removal of the GRT tonnages from ITC certificates if a ship undergoes “alterations or modifications which affect its tonnage”. This implies, but does not explicitly state, that GRT grandfathering is lost upon such alterations or modifications. Further, the language used in this resolution is different than “substantial alteration” language in article 3(2)(b). TM.5/Circ.5 appears - indirectly - to “interpret” the resolution as if the language were the same, but there has been confusion on this subject.

Proposed Solutions

United States (CG Round 1) In conjunction with the United States proposed solution to Issue 8.b to address other Interim Scheme shortfalls, develop a draft Assembly resolution for consideration by the Sub-Committee, that includes language addressing loss of GRT grandfathering privileges following alterations or modifications, that is identical to that provided for “existing ships” under articles 3(2)(b) and (d).

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

Argentina (CG Round 1) Develop a draft resolution for the Assembly, and then harmonize deficiencies, along with proposed deviations.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

9.a Listing of Spaces on the International Tonnage Certificate (ITC) (SLF 53/5, annex 4, issue No. 4)

Requirement/Interpretation TM Convention, Article 9(2) *The form of the certificate shall correspond to that of the model given in Annex II. TM.5/Circ.5, Form of Certificate, Paragraph 2 Information inserted in the "location" columns on the reverse of the International Tonnage Certificate (1969) should not be detailed.*

Description of Issue The reverse side of the ITC form provides for the listing of information on included spaces (both cargo and non-cargo spaces) and excluded spaces. Presumably, this was to permit ready verification that a ship has not undergone changes since the ITC was issued, and that spaces used for carrying cargo and stores had been properly accounted for in tonnage. However, with advances in ship designs and resulting complex hull and superstructure geometries, the practice of listing enclosed spaces by “tiers” is becoming increasingly difficult to maintain and consistently apply. Also, it is unclear whether smaller individual spaces (e.g., masts, deck lockers, settees) should be listed separately on the ITC. Additional guidance on this subject would help ensure consistency among flag States.



Name of Space	Location	Length (m)
Hull	----	----
Superstr 02-04 Lvl	Fr 35-68	37.22
Superstr 05-06 Lvl	40-52	16.31

For illustrative purposes only. TM Convention does not apply to warships

Proposed Solutions

IACS (SLF 54/9) A separate section providing guidance on the completion of the relevant sections of the ITC should be developed for inclusion in the modified TM.5/Circ.5 with completed sample certificates.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

Panama (CG Round 1) All spaces should be listed in order to be verified by the Port Authorities, and when a change of Flag is performed.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

ITF (CG Round 1) In the remarks area of ITC there should be/might be separate listings for:

- crew accommodation spaces as required in compliance with SOLAS(ISPS Code and other security measures), SCTW (manning) and MLC (accommodation)*
- any other spaces as required to provide compliance with the relevant international requirements regarding safety, security and safety operation of the ship*

*Provisions should be put in place for additional crew space and cabins be available whenever needed, including but not restricted to, to satisfy safety, security and operational needs.

Some obvious examples for the extra cabins needed are:

- for training cadets;
- security guards (when crossing piracy areas);
- pilots and observers approaching ports and passing channels;
- riding gangs and maintenance personnel;

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

United States (CG Round 1) Establish interpretations along the lines that individual tiers (i.e., interior deck-to-deck "levels") should be listed as separate "spaces" on the reverse side of the tonnage certificate. Include a sample ITC as an attachment, along with the associated outboard profile to help establish the "level of detail" being sought by the international community through these interpretations.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

France [Prelim] (CG Round 1) Some authorities add the volume of each tier. It seems not reasonable to be too complete on the certificate (see the complexity of the Suez certificate).

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

9.b Specifying Lengths of Spaces on the International Tonnage Certificate (ITC) (SLF 53/5, annex 4, issue No. 5)

Requirement/Interpretation TM Convention, Article 9(2) *The form of the certificate shall correspond to that of the model given in Annex II.* TM.5/Circ.5, Form of Certificate, Paragraph 2 *Information inserted in the "location" columns on the reverse of the International Tonnage Certificate (1969) should not be detailed.*

Description of Issue The reverse side of the ITC form provides for specifying the length of all listed spaces, presumably to assist in verification that a ship has not undergone changes since the tonnages were certified. However, in many cases it is difficult to establish the length of a deckhouse or other above-deck space, as the ends of deck structures are frequently stepped, fitted with deck overhangs, have lockers or seating that is built into or otherwise attached to the structure, etc. This has led to inconsistent application, both within and between flag States.



Proposed Solutions

IACS (SLF 54/9) The length should include the overall length of the measured space. Typical diagrams would clarify the requirements. A separate section providing guidance on the completion of the relevant sections of the ITC should be developed for inclusion in the modified TM.5/Circ.5.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

Italy (CG Round 1) The length should include the overall length of the measured space.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

United States (CG Round 1) Establish an interpretation that the length of the space is the longitudinal dimension from the forwardmost extremity of each tier to its aftermost extremity, including excluded spaces. Use a sample ITC and accompanying outboard profile to illustrate. Note that consideration was given to restricting these measurements to the extremities of the fore and aft boundary bulkhead, but this approach would be unworkable for a totally excluded superstructure space such as shown in Figure 7 of Appendix 1 of the TM Convention, and therefore in conflict with the TM Convention as it is currently written.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

France [Prelim] (CG Round 1) Length indicated should be that of the space the volume is calculated.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

9.c Listing Excluded Spaces on the International Tonnage Certificate (ITC) (SLF 53/5, annex 4, issue No. 6)

Requirement/Interpretation TM Convention, Article 9(2) *The form of the certificate shall correspond to that of the model given in Annex II. TM.5/Circ.5, Form of Certificate, Paragraph 2 Information inserted in the "location" columns on the reverse of the International Tonnage Certificate (1969) should not be detailed.*

Description of Issue The reverse side of the ITC form provides a space for listing excluded spaces, but lacks sufficient room for specifying all excluded spaces on larger ships of complex design (e.g. cruise ships). Nor is it clear that the mere listing of an excluded space provides sufficient information to permit meaningful verification without access to associated tonnage calculations. Finally, space limitations on the form, and confusion regarding the need to even list excluded spaces, has resulted in different approaches among flag States, ranging from the attachment of addenda to the ITC, to omitting reference to the spaces altogether. Consideration should be given to either expanding this information (perhaps through use of a “standardized” addendum), or deleting the requirement altogether.

EXCLUDED SPACES (Regulation 2(5))	
Bow Thruster	3rd Tier Recess Stbd
1st Tier Fantail	3rd Tier Recess Stbd
1st Tier Dk Recess	See Addendum
An asterisk (*) should be added to those spaces listed above which comprise both enclosed and excluded spaces.	

Proposed Solutions

IACS (SLF 54/9) The requirement to list excluded spaces should be removed.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

Panama (CG Round 1) All excluded spaces should be detailed in the Certificate in order to be verified by the Port Authorities, and when a change of Flag is performed.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

Italy (CG Round 1) The requirement to list excluded spaces should be removed.

Assessment

Agree

Agree but
with changes

Neither agree
nor disagree

Disagree

Comments

United States (CG Round 1) Recognizing the minimal space available in the block provided, develop interpretations to simply list the type, or category, of the excluded space(s). For example: "Recess(es), Deck Opening(s); Side Opening(s); End Opening(s)". Include the interpretation that spaces which are excluded as open to the sea not be listed, per the "Regulation 2(5)" annotation on the Annex II ITC form.

Assessment

Agree

Agree but
with changes

Neither agree
nor disagree

Disagree

Comments

United States (CG Round 1) If the TM Convention is amended for other reasons, delete the Excluded Space block in its entirety. The information is of limited usefulness due to its lack of detail, especially on larger ships. The information is also the frequent source of auditing non-conformities, because these excluded spaces are often difficult to identify during a computer modeling process, and are difficult to verify after the fact by someone checking the model.

Assessment

Agree

Agree but
with changes

Neither agree
nor disagree

Disagree

Comments

9.d Keel Laid or Alteration Date on the Certificate (Italy – CG Round 1)

Requirement/Interpretation TM Convention, Article 9(2) *The form of the certificate shall correspond to that of the model given in Annex II. TM.5/Circ.5, Form of Certificate, Paragraph 1*
The "Date" shown on the front of the International Tonnage Certificate (1969) refers to the year when the keel was laid or the ship was at a similar stage of construction (article 2(6)) or the ship underwent alterations or modifications as defined in article 3(2)(b) but when the year of construction or alteration or modification is 1982 or 1994, the month and day should also be described.

Description of Issue Article 3(2)(b) mentioned above is relevant to: existing ships which undergo alterations or modifications which the Administration deems to be a substantial variation in their existing gross tonnage; and is relevant to the alterations or modifications carried out on an existing ship (not yet measured with the ITC'69) during the 12 years transition period in order to apply the ITC'69 before the expiry of the transition period. There is no uniform interpretation relevant to the date that is necessary to be shown on the front of the International Tonnage Certificate (1969) when a ship, already measured with the ITC'69, undergoes alterations or modifications of a "major character".

Proposed Solutions

Italy (CG Round 1) In our opinion it is necessary to clarify that in the above situation, the date shown on the front of the International Tonnage Certificate (1969) should be the same date shown on the Cargo Ship Safety Construction Certificate or on the Passenger Ship Safety Certificate at the point: date on which work for a conversion or an alteration or modification of a major character was commenced

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

9.e Tonnage Certificate Attachments (United States and Argentina - CG Round 1)

Requirement/Interpretation TM Convention, Article 7(1) and (2) *An International Tonnage Certificate (1969) shall be issued to every ship, the gross and net tonnages of which have been determined in accordance with the present Convention. Such certificate shall be issued by the Administration or by any person or organization duly authorized by it. In every case, the Administration shall assume full responsibility for the certificate.* TM.5/Circ.5, Measurement and Calculation (Regulation 7) *When a tonnage certificate and a copy of the calculations of the tonnages are transmitted to another Government in accordance with article 8(2) or 10(3) of the Convention, they should be accompanied by a form as shown in appendix 2, showing the main particulars of the tonnage calculations for easy reference. When listing underdeck volumes, the volumes may be combined (e.g., underdeck/extended forecastle, etc.) on the form.*

Description of Issue Some flag States have authorized attachments (including addenda) to International Tonnage Certificates (ITCs) that contain volume and other ship information to supplement that which appears in the ITC. In some cases these documents are modeled on the TM.5/Circ.5 Appendix 2 format for transferring calculations to other Administrations. Because the TM Convention is silent on such documents, their legal status is not clear, and there has been confusion as a result. For example, if there is no remark or other indication on the ITC referring to the attachment, is this document, in fact, a part or extension of the ITC itself, and therefore must it be retained on board the ship when engaged on an international voyage and presented to boarding officials? If so, does the flag State become legally responsible for the accuracy of that information, as is the case with the ITC itself? If a flag State audit is performed on the ship, are the attachments audited as well, and is it necessary to reissue these attachments when information changes or is found to be in error, even if the ITC itself does not have to be reissued? Note that there may be a need for an attachment or continuation sheet to accommodate the growing number of Remarks that are required by some flag States

Proposed Solutions

United States (CG Round 1) Establish interpretations on attachments along the lines that these documents are not legally part of the ITC itself. The interpretations could stipulate that if additional space is needed on the ITC form to accommodate remarks or other information that conforms to the form in Annex 2 of the Convention, that should be considered a continuation sheet of the ITC. Inclusion of additional ship descriptive information on the ITC (e.g., volumes of spaces) was debated in plenary at the 1969 Tonnage Conference (see TM/CONF/SR.11), was voted on, and rejected.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

Argentina (CG Round 1) Amend the agreement to propose a new form of the certificate that includes fields containing practical needs to present new designs of ships. It was estimated previously it would take necessary knowledge of all proposals under other designs to be submitted to the government or organizations recognized for certification, prior to compiling a form of the certificate.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

9.f Transmitting Copies of Calculations and Certificates Upon Flag Change (Japan and Argentina - CG Round 1)

Requirement/Interpretation TM Convention Article 10(3) *Upon transfer of a ship to the flag of another State the Government of which is a Contracting Government, the International Tonnage Certificate (1969) shall remain in force for a period not exceeding three months, or until the Administration issues another International Tonnage Certificate (1969) to replace it, whichever is the earlier. The Contracting Government of the State whose flag the ship was flying hitherto shall transmit to the Administration as soon as possible after the transfer takes place a copy of the certificate carried by the ship at the time of transfer and a copy of the relevant tonnage calculations. TM.5/Circ.5,Inspection, Article 12 A copy of the tonnage calculations may be provided together with the International Tonnage Certificate (1969) to the ship's master. Although not a requirement, nothing in the Convention would prevent Administrations from providing these calculations to ships flying their flag.*

Description of Issue According to Article 10 (3), upon changing the flag, an old flag State must transfer the copy of the TM certificate and calculations (spreadsheets) to the new flag state. However, it seems that the old flag State does not transmit the documents in all cases. In some cases the certificate is issued by an organization authorized by the Administration, and the documents are transferred between organizations.

Proposed Solutions

Japan (CG Round 1) The copy of TM certificate and calculation sheets, except the data of underdeck, could be transferred to the new Administration via the ship owner or authorized organization.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

Argentina (CG Round 1) A copy of the TM certificate and calculation sheets may be transferred to the new Administration through the ship's owner and the recognized organizations, and be added to total or partial inspections by authorized officials responsible for the new Administration process recertification.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

10 Acceptance of Interpretations (SLF 53/5, annex 4, issue No. 8)

Requirement/Interpretation TM Convention, Article 10(2) *A certificate issued to a ship by an Administration shall cease to be valid upon transfer of such a ship to the flag of another State, except as provided in paragraph (3) of this Article.* TM Convention, Article 13 *The privileges of the present Convention may not be claimed in favour of any ship unless it holds a valid certificate under the Convention.* TM.5/Circ.5, Cancellation of Certificate (Article 10(2)) *Ships holding an International Tonnage Certificate (1969), which do not comply with agreed interpretations of the provisions of the Convention, should be remeasured. The new characteristics should be determined and applied without delay.*

Description of Issue Article 13 precludes the claiming of the privileges of the TM Convention unless the ship holds a “valid” certificate under the Convention; however, the term “valid” is not defined in this context. The circumstances under which a port State could consider an International Tonnage Certificate (ITC) invalid, and therefore detain a ship, are unclear. TM.5/Circ.5 provides related interpretative language referring to Article 10(2), which appears to make the interpretations of TM.5/Circ.5 binding if a ship is undergoing a flag change. Consideration should be given to expanding this provision of TM.5/Circ.5 to include all ships, provided the interpretations are not applied retroactively.

Proposed Solutions

IACS (SLF 54/9) Draft a circular which makes interpretations given in TM.5/Circ.5 (as amended) mandatory for all new ships, and ships which undergo major modification. IACS notes that the ideal solution would be to amend the ITC, however in view of the time that would be necessary to get changes to the ITC agreed, it is suggested that a circular be used as a preliminary measure.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

Italy (CG Round 1) . The new interpretations should not be applied retroactively.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

TM Conv CG Round 1 Questionnaire Rev 0 30Mar2012
Issue 10 – Retroactively Applying Interpretations

United States (CG Round 1) Delete the TM.5/Circ.5 language that effectively makes the IMO interpretations binding following a flag change. In all cases, the interpretations are only recommendations, and cannot be binding on any Contracting Government.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

United States (CG Round 1) Establish recommendations for applying new/revised interpretations using the ship's keel laid or substantial alteration date as the "cut-off" (e.g., something like "interpretations will take effect for ships with keel laid /alteration dates 2 years after they or implemented, or sooner at the option of the ship's owner and/or Contracting Government").

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

Canada (CG Round 1) The interpretations of TM.5/Circ.5 as amended shall be mandatory for ships the keels of which are laid, or which are at a similar stage of construction or undergo alterations or modifications affecting their tonnage on the date of TM.5/Circ.5 or its amendment being adopted by IMO.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

TM Conv CG Round 1 Questionnaire Rev 0 30Mar2012
Issue 10 – Retroactively Applying Interpretations

France [Prelim] (CG Round 1) TM convention Article 10(2) and (3) provide regulations concerning validity of the certificate when ships change flag. If these regulations are not respected (more than three months for re-certification), the ship is no more covered by the TM Convention according to article 13. Concerning TM.5/Circ.5, the paragraph indicates that ships which do not comply with the present interpretation have to be remeasured. (Circ.5 was adopted after the end of the transitory period of 12 years). This paragraph may specially concern the new special types of ships newly defined in the interpretations.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

11.a Extending Reduced Gross Tonnage to Crew Spaces (SLF 54/9/1, annex 3, issue 11; SLF 54/9/3, SLF 54/9/4; MSC 89/9/5; MSC 89/9/8)

Requirement/Interpretation TM Convention, Recommendation 2 *The Conference recommends that Contracting Governments, port authorities, and all other agencies which use tonnage as a basis for charges should carefully consider which parameter is most appropriate for their use in the light of their present practice. A 747(18) The Assembly invites governments to advise the port and harbour authorities to apply this Recommendation when assessing fees based on the reduced gross tonnage for all tankers with segregated ballast capacity in accordance with regulation 13 of Annex I of MARPOL 73/78. MSC 234(82) The Maritime Safety Committee invites governments to advise the ports and harbours authorities to apply the Recommendations when assessing fees based on reduced gross tonnage for open-top containerships.*

Description of Issue The concept of calculating a "reduced gross tonnage" for optional use in assessing fees has been adopted with respect to oil tanker segregated ballast spaces and open-top containerships that meet certain criteria, and could be extended to crew spaces as well, with the view toward improving working and living conditions on board ships and fishing vessels. However, it is unclear whether the development of a reduced gross tonnage parameter for crew spaces would have the desired effect of improving the impact on working and living conditions on ships and fishing vessels, depending on the extent to which this new parameter would be used. For example, if this new calculation is to be voluntary, will it be used by any of the bodies which set tonnage-related fees (registration, harbour dues, etc.) and, consequently, not deliver the desired practical benefits?

Proposed Solutions

Panama (CG Round 1) Gross Tonnage should mean the overall size of the ship regardless. This should not be considered as a Tonnage related matter.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

TM Conv CG Round 1 Questionnaire Rev 0 30Mar2012
Issue 11 – Impact on Working and Living Conditions

Japan (CG Round 1) Gross tonnage had been developed as a parameter for managing the ships by applying the safety convention and other regulation. Net tonnage had been developed as a parameter for port fee (TM/CONF/SR.2, TM/CONF/C.2/WP.7). As one of countries concerned that “port authorities would increasingly abandon Net tonnage and would fix charges for ships on the basis of gross tonnage alone” at 1969 Tonnage Conference (TM/CONF/SR.11), it seems that quite a few port authorities are using gross tonnage for their fees. In order to alleviate the effects of fees based on Gross tonnage, the resolution on Segregated Ballast Tank “SBT” and Open Top Containership treatment have been developed.

On the other hand, there are too many gaps between the background on establishing the current tonnage parameters and the fee matter, which have caused the argument of the Reduced Tonnage issues. The TM Convention provides two parameters as Gross tonnage and Net tonnage, and which tonnage is used is left to the port authorities. Before the coming into force of the TM Convention, the [national] tonnage no longer indicated the overall size of a ship, due to tonnage [reduction features] such as used on shelter deck ships. Therefore, the current unified tonnage rules resulted in fairness by eliminating [ambiguity] concerning how “a space” is used within the ship. In this view, introducing any reduced tonnage [concept] is not preferable.

However, if it will be necessary to introduce the reduced tonnage parameter for crew accommodations, it is requested of all governments to advise port authorities to apply the recommendation when assessing fees based on the reduced gross tonnage for crew accommodations. When taking into consideration the improvement of crew circumstances, the reduced tonnage should be used only for ships to which the Maritime Labor Convention is applied.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

ITF (CG Round 1) Support that an Assembly Resolution is needed, but prefer a crew space reduced tonnage parameter on a compulsory (permanent) basis. Resolution should be addressed to national authorities which are to relay it to ports; port authorities, classification societies, shipbuilders and ship owners.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

United States (CG Round 1) Implement a reduced gross tonnage parameter for crew spaces on a strictly voluntary basis, by developing an Assembly resolution to this effect, encouraging ship owners to have the parameter certified on the ITC, and encouraging various entities to take the parameter into consideration when assessing fees. Although use of this parameter is by no means certain, there is at least the chance that labour groups could influence port authorities - with whom they have frequent contact - to use the parameter. Also, once the parameter (and/or the calculated volume) is available and in even limited use, it could be self-perpetuating. For example, owners of both new and currently certificated ships would have every incentive to certify the reduced gross tonnage for crew space on the ITC, because of the potential cost savings if it were to be used by a port authority, when viewed against the nominal cost of the certification/recertification.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

France [Prelim] (CG Round 1) Concerning the necessity of an improvement of the conditions of living and working for the crew, the best way would be to use minimum criteria for crew spaces according to the type and size of the ship in a convention concerned by this specific question, and not to try to use the TM Convention for a subject it cannot solve in a satisfactory way (i.e., if harbours do not use the reduced tonnage).

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

11.b Calculating a Reduced Gross Tonnage Parameter for Crew Spaces (SLF 54/9/1, annex 3, issue 11; SLF 54/9/3, SLF 54/9/4; MSC 89/9/5; MSC 89/9/8)

Requirement/Interpretation A 747(18) *The segregated ballast tanks comply with regulation 13 of Annex I of the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1973 relating thereto, and the total tonnage of such tanks exclusively for the carriage of segregated water ballast is _____).*

Description of Issue If a reduced gross tonnage parameter for crew spaces is developed, how should the crew spaces be defined for purposes of the volume calculations ? adopted? For example, should the total volume of all enclosed spaces, which are necessary for the accommodation and provision of the crew, be calculated as a basis for this new parameter? One approach would be to include cabins, passageways, staircases, galleys, provision stores, mess rooms change rooms, hospitals, gymnasiums, recreation rooms, laundry, etc.

Proposed Solutions

Germany (SLF 54/9/5) Similar to what has been accepted for the measurement of open-top container ships and segregated water ballast systems on tankers – a reduction for accommodation and crew provision be covered under remarks in the last page of the TM Certificates. Such deduction may be calculated as follows:

$$GT' = K1 \times (V - V \text{ crew})$$

where:

V = Total volume of all enclosed spaces of the ship in cubic metres;

V crew = Total volume of all enclosed spaces, which are necessary for the accommodation and provision of the crew, including cabins, passageways, staircases, galleys, provision stores, mess rooms change rooms, hospitals, gymnasiums, recreation rooms, laundry, etc.; and

$$K1 = 0,2 + 0,02 \log 10 V$$

As described above, the thus amended gross tonnage should be shown as a remark on page 4 of the International Tonnage Certificate (ITC 69), thus inviting flag States and/or port authorities to make use of this additional figure in the Certificate when incentives for better working and living conditions are sought. The gross tonnage as described by the 1969 TM Convention would remain unchanged.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

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Issue 11 – Impact on Working and Living Conditions

Panama (CG Round 1) Gross Tonnage should mean the overall size of the ship regardless. This should not be considered as a tonnage related matter.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

Japan (CG Round 1) The following formula is proposed:

$GT_{RC} = GT - GT_{crew}$
 $GT_{crew} = K1 \times Kc \times N_{CRM}$
 N_{CRM} : Number of the crew rooms to which the Maritime Labor Convention requirement is applied
 $K1$: $0.2 + 0.02 \times \log_{10} V$
 Kc : The volumetric factor based on the investigation of the effect of the Maritime Labor Convention.

Reason: NT was developed by using a factor based on volumes of cargo spaces, numbers of passengers and draft, and did not take into consideration certain other “spaces”, such as crew rooms, aisles, lavatory, etc. The background is that, when the old tonnage measurement system had been applied, NT was calculated by deducting certain “spaces” from GT. The “spaces” had to be individually evaluated as to their purpose. Therefore, complicated rules and a huge amount of time for measurement was needed. It was also difficult to conduct measurement in a uniform manner. Considering the above reason, it can be understood that the TM Convention was developed with the aim toward simplification. And in this view, it is applicable to adopt the simplified formula.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments .

Italy (CG Round 1) Specific rules for the calculation of the Crew Spaces should be developed.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments .

United States (CG Round 1) Develop specific eligibility criteria for crew (including cadet) accommodation spaces that would "count" towards the reduced gross tonnage crew space allowance, to ensure that the "exempted crew spaces" meet some minimum standard that will benefit the mariners involved. For example, a designer/owner should not be permitted to designate a "sub-standard" non-living space as a crew space, and claim a tonnage exemption for that space. If the goal is to encourage the fitting of adequate crew spaces, such spaces should meet some minimum standard (as was the case with the British Merchant Shipping Act of 1867, which implemented a crew space deduction along these lines).

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments .

France [Prelim] (CG Round 1) See previous response for Issue 11.a. Crew spaces could be all the spaces used only by the crew, excluding spaces used for navigation matters.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments .

11.c Use of Multiple Reduced Gross Tonnage Parameters (SLF 54/9/1, annex 3, issue 11, SLF 54/9/3; SLF 54/9/4; MSC 89/9/5; MSC 89/9/8)

Requirement/Interpretation A 747(18) *The segregated ballast tanks comply with regulation 13 of Annex I of the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1973 relating thereto, and the total tonnage of such tanks exclusively for the carriage of segregated water ballast is _____. The reduced gross t9nnage which should be used for the calculation of tonnage based fees is _____. MSC 234(82) *In accordance with resolution MSC.234(82), the reduced gross tonnage which should be used for the calculation of tonnage-based fees is _____.**

Description of Issue If a reduced gross tonnage parameter is developed for crew spaces, it is unclear how this parameter would be applied for segregated oil tankers and open-top containerships, for which a reduced gross tonnage is also calculated. For example, should the volumes be combined in a single parameter, or should they be listed separately, with separate reduced gross tonnages calculated?

Proposed Solutions

Japan (CG Round 1) Each reduced tonnage and total reduced tonnage could be shown on the TM certificate.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

11.d Treatment of Crew Accommodation Spaces (ICS)

Requirement/Interpretation TM Convention, Regulation 2(5) *Excluded Spaces*
Notwithstanding the provisions of paragraph (4) of this Regulation, the spaces referred to in subparagraphs (a) to (e) inclusive of this paragraph shall be called excluded spaces and shall not be included in the volume of enclosed spaces, except that any such space which fulfils at least one of the following three conditions shall be treated as an enclosed space:

- *the space is fitted with shelves or other means for securing cargo or stores;*
- *the openings are fitted with any means of closure;*
- *the construction provides any possibility of such openings being closed:*

- (a) (i) *A space within an erection opposite an end opening.....*
- (a) (ii) *Should the width of the space because of any arrangement.....*
- (a) (iii) *Where an interval which is completely open except for*
- (b) *A space under an overhead deck covering open to the sea*
- (c) *A space in a side-to-side erection directly in way of.....*
- (d) *A space in an erection immediately below an uncovered opening....*
- (e) *A recess in the boundary bulkhead of an erection which is exposed to...*

Description of Issue The provisions of the TMC as currently implemented provide a significant commercial disincentive for the improvement of facilities for crew accommodation. This is a matter of concern in relation to:

1. The improvement of living and social conditions for seafarers who are on board for significant periods of their working life;
2. The provision of sufficient accommodation to facilitate additional crew or contractors as necessary;
3. The provision of sufficient accommodation to facilitate supernumerary and training positions;
4. The need to facilitate the implementation of the provisions of the ILO Maritime Labour Convention 2006.

(continued)

Proposed Solutions

(ICS) The text of Sub-section 5 of regulation 2 should be modified to exclude spaces exclusively dedicated to crew accommodation. This can be achieved by:

1. adding an item f) to the list of spaces, to reference spaces exclusively dedicated to crew accommodation, and amending the chapter of the regulation to confirm that spaces referred to in subparagraphs (a) to (f) inclusive shall called excluded spaces etc.; and
2. further amending the text of the chapter to clarify (as currently) that spaces referred to in subparagraphs (a) to (e) will continue to be treated as enclosed spaces if they fulfill at least one of the three criteria listed.

ICS considers that the appropriate solution is to amend the source regulation so that dedicated Crew Accommodation spaces are simply excluded from tonnage calculations. We do not consider that simply providing a third tonnage figure for optional use would provide the necessary clarity.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

ITF (CG Round 1) In the remarks area of ITC there should be/might be separate listings for:

- segregated ballast tanks in compliance
- crew accommodation spaces as required in compliance with SOLAS(ISPS Code and other security measures), SCTW (manning) and MLC (accommodation)*
- any other spaces as required to provide compliance with the relevant international requirements regarding safety, security and safety operation of the ship*

*Provisions should be put in place for additional crew space and cabins be available whenever needed, including but not restricted to, to satisfy safety, security and operational needs.

Assessment

	Agree	Agree but with changes	Neither agree nor disagree	Disagree
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

United States (CG Round 1) Develop a generalized framework for listing volumes of spaces in the Remarks section of the ITC, with continuation page if necessary, that identifies the volumes of the associated spaces in cubic meters and the “tonnages” of those spaces to be subtracted, recognizing that the factor K1 is not linear. In other words, harmonize the various “reduced gross tonnage” approaches, adopting the calculation method of MSC 89/9/5, but providing for the listing of both: 1) the space volume in cubic meters; and 2) the gross tonnage reduction for those spaces (being the difference between GT and GT(red)). This would give interested parties more flexibility to apply tonnage reduction as they see fit, including reduced fees based on the type and volume of space being "exempted".

Assessment

	Agree	Agree but with changes	Neither agree nor disagree	Disagree
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

France [Prelim] (CG Round 1) A reduced gross tonnage for crew must be assimilate to the segregated ballast tanks reduction because in both cases real spaces will be calculated. So a volume of spaces concerned will be defined and then subtracted from GT. In MSC 234(82) the reduction is obtained by calculation of a percentage of GT. So only the final result can be indicated.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

12 Exemption from Certificate Requirements (SLF 53/5, annex 4, issue No. 29)

Requirement/Interpretation TM Convention, Article 10(2) *A certificate issued to a ship by an Administration shall cease to be valid upon transfer of such a ship to the flag of another State, except as provided in paragraph (3) of this Article.* TM Convention, Article 13 *The privileges of the present Convention may not be claimed in favour of any ship unless it holds a valid certificate under the Convention.* TM.5/Circ.5, Cancellation of Certificate (Article 10(2)) *Ships holding an International Tonnage Certificate (1969), which do not comply with agreed interpretations of the provisions of the Convention, should be remeasured. The new characteristics should be determined and applied without delay.*

Description of Issue Article 13 precludes the claiming of the privileges of the TM Convention unless the ship holds a “valid” certificate under the Convention; however, the term “valid” is not defined in this context. The circumstances under which a port State could consider an International Tonnage Certificate (ITC) invalid, and therefore detain a ship, are unclear. TM.5/Circ.5 provides related interpretative language referring to Article 10(2), which appears to make the interpretations of TM.5/Circ.5 binding if a ship is undergoing a flag change. Consideration should be given to expanding this provision of TM.5/Circ.5 to include all ships, provided the interpretations are not applied retroactively.

(continued)

Proposed Solutions

Japan (CG Round 1) Having considered MSC/Circ.653, a single delivery voyage interpretation could be added as follows:

- a. Ships obtained from another country could be issued an Interim TM certificate that shows a simplified tonnage (see following formula) as long as the ship engages on only a single voyage to the flag State.

GTI= VI x a

VI= L x B x H

L= length according to published registers or statutory document on board the ship

B= extreme breadth according to published registers or statutory document on board the ship

H= height at side from the bottom to top of deck according to the document or reference plan on board the ship

a = "a" will be considered by Sub-Committee.

- b. The Interim TM certificate should show "Interim" and the "date of expiration" clearly.
- c. The Interim TM certificate shall remain in effect for a period not exceeding 12 months or until arriving at the flag State.
- d. The Simplified tonnage should be bigger than the tonnage calculated based on the TM convention (TM tonnage) for giving domination/superiority to the TM tonnage .

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

Italy (CG Round 1) In case of a single International voyage a standard exemption certificate with tonnage values calculated with simplified formula should be developed.

Assessment

Agree	Agree but with changes	Neither agree nor disagree	Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments