



IHB File N° S3/3055

**CIRCULAR LETTER 28/2014
25 March 2014**

**IHO CONTRIBUTION TO THE DEVELOPMENT OF A MANDATORY CODE FOR SHIPS
OPERATING IN POLAR WATERS (POLAR CODE)**

References:

- A. IHO CL 07/2013 dated 21 January - *IHO Contribution to the Development of a Mandatory Code for Ships Operating in Polar Waters*
- B. IHO CL 28/2013 dated 2 April - *Progress Report on IHO Contribution to the Development of a Mandatory Code for Ships Operating in Polar Waters (Polar Code)*
- C. IHO CL 40/2013 dated 25 June - *Report on the 92nd Session of the IMO Maritime Safety Committee and of the IMO Symposium on the Future of Ship Safety*
- D. IHO CL 54/2013 dated 24 September - *Report on the 59th Session of the IMO Sub-Committee on Safety of Navigation*

Dear Hydrographer,

1. As reported in Reference A, the Directing Committee had taken the initiative of presenting a submission to the IMO Sub-Committee on Ship Design and Equipment (DE) aiming at ensuring that the prevailing hydrographic conditions are considered by the IMO in the development of an international code of safety for ships operating in polar waters (Polar Code).

2. The matter was referred by DE to the IMO Maritime Safety Committee (MSC) for consideration at its 92nd session and passed to the IMO Sub-Committee on Safety of Navigation (NAV). As reported in References B to D, the IHO submission received broad support and NAV 59 invited the Intersessional Working Group on the Polar Code to incorporate the IHO's proposal when reviewing the draft Polar Code.

3. At the meeting of the Intersessional Working Group on the Polar Code, held from 30 September to 4 October 2013, the Chair requested the IHO to submit a slightly amended wording to that contained in the IHO submission to DE to the first session of the new Ship Design and Construction Sub-Committee (SDC). This was agreed by the IHO.

4. The IHO submission to SDC 1 contained amendments to the "Preamble" and the section on "Sources of Hazards" as well as "Additional Guidance" to the chapter on "Navigation". Although time did not allow for the full discussion of these points at SDC 1, it was considered that the outcome of MSC 92 and NAV 59 were sufficient for the text to be inserted without further amendment. Unfortunately, the draft agreed in principle by SDC 1 and referred back to the MSC (SDC 1/26 - paragraph 3.69) included only the paragraph of the text proposed by the IHO related to the section on "Sources of Hazards".

5. Considering that this result was not satisfactory, the Directing Committee has prepared a submission to MSC-93 and invited the main supporters of the IHO's earlier submissions to co-sponsor it. Australia and New Zealand have responded positively. The submission to MSC 93, which will take place from 14 to 23 May 2014 at the IMO Headquarters in London, is attached for your information.

6. The Directing Committee invites Member States to brief their delegation at MSC 93 on the IHO submission concerning the Polar Code and seek their support.

On behalf of the Directing Committee
Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Robert Ward', with a period at the end.

Robert WARD
President

Annex: Submission to MSC 93 (MSC 93/10/xx - *in English only*)

MARITIME SAFETY COMMITTEE
93rd Session
Agenda item 10

MSC 93/10/XX
xx March 2014
Original: ENGLISH

SHIP DESIGN AND CONSTRUCTION

Comments on the Report of the first session of the Sub-Committee

Submitted by the International Hydrographic Organization, Australia, New Zealand

SUMMARY

<i>Executive summary:</i>	This document presents comments on the section of report of the first session of the Ship Design and Construction Sub-Committee (SDC 1) addressing the development of the Polar Code.
<i>Strategic direction:</i>	5.2
<i>High-level action:</i>	5.2.1
<i>Planned output:</i>	5.2.1.19
<i>Action to be taken:</i>	Paragraph 8.
<i>Related documents:</i>	MSC 92/26, NAV 59/20, MSC 93/10, SDC 1/26.

Background

1. This document is submitted in accordance with paragraph 6.12.5 of the *Guidelines on the organization and method of work of the Maritime Safety Committee and the Marine Environment Protection Committee and their subsidiary bodies* (MSC-MEPC.1/Circ.4/Rev.2), and comments on document MSC 93/10.
2. The Sub-Committee on Ship Design and Equipment (DE), at its fifty-seventh session, considered a document by the International Hydrographic Organization (IHO) reporting on the unsatisfactory status of nautical charting in polar waters and the impact this has on navigation and proposing modifications to the draft Polar Code (DE 57/11/24).
3. Noting that the Sub-Committee on Safety of Navigation (NAV) had already considered chapter 9 (Navigation - now chapter 10) of the draft Polar Code and had reported back to the DE Sub-Committee, DE 57 noted that the relevant matters should be referred to the NAV Sub-Committee for further consideration and agreed to bring the matter to the attention of the Maritime Safety Committee for consideration and action as appropriate (DE 57/26, paragraph 11.36).
4. MSC 92 recalled that DE 57 had requested the NAV Sub-Committee to consider the matter and instructed NAV 59 to also take the comments made at that session into account in their considerations (MSC 92/26, paragraph 13.24).

5. The NAV Sub-Committee, at its fifty-ninth session reconsidered the issue. The IHO concerns were widely supported and NAV 59 agreed with the IHO recommendation that the current status of surveys should be reflected in the draft Polar Code. NAV 59 invited the Intersessional Working Group on the Polar Code to incorporate the IHO's proposal when reviewing the draft Polar Code at its upcoming meeting (NAV 59/20, paragraph 19.19).

6. At the Intersessional Working Group on the Polar Code, held from 30 September to 4 October 2013, the Chair requested the IHO to submit to SDC 1 a slightly amended wording to that contained in document DE 57/11/24. This was agreed by the IHO.

Outcome of SDC 1

7. At the first session of the Ship Design and Construction Sub-Committee (SDC), the IHO presented document SDC 1/3/13, which contained the requested slightly amended wording. Although time did not allow for the full discussion of the Preamble or Chapter 10, the co-sponsors of this submission consider that the outcome of MSC 92 and NAV 59 were sufficient for the text to be inserted without further amendment. However, the draft agreed in principle by SDC 1 (SDC 1/26 - paragraph 3.69) includes only the paragraph of the text proposed by the IHO related to the section on "Sources of Hazards".

8. Accordingly, the Committee is invited to consider the remainder of the text originally proposed by the IHO which is presented in the annex and approve its inclusion in the Polar Code.

Action requested of the Committee

9. The Committee is invited to approve the amendment to the draft Polar Code contained in the annex, and take any other action as appropriate.

ANNEX

**DRAFT INTERNATIONAL CODE OF SAFETY FOR SHIPS OPERATING IN
POLAR WATERS (POLAR CODE) - PROPOSAL FOR TEXT
CONCERNING CHARTING IN THE POLAR REGIONS**

The co-sponsors of this submission propose the following amendments to the draft Polar Code (SDC 1/26 - Annex 3):

Preamble

1. Add the following new paragraph after paragraph 2:

"The Code acknowledges that the Polar Regions impose additional navigational demands beyond those normally encountered. Except in limited areas, the chart coverage is inadequate for coastal navigation. Therefore, mariners should keep to the charted areas, except in case of absolute necessity. Even in charted areas extra vigilance should be exercised as unsurveyed and uncharted shoals may exist unless the chart is based on modern surveys that include a full search of the sea floor."

Part I-B

(Information and additional guidance to Part I-A)

2. Insert the following text in Part I-B:

[1.] Additional guidance to chapter 10

"As the chart coverage of polar waters is generally inadequate for coastal navigation, mariners should exercise extra care to plan and monitor their voyage accordingly, taking due account of the information and guidance in the appropriate nautical publications. They should be familiar with the status of hydrographic surveys and the availability and quality of chart information for the areas in which they intend to operate. They should also be aware of potential chart datum discrepancies with GNSS positioning. They should aim to plan their route through charted areas and well clear of known shoal depths, following established routes whenever possible. Any deviations from the planned route should be undertaken with particular caution. For example, and when operating on the continental shelf, the echo-sounder should be working and monitored constantly to detect any sign of unexpected depth variation, especially when the chart is not based on a full search of the sea floor. Independent cross-checking of positioning information (e.g. visual and radar fixing and GNSS) should be undertaken at every opportunity. Mariners should ensure to report to the relevant charting authority (Hydrographic Office) any information that might contribute to improving the nautical charts and publications."