Resolution A. 1157(32)

Adopted on 15 December 2021
(Agenda items 12 and 14)

2021 NON-EXHAUSTIVE LIST OF OBLIGATIONS UNDER INSTRUMENTS RELEVANT TO THE IMO INSTRUMENTS IMPLEMENTATION CODE (III CODE)

THE ASSEMBLY,

RECALLING Article 15(j) of the Convention on the International Maritime Organization concerning the functions of the Assembly in relation to regulations and guidelines regarding maritime safety and the prevention and control of marine pollution from ships,

RECALLING ALSO that, by resolution A.1070(28), it adopted the *IMO Instruments Implementation Code* (III Code),

RECALLING FURTHER resolution A.1141(31), by which it adopted the *2019 Non-exhaustive list of obligations under instruments relevant to the IMO Instruments Implementation Code (III Code)* (hereafter referred to as the "Non-exhaustive list of obligations") for guidance on the implementation and enforcement of IMO instruments, in particular including the identification of auditable areas relevant to the IMO Member State Audit Scheme, as provided in mandatory provisions of relevant IMO instruments, following successive revocation of resolutions A.1121(30), A.1105(29) and A.1077(28),

RECOGNIZING the need for the annexes to the Non-exhaustive list of obligations to be further revised to take account of the amendments to the IMO instruments relevant to the III Code which have entered into force or become effective since the adoption of resolution A.1141(31),

RECOGNIZING ALSO that parties to the relevant international conventions have, as part of the ratification process, agreed to fully meet their responsibilities and to discharge their obligations under the conventions and other instruments to which they are party,

REAFFIRMING that it is the primary responsibility of States to have in place an adequate and effective system to exercise control over ships entitled to fly their flag and to ensure that they comply with relevant international rules and regulations in respect of maritime safety, security and protection of the marine environment,

REAFFIRMING ALSO that States, in their capacity as flag, port and coastal States, have other obligations and responsibilities under applicable international law in respect of maritime safety, security and protection of the marine environment,
NOTING that, while States may gain certain benefits by becoming party to instruments aimed at promoting maritime safety, security and protection of the marine environment, these benefits can be fully realized only when all parties carry out their obligations as required by the instruments concerned,

NOTING ALSO that the ultimate effectiveness of any instrument depends, inter alia, upon all States:

(a) becoming party to all instruments related to maritime safety, security and pollution prevention and control;
(b) implementing and enforcing such instruments fully and effectively;
(c) reporting to the Organization as required,

RECALLING that, by resolutions A.1083(28), A.1084(28) and A.1085(28), it adopted amendments to the International Convention on Load Lines, 1966, the International Convention on Tonnage Measurement of Ships, 1969, and the Convention on the International Regulations for Preventing Collisions at Sea, 1972, to make the use of the III Code mandatory under these conventions,

NOTING that the Maritime Safety Committee, by resolutions MSC.366(93), MSC.373(93), MSC.374(93) and MSC.375(93), adopted amendments to the International Convention for the Safety of Life at Sea, 1974, the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, the Seafarers' Training, Certification and Watchkeeping (STCW) Code, and the Protocol of 1988 relating to the International Convention on Load Lines, 1966, respectively, to make the use of the III Code mandatory under these instruments,

NOTING ALSO that the Marine Environment Protection Committee, by resolutions MEPC.246(66) and MEPC.247(66), adopted amendments to the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto, and the Protocol of 1997 to amend the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto, respectively, to make the use of the III Code mandatory under these instruments,

HAVING CONSIDERED the recommendations made by the Maritime Safety Committee, at its 104th session, and the Marine Environment Protection Committee, at its seventy-seventh session,

1 ADOPTS the 2021 Non-exhaustive list of obligations under instruments relevant to the IMO Instruments Implementation Code (III Code), as set out in the annex to the present resolution;

2 URGES Governments of all States, in their capacity as flag, port and coastal States, to make use of the List as much as possible in implementing IMO instruments on a national basis;

3 REQUESTS the Maritime Safety Committee and the Marine Environment Protection Committee to keep the List under review and to amend it as necessary;

4 REVOKES resolution A.1141(31).
ANNEX

2021 NON-EXHAUSTIVE LIST OF OBLIGATIONS UNDER INSTRUMENTS RELEVANT TO THE IMO INSTRUMENTS IMPLEMENTATION CODE (III CODE)

(This Non-exhaustive list of obligations takes into account the amendments to the IMO instruments relevant to the III Code which have, or are expected to have, entered into force by or on 1 July 2022.)

Table of contents

Annex 1: OBLIGATIONS OF CONTRACTING GOVERNMENTS/PARTIES
Annex 2: SPECIFIC FLAG STATE OBLIGATIONS
Annex 3: SPECIFIC COASTAL STATE OBLIGATIONS
Annex 4: SPECIFIC PORT STATE OBLIGATIONS
Annex 5: INSTRUMENTS MADE MANDATORY UNDER IMO CONVENTIONS
Annex 6: SUMMARY OF AMENDMENTS TO MANDATORY INSTRUMENTS REFLECTED IN THE NON-EXHAUSTIVE LIST OF OBLIGATIONS (ANNEXES 1 TO 4)
Annex 7: AMENDMENTS TO IMO INSTRUMENTS EXPECTED TO BE ACCEPTED AND TO ENTER INTO FORCE BETWEEN 1 JANUARY 2022 AND 1 JULY 2022
Annex 1

OBLIGATIONS OF CONTRACTING GOVERNMENTS/PARTIES

The following table contains a non-exhaustive list of obligations, including those obligations imposed when a right is exercised.

<table>
<thead>
<tr>
<th>SOURCE</th>
<th>SUMMARY DESCRIPTION</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>TONNAGE 1969</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Article 1</td>
<td>General obligation under the Convention</td>
<td></td>
</tr>
<tr>
<td>Article 5(2)</td>
<td>Force majeure</td>
<td></td>
</tr>
<tr>
<td>Article 8</td>
<td>Issue of a certificate by another Government</td>
<td></td>
</tr>
<tr>
<td>Article 10</td>
<td>Cancellation of certificate</td>
<td></td>
</tr>
<tr>
<td>Article 11</td>
<td>Acceptance of certificates</td>
<td></td>
</tr>
<tr>
<td>Article 15</td>
<td>Communication of information</td>
<td></td>
</tr>
<tr>
<td>ANNEX III Reg.9</td>
<td>Verification of compliance with the provisions of this Convention</td>
<td></td>
</tr>
<tr>
<td>LL 1966 and LL PROT 1988</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Article 1</td>
<td>General obligation under the Convention</td>
<td>LL PROT 1988 only (Article I)</td>
</tr>
<tr>
<td>Article 7(2)</td>
<td>Force majeure</td>
<td>amended by LL PROT 1988</td>
</tr>
<tr>
<td>Article 17</td>
<td>Issue or endorsement of certificates by another Government</td>
<td></td>
</tr>
<tr>
<td>Article 20</td>
<td>Acceptance of certificates</td>
<td></td>
</tr>
<tr>
<td>Article 25</td>
<td>Special rules drawn up by agreement</td>
<td></td>
</tr>
<tr>
<td>Article 26</td>
<td>Communication of information</td>
<td></td>
</tr>
</tbody>
</table>

1 When the obligation does not derive from the International Convention on Load Lines, 1966, but solely from the Protocol of 1988 relating thereto, this is indicated in the "Comments" column.
<table>
<thead>
<tr>
<th>SOURCE</th>
<th>SUMMARY DESCRIPTION</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>ANNEX IV Reg.54</td>
<td>Communication of information</td>
<td>LL PROT 1988 only (Article III)</td>
</tr>
<tr>
<td>COLREG 1972 Article I</td>
<td>General obligations</td>
<td></td>
</tr>
<tr>
<td>STCW 1978 Article I</td>
<td>General obligations under the Convention</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Communication of information</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Promotion of technical cooperation</td>
<td></td>
</tr>
<tr>
<td>Reg. I/2.12</td>
<td>Issue of certificates of competency</td>
<td></td>
</tr>
<tr>
<td>Reg. I/2.14</td>
<td>Maintenance of a register or registers of all certificates and endorsements</td>
<td></td>
</tr>
<tr>
<td>Regs. I/2.15 and 2.16</td>
<td>Availability of information on the status of certificates of competency, endorsements and dispensations (as of 1 January 2017, available in English through electronic means)</td>
<td></td>
</tr>
<tr>
<td>Reg. I/3</td>
<td>Principles governing near-coastal voyages, communication of information and incorporation of limits in the endorsements</td>
<td></td>
</tr>
<tr>
<td>Reg. I/5</td>
<td>National provisions – impartial investigation, enforcement measures including penalties or disciplinary measures and cooperation</td>
<td></td>
</tr>
<tr>
<td>Reg. I/6.1</td>
<td>Training and assessment – administration, supervision and monitoring</td>
<td></td>
</tr>
<tr>
<td>Reg. I/6.2</td>
<td>Qualification of those responsible for training and assessment</td>
<td></td>
</tr>
<tr>
<td>Reg. I/7</td>
<td>Communication of the information as referred to in article IV of the STCW Convention and A-I/7 of the STCW Code</td>
<td></td>
</tr>
<tr>
<td>Regs. I/8.1 and 8.2</td>
<td>Quality standards system and periodical independent evaluation</td>
<td></td>
</tr>
<tr>
<td>SOURCE</td>
<td>SUMMARY DESCRIPTION</td>
<td>COMMENTS</td>
</tr>
<tr>
<td>--------</td>
<td>---------------------</td>
<td>----------</td>
</tr>
<tr>
<td>Reg. I/8.3</td>
<td>Communication of a report containing the results of the evaluation required by regulation I/8.2</td>
<td></td>
</tr>
<tr>
<td>Regs. I/9.1 and 9.2</td>
<td>Medical standards, procedures for the issue of medical certificates and recognition of medical practitioners</td>
<td></td>
</tr>
<tr>
<td>Reg. I/9.6</td>
<td>Procedures governing the validity of a medical certificate which expires in the course of a voyage</td>
<td></td>
</tr>
<tr>
<td>Regs. I/11.5 and 11.6</td>
<td>Comparison of standards of competence—determination of need for appropriate refresher and updating training or assessment and formulation or promotion of the formulation of a structure of refresher and updating courses</td>
<td></td>
</tr>
<tr>
<td>Reg. II/5.3</td>
<td>Comparison of standards of competence—determination of the need to update qualifications for able seamen to whom certificates are issued before 1 January 2012</td>
<td></td>
</tr>
<tr>
<td>Reg. III/5.3</td>
<td>Comparison of standards of competence—determination of the need to update qualifications for ratings in engine department to whom certificates are issued before 1 January 2012</td>
<td></td>
</tr>
<tr>
<td>Reg. III/6.3</td>
<td>Comparison of standards of competence—determination of the need to update qualifications for electro-technical officers to whom certificates are issued before 1 January 2012</td>
<td></td>
</tr>
<tr>
<td>Reg. III/7.3</td>
<td>Comparison of standards of competence—determination of the need to update qualifications for electro-technical ratings to whom certificates are issued before 1 January 2012</td>
<td></td>
</tr>
<tr>
<td>Reg. VII/3.1</td>
<td>Principles governing the issue of alternative certificates</td>
<td></td>
</tr>
</tbody>
</table>

**SOLAS 1974**

<table>
<thead>
<tr>
<th>Article</th>
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<tbody>
<tr>
<td>Article I</td>
<td>General obligations under the Convention</td>
<td>in SOLAS PROT 1978 and SOLAS PROT 1988</td>
</tr>
<tr>
<td>Article III</td>
<td>Communication of information</td>
<td>in SOLAS PROT 1978 and SOLAS PROT 1988</td>
</tr>
<tr>
<td>Article V(c)</td>
<td>Carriage of persons in emergencies—reporting</td>
<td></td>
</tr>
</tbody>
</table>

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<table>
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<tbody>
<tr>
<td>Article VII</td>
<td>Special rules drawn up by agreement</td>
<td></td>
</tr>
<tr>
<td>Article XI</td>
<td>Denunciation</td>
<td></td>
</tr>
<tr>
<td>Reg. I/13</td>
<td>Issue or endorsement of certificates by another Government</td>
<td>in SOLAS PROT 1988 (Article VII)</td>
</tr>
<tr>
<td>Reg. I/17</td>
<td>Acceptance of certificates</td>
<td>in SOLAS PROT 1988 also Reg. I/19(b)</td>
</tr>
<tr>
<td>Reg. I/21(b)</td>
<td>Casualties – reporting</td>
<td></td>
</tr>
<tr>
<td>Reg. IV/5-1</td>
<td>Global maritime distress and safety system identities – ensuring suitable arrangements</td>
<td></td>
</tr>
<tr>
<td>Reg. V/5</td>
<td>Meteorological services and warnings</td>
<td></td>
</tr>
<tr>
<td>Reg. V/6</td>
<td>Ice Patrol Service</td>
<td></td>
</tr>
<tr>
<td>Reg. V/10</td>
<td>Ships' routeing</td>
<td></td>
</tr>
<tr>
<td>Reg. V/11</td>
<td>Ship reporting systems</td>
<td></td>
</tr>
<tr>
<td>Reg. V/12</td>
<td>Vessel traffic services</td>
<td></td>
</tr>
<tr>
<td>Reg. V/13</td>
<td>Establishment and operation of aids to navigation</td>
<td></td>
</tr>
<tr>
<td>Reg. V/31.2</td>
<td>Danger messages – bring to the knowledge of those concerned and communicate to other interested Governments</td>
<td></td>
</tr>
<tr>
<td>Reg. V/33.1-1</td>
<td>Distress situations: obligations and procedures – coordination and cooperation</td>
<td></td>
</tr>
<tr>
<td>Reg. VI/1.2</td>
<td>Appropriate information on safe carriage of cargoes</td>
<td></td>
</tr>
<tr>
<td>Reg. VI/2.4.2</td>
<td>Approval of certified method for weighing the gross mass of cargo carried in a container</td>
<td></td>
</tr>
<tr>
<td>Reg. VII/2.4</td>
<td>Issue of instructions on emergency response, etc.</td>
<td></td>
</tr>
<tr>
<td>Reg. VII/7-1</td>
<td>Issue of instructions on emergency response, etc.</td>
<td></td>
</tr>
<tr>
<td>SOURCE</td>
<td>SUMMARY DESCRIPTION</td>
<td>COMMENTS</td>
</tr>
<tr>
<td>--------</td>
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</tr>
<tr>
<td>MARPOL</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Article 1</td>
<td>General obligations under the Convention</td>
<td>and MARPOL PROT 1978 (Article I)</td>
</tr>
<tr>
<td>Articles 4(2) and 4(4)</td>
<td>Violation</td>
<td></td>
</tr>
<tr>
<td>Article 5(1)</td>
<td>Certificates and special rules on inspection of ships – acceptance of certificates</td>
<td></td>
</tr>
<tr>
<td>Article 5(4)</td>
<td>Certificates and special rules on inspection of ships – no more favourable treatment</td>
<td></td>
</tr>
<tr>
<td>Article 6(1)</td>
<td>Detection of violations and enforcement of the Convention – cooperation</td>
<td></td>
</tr>
<tr>
<td>Article 6(3)</td>
<td>Detection of violations and enforcement of the Convention – furnishing evidence</td>
<td></td>
</tr>
<tr>
<td>Article 7</td>
<td>Undue delay to ships</td>
<td></td>
</tr>
<tr>
<td>Article 8</td>
<td>Reports on incidents involving harmful substances</td>
<td></td>
</tr>
<tr>
<td>Article 11(1) (a) to (c) and (e) (f)</td>
<td>Communication of information</td>
<td>Article 11 (1) (b) modified by MARPOL PROT 1978 (Article III)</td>
</tr>
<tr>
<td>Article 12(2)</td>
<td>Casualties to ships – information to IMO</td>
<td></td>
</tr>
<tr>
<td>Article 17</td>
<td>Promotion of technical cooperation</td>
<td></td>
</tr>
<tr>
<td>Annex I</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reg. 8</td>
<td>Issue or endorsement of a certificate by another Government</td>
<td></td>
</tr>
<tr>
<td>Reg. 15.7</td>
<td>Control of discharge of oil – investigations (machinery spaces)</td>
<td></td>
</tr>
<tr>
<td>Reg. 34.7</td>
<td>Control of discharge of oil – investigations (cargo area)</td>
<td></td>
</tr>
<tr>
<td>Regs. 38.4 and 38.6</td>
<td>Consultation with IMO for circulation of information regarding reception facilities by Parties participating in regional arrangements</td>
<td></td>
</tr>
<tr>
<td>SOURCE</td>
<td>SUMMARY DESCRIPTION</td>
<td>COMMENTS</td>
</tr>
<tr>
<td>--------</td>
<td>---------------------</td>
<td>----------</td>
</tr>
<tr>
<td>Annex II</td>
<td>Categorization and listing of noxious liquid substances and other substances – establish and agree on provisional assessment and notify IMO</td>
<td></td>
</tr>
<tr>
<td>Reg. 6.3</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Regs. 9.3.1, 9.3.2, 9.3.3 and 9.3.4</td>
<td>Issue or endorsement of a certificate by another Government</td>
<td></td>
</tr>
<tr>
<td>Reg. 13.4</td>
<td>Control of discharges of residues – exemption for a prewash</td>
<td></td>
</tr>
<tr>
<td>Regs. 18.3 and 18.5</td>
<td>Consultation with IMO for circulation of information regarding reception facilities by Parties participating in regional arrangements</td>
<td></td>
</tr>
<tr>
<td>Reg. 18.5</td>
<td>Reception facilities and cargo unloading terminal arrangements – agreeing and establishing a date, notifying IMO</td>
<td></td>
</tr>
<tr>
<td>Annex III</td>
<td>Application – issue detailed requirements</td>
<td></td>
</tr>
<tr>
<td>Reg. 1.3</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Annex IV</td>
<td>Issue or endorsement of a certificate by another Government</td>
<td></td>
</tr>
<tr>
<td>Reg. 6</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reg. 12.2</td>
<td>Consultation with IMO for circulation of information regarding reception facilities by Parties participating in regional arrangements</td>
<td></td>
</tr>
<tr>
<td>Annex V</td>
<td>Consultation with IMO for circulation of information regarding reception facilities by Parties participating in regional arrangements</td>
<td></td>
</tr>
<tr>
<td>Reg. 8.3</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Annex VI</td>
<td>Issue or endorsement of a certificate by another Government</td>
<td></td>
</tr>
<tr>
<td>Reg. 7</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Regs. 9.9.3 and 9.11.2</td>
<td>Transfer of flag – transmitting copies of the certificate and the relevant survey report</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Addition related to IECC by MEPC.203(62)</td>
</tr>
<tr>
<td>SOURCE</td>
<td>SUMMARY DESCRIPTION</td>
<td>COMMENTS</td>
</tr>
<tr>
<td>--------</td>
<td>---------------------</td>
<td>----------</td>
</tr>
<tr>
<td>Reg. 11.1</td>
<td>Detection of violations and enforcement – cooperation</td>
<td></td>
</tr>
<tr>
<td>Reg. 11.2</td>
<td>Inspection report in case of detection of violations</td>
<td></td>
</tr>
<tr>
<td>Reg. 11.3</td>
<td>Detection of violations and enforcement – information to flag State and master on violations detected</td>
<td></td>
</tr>
<tr>
<td>Reg. 11.5</td>
<td>Transmission of report to requesting Party</td>
<td></td>
</tr>
<tr>
<td>Reg. 13.7.1</td>
<td>Certification of an approved method and communication to IMO</td>
<td></td>
</tr>
<tr>
<td>Reg. 17.1</td>
<td>Adequate reception facilities</td>
<td></td>
</tr>
<tr>
<td>Reg. 17.2</td>
<td>Consultation with IMO for circulation of information regarding reception facilities by Parties participating in regional arrangement</td>
<td></td>
</tr>
<tr>
<td>ISM Code</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Para. 14.3</td>
<td>Extension of validity of Interim Safety Management Certificate (Interim SMC) by another Contracting Government</td>
<td></td>
</tr>
<tr>
<td>1994 HSC Code</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Para. 1.8.2</td>
<td>Issue of certificates by another Government</td>
<td></td>
</tr>
<tr>
<td>Para. 14.2.1.12</td>
<td>Definition of &quot;sea area A1&quot;</td>
<td>as may be defined</td>
</tr>
<tr>
<td>Para. 14.2.1.13</td>
<td>Definition of &quot;sea area A2&quot;</td>
<td>as may be defined</td>
</tr>
<tr>
<td>2000 HSC Code</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Para. 1.8.2</td>
<td>Issue of certificates by another Government</td>
<td></td>
</tr>
<tr>
<td>Para. 14.2.1.13</td>
<td>Definition of &quot;sea area A1&quot;</td>
<td>as may be defined</td>
</tr>
<tr>
<td>Para. 14.2.1.14</td>
<td>Definition of &quot;sea area A2&quot;</td>
<td>as may be defined</td>
</tr>
<tr>
<td>IMDG Code</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Section 1.3.1</td>
<td>Training of shore side personnel – establishment of the period of time for keeping records of training</td>
<td></td>
</tr>
<tr>
<td>SOURCE</td>
<td>SUMMARY DESCRIPTION</td>
<td>COMMENTS</td>
</tr>
<tr>
<td>--------</td>
<td>---------------------</td>
<td>----------</td>
</tr>
<tr>
<td>Section 1.5.2</td>
<td>Radiation protection programme – role of competent authority</td>
<td></td>
</tr>
<tr>
<td>Section 1.5.3</td>
<td>Management system – role of competent authority</td>
<td></td>
</tr>
<tr>
<td>Para. 2.0.0.1</td>
<td>Classification of dangerous goods where applicable – role of competent authority</td>
<td></td>
</tr>
<tr>
<td>Chapter 3.3, SP356</td>
<td>Approval of metal hydride storage systems installed in vehicles, vessels or aircrafts or in completed components or intended to be installed in vehicles, vessels or aircrafts</td>
<td></td>
</tr>
<tr>
<td>Chapter 4.1</td>
<td>Approval of packaging as referred to in the chapter – role of competent authority</td>
<td></td>
</tr>
<tr>
<td>Section 5.1.5</td>
<td>General provisions for class 7 – role of competent authority</td>
<td></td>
</tr>
<tr>
<td>Section 5.4.1</td>
<td>Information required in addition to the dangerous goods description – role of the competent authority</td>
<td></td>
</tr>
<tr>
<td>Chapter 5.5</td>
<td>Determining the period between fumigant application and loading of fumigated cargo transport unit on board the ship</td>
<td></td>
</tr>
<tr>
<td>Chapter 6.2</td>
<td>Approval of pressure receptacles, aerosol dispensers, small receptacles containing gas and fuel cell cartridges containing liquefied flammable gas – role of competent authority</td>
<td></td>
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<td>Para. 6.2.2.1.1</td>
<td>Approval of cylinder service life test programme and the results – role of competent authority</td>
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<td>Para. 6.2.2.5</td>
<td>Approval of conformity assessment system; availability of the evidence demonstrating compliance of conformity assessment system to its counterpart in a country of use; approval of inspection bodies; and availability of a current list of approved inspection bodies and their identity marks and approved manufacturers and their identity marks – role of competent authority</td>
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<td>COMMENTS</td>
</tr>
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<td>Para. 6.2.2.6</td>
<td>Establishment of an approval system for periodic inspection and testing of pressure receptacles; availability of evidence demonstrating compliance with this approval system to its counterpart in a country of use; and availability of a current list of approved periodic inspection and testing bodies and their identity marks – role of competent authority</td>
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<tr>
<td>Section 6.2.3</td>
<td>The marking of salvage pressure receptacles – determination by the competent authority</td>
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<td>Section 6.3.2</td>
<td>Quality assurance programme – role of competent authority</td>
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</tr>
<tr>
<td>Section 6.3.5</td>
<td>Procedures for performance and frequency of tests – role of competent authority</td>
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<td>Chapter 6.4</td>
<td>Approval of package design and materials for class 7 – role of competent authority</td>
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<tr>
<td>Section 6.5.4</td>
<td>Testing, certification and inspection – role of competent authority</td>
<td></td>
</tr>
<tr>
<td>Chapter 6.6</td>
<td>Provisions for the construction and testing of large packaging – role of competent authority</td>
<td></td>
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<td>Chapter 6.7</td>
<td>Provisions for the design, construction, inspection and testing of portable tanks and multiple-element gas containers – role of competent authority</td>
<td></td>
</tr>
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<td>Chapter 6.8</td>
<td>Provisions for road tank vehicles and road gas elements vehicles – role of competent authority</td>
<td></td>
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<tr>
<td>Para. 7.1.4.5</td>
<td>Stowage of goods of class 7 – role of competent authority</td>
<td></td>
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<td>Chapter 7.9</td>
<td>Exemptions, approvals and certificates – notifying IMO and recognition of approvals and certificates</td>
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IMSBC Code

<table>
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<tr>
<th>SOURCE</th>
<th>SUMMARY DESCRIPTION</th>
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<tbody>
<tr>
<td>Para. 1.7</td>
<td>Independence of a competent authority</td>
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<td>Para. 1.7</td>
<td>Approval of the TML test procedure, such as those specified in paragraph 1 of appendix 2</td>
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</tr>
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<td>SOURCE</td>
<td>SUMMARY DESCRIPTION</td>
<td>COMMENTS</td>
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<td>Para. 4.1</td>
<td>Detailed contact information of the marine safety investigation authority/authorities to IMO</td>
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<tr>
<td>Paras. 5.1 and 5.2</td>
<td>Notification of a marine casualty</td>
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<td>Paras. 7.1 and 7.2</td>
<td>Agreement to conduct a marine safety investigation</td>
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<tr>
<td>Para. 8.1</td>
<td>Powers provided to investigator(s)</td>
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<tr>
<td>Para. 9.2</td>
<td>Coordination for parallel investigations</td>
<td></td>
</tr>
<tr>
<td>Para. 10.1</td>
<td>Cooperation in investigating</td>
<td></td>
</tr>
<tr>
<td>Para. 11.1</td>
<td>Investigation not to be subject to external direction</td>
<td></td>
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<tr>
<td>Paras. 13.1, 13.4 and 13.5</td>
<td>Draft marine safety investigation reports</td>
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<td>Paras. 14.1 and 14.2</td>
<td>Marine safety investigation reports – communication to IMO</td>
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<td>Para. 14.4</td>
<td>Marine safety investigation reports – available to public and shipping industry</td>
<td></td>
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<tr>
<td>IBC Code</td>
<td></td>
<td></td>
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<tr>
<td>Para. 1.5.3</td>
<td>Maintenance of conditions after survey</td>
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<td>Para. 1.5.5.1</td>
<td>Issue or endorsement of International Certificate of Fitness by another Government</td>
<td></td>
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<tr>
<td>BCH Code</td>
<td></td>
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<tr>
<td>Para. 1.6.4.1</td>
<td>Issue or endorsement of certificate by another Government</td>
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<td>IGC Code</td>
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<td>Issue or endorsement of certificate by another Government</td>
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<td>STCW Code, part A</td>
<td>Training and assessment of seafarers for certification</td>
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<td>Section A-I/6.1</td>
<td>Qualifications of instructors, supervisors and assessors</td>
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<td>Section A-I/6.3</td>
<td>Training and assessment within an institution</td>
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<td>Section A-I/6.7</td>
<td>Communication of information – initial communication (within one year of entry into force of regulation I/7)</td>
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<td>Sections A-I/7.3, 7.4, 7.5 and 7.6</td>
<td>Communication of information – subsequent reports (within the periods as referred to in paragraphs 7.3, 7.4, 7.5 and 7.6)</td>
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<tr>
<td>Sections A-I/8.1 and 8.3</td>
<td>National objectives and quality standards</td>
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<td>Section A-I/9.1</td>
<td>Medical standards – eyesight standards and physical and medical fitness</td>
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<td>Section A-I/9.4</td>
<td>Provisions for recognizing medical practitioners and maintenance of a register of recognized medical practitioners</td>
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<td>Sections A-I/9.5 and 9.6</td>
<td>Guidance, processes and procedures for conducting medical fitness examinations and issuing medical certificates</td>
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<td>Section A-I/12.1</td>
<td>General performance standards for simulators used in training</td>
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<td>Section A-I/12.2</td>
<td>General performance standards for simulators used in assessment of competence</td>
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<td>Section A-I/12.6</td>
<td>Simulator training objectives</td>
<td></td>
</tr>
<tr>
<td>Section A-I/12.9</td>
<td>Qualification of instructors and assessors</td>
<td></td>
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<tr>
<td>Section A-VIII/2.9</td>
<td>Watchkeeping at sea – directing the attention of companies, masters, chief engineer officers and watchkeeping personnel to observe the principles in parts 4-1 and 4-2</td>
<td></td>
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| III Code| IMO Instruments Implementation Code  
Application of the provisions of the III Code under related mandatory IMO Instruments |
Annex 2

SPECIFIC FLAG STATE OBLIGATIONS

The following table contains a non-exhaustive list of obligations, including those obligations imposed when a right is exercised.

<table>
<thead>
<tr>
<th>SOURCE</th>
<th>SUMMARY DESCRIPTION</th>
<th>COMMENTS</th>
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<tr>
<td><strong>TONNAGE 1969</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Article 6</td>
<td>Determination of tonnages</td>
<td></td>
</tr>
<tr>
<td>Article 7(2)</td>
<td>Issue of certificates</td>
<td></td>
</tr>
<tr>
<td>Article 9</td>
<td>Form of certificate</td>
<td></td>
</tr>
<tr>
<td>Annex I, Reg. 1(3)</td>
<td>Novel types of craft – determination of tonnage and communication to IMO on method used</td>
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<tr>
<td>Annex I, Reg. 5(3)(b)</td>
<td>Change of net tonnage – alterations or modifications deemed by the Administration to be of a major character</td>
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<tr>
<td>Annex I, Reg. 7</td>
<td>Measurement and calculation</td>
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</tr>
<tr>
<td><strong>LL 1966 and LL PROT 1988</strong></td>
<td>Existing certificates</td>
<td><strong>LL PROT 1988 only (Article II-2)</strong></td>
</tr>
<tr>
<td>Article 6(3)</td>
<td>Exemptions – reporting</td>
<td></td>
</tr>
<tr>
<td>Article 8(2)</td>
<td>Equivalents – reporting</td>
<td></td>
</tr>
<tr>
<td>Article 9(2)</td>
<td>Approvals for experimental purposes – reporting</td>
<td></td>
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<tr>
<td>Article 13</td>
<td>Surveys and marking</td>
<td>amended by <strong>LL PROT 1988</strong></td>
</tr>
<tr>
<td>Article 14</td>
<td>Initial, renewal and annual survey</td>
<td>amended by <strong>LL PROT 1988</strong></td>
</tr>
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<td>Article 16(3)</td>
<td>Issue of certificates</td>
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<td>Article 18</td>
<td>Form of certificates</td>
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2 When the obligation does not derive from the International Convention on Load Lines, 1966, but solely from the Protocol of 1988 relating thereto, this is indicated in the "Comments" column.
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<td>Article 19</td>
<td>Duration and validity of certificates</td>
<td>amended by LL PROT 1988</td>
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<td>Article 23</td>
<td>Casualties</td>
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<td>Strength of hull</td>
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<td>Strength and intact stability of ships</td>
<td>LL PROT 1988 only (annex I, Reg. 1)</td>
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<td>Annex I, Reg. 2</td>
<td>Application – assignment of freeboard</td>
<td>amended by LL PROT 1988</td>
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<td>Annex I, Reg. 2-1</td>
<td>Authorization of recognized organizations</td>
<td>LL PROT 88 only</td>
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<tr>
<td>Annex I, Reg. 8</td>
<td>Details of marking</td>
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<tr>
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<td>Stability information – approval</td>
<td>amended by LL PROT 1988</td>
</tr>
<tr>
<td>Annex I, Reg. 12</td>
<td>Doors</td>
<td>amended by LL PROT 1988</td>
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<td>Annex I, Reg. 14</td>
<td>Cargo and other hatchways</td>
<td>amended by LL PROT 1988</td>
</tr>
<tr>
<td>Annex I, Reg. 15</td>
<td>Hatchways closed by portable covers and secured weathertight by tarpaulins and battening devices</td>
<td>amended by LL PROT 1988</td>
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<tr>
<td>Annex I, Reg. 16(4)</td>
<td>Securing arrangements</td>
<td>amended by LL PROT 1988 (annex I, Reg. 16(6))</td>
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<td>Ventilators</td>
<td>amended by LL PROT 1988</td>
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<td>Air pipes</td>
<td>amended by LL PROT 1988</td>
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<td>Cargo ports and other similar openings – applicable national standards</td>
<td>LL PROT 1988 only (annex I, Reg. 21(5))</td>
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<td>Scuppers, inlets and discharges</td>
<td>amended by LL PROT 1988</td>
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<td>Protection of the crew</td>
<td>amended by LL PROT 1988</td>
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<tr>
<td>Annex I, Reg. 27</td>
<td>Freeboards – types of ships</td>
<td>amended by LL PROT 1988</td>
</tr>
<tr>
<td>Annex I, Reg. 28</td>
<td>Freeboard tables</td>
<td>amended by LL PROT 1988</td>
</tr>
<tr>
<td>Annex I, Reg. 39</td>
<td>Minimum bow height and reserve buoyancy</td>
<td>LL PROT 1988 only (annex I, Reg. 44(6))</td>
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**COLREG 1972**

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<td>Approval of construction of lights and shapes and the installation of lights on board</td>
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<td>Annex III, Para. 3</td>
<td>Approval of construction, performance and installation of sound signal appliances on board</td>
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**STCW 1978**

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<td>Article VI</td>
<td>Certificates</td>
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</tr>
<tr>
<td>Article VIII(3)</td>
<td>Dispensation – reporting</td>
<td></td>
</tr>
<tr>
<td>Article IX(2)</td>
<td>Equivalents – reporting</td>
<td></td>
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<td>Regs. I/2.1, 2.2, 2.7 and 2.8</td>
<td>Issue and endorsements of certificates of competency</td>
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<td>Recognition of certificates and seafarers' knowledge of maritime legislation</td>
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<td>Reg. I/11.7</td>
<td>Availability – recent changes in national and international regulations</td>
<td></td>
</tr>
<tr>
<td>Reg. I/13.3</td>
<td>Conduct of trials – safety, security and pollution prevention</td>
<td></td>
</tr>
<tr>
<td>Regs. I/13.5 and 13.8.1</td>
<td>Results of trials – communication</td>
<td></td>
</tr>
<tr>
<td>Reg. I/13.7</td>
<td>Respect for objections to trials</td>
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</tr>
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<td>Reg. I/13.8</td>
<td>Respect for objections by other Parties when authorizing ships to continue to operate with the system under trial</td>
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<td>Reg. I/14.1</td>
<td>Responsibilities of companies</td>
<td></td>
</tr>
<tr>
<td>Reg. IV/1.2</td>
<td>Application – appropriate certificates for radio operators</td>
<td></td>
</tr>
<tr>
<td>Reg. V/1-1.7</td>
<td>Mandatory minimum requirements for the training and qualification of masters, officers and ratings on oil and chemical tankers</td>
<td></td>
</tr>
<tr>
<td>Reg. V/1-2.5</td>
<td>Mandatory minimum requirements for the training and qualification of masters, officers and ratings on liquefied gas tankers</td>
<td></td>
</tr>
<tr>
<td>Reg. V/2.1</td>
<td>Applicability of the requirements to domestic voyages</td>
<td></td>
</tr>
<tr>
<td>Reg. V/2.10</td>
<td>Mandatory minimum requirements for the training and qualification of masters, officers, ratings and other personnel on passenger ships</td>
<td></td>
</tr>
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<td>Reg. V/3.11</td>
<td>Issue of a Certificate of Proficiency to seafarers, related to IGF Code</td>
<td></td>
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<td>Reg. V/4.5</td>
<td>Issue of a Certificate of Proficiency in accordance with paragraphs 2 or 4 of the regulation</td>
<td></td>
</tr>
<tr>
<td>Regs. VIII/1.1 and 1.2</td>
<td>Fitness for duty – preventing fatigue and preventing drug and alcohol abuse</td>
<td></td>
</tr>
<tr>
<td>Regs. VIII/2.1 and 2.2</td>
<td>Watchkeeping arrangements and principles – direction and requirements</td>
<td></td>
</tr>
<tr>
<td>SOLAS 1974</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reg. I/4(b)</td>
<td>Exemptions – reporting</td>
<td></td>
</tr>
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<td>Reg. I/5(b)</td>
<td>Equivalents – reporting</td>
<td>in SOLAS PROT 1978 and SOLAS PROT 1988</td>
</tr>
<tr>
<td>Reg. I/6</td>
<td>Inspection and survey</td>
<td>in SOLAS PROT 1988</td>
</tr>
<tr>
<td>Reg. I/7</td>
<td>Survey of passenger ships</td>
<td></td>
</tr>
<tr>
<td>Reg. I/8</td>
<td>Survey of life-saving appliances and other equipment of cargo ships</td>
<td>in SOLAS PROT 1988</td>
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## SPECIFIC FLAG STATE OBLIGATIONS

<table>
<thead>
<tr>
<th>SOURCE</th>
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<th>COMMENTS</th>
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<tr>
<td>Reg. I/9</td>
<td>Survey of radio installations of cargo ships</td>
<td>in SOLAS PROT 1988</td>
</tr>
<tr>
<td>Reg. I/10</td>
<td>Survey of structure, machinery and equipment of cargo ships</td>
<td>in SOLAS PROT 1988</td>
</tr>
<tr>
<td>Reg. I/12</td>
<td>Issue of certificates</td>
<td>in SOLAS PROT 1988</td>
</tr>
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<td>Reg. I/12</td>
<td>Issue and endorsement of certificates</td>
<td>in SOLAS PROT 1988</td>
</tr>
<tr>
<td>Reg. I/14</td>
<td>Duration and validity of certificates</td>
<td>in SOLAS PROT 1988</td>
</tr>
<tr>
<td>Reg. I/15</td>
<td>Forms of certificates and records of equipment</td>
<td>in SOLAS PROT 1988</td>
</tr>
<tr>
<td>Reg. I/18</td>
<td>Qualification of certificates</td>
<td></td>
</tr>
<tr>
<td>Reg. I/21</td>
<td>Casualties</td>
<td></td>
</tr>
<tr>
<td>Regs. II-1/1.1.2 and 1.2</td>
<td>Compliance with earlier requirements</td>
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<td>Reg. II-1/3-1</td>
<td>For ships which are not designed, constructed and maintained in compliance with the requirements of a classification society recognized by the Administration, the Administration should have in place applicable national standards which provide an equivalent level of safety.</td>
<td></td>
</tr>
<tr>
<td>Reg. II-1/3-2</td>
<td>Approval of corrosion prevention systems of seawater ballast tanks</td>
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<tr>
<td>Reg. II-1/3-2.4</td>
<td>Maintenance of the protective coating</td>
<td></td>
</tr>
<tr>
<td>Reg. II-1/3-3.2</td>
<td>Approval of means of access to tanker bows</td>
<td></td>
</tr>
<tr>
<td>Regs. II-1/3-4.1.2.2 and 3-4.1.3</td>
<td>Approval of emergency towing arrangements on tankers</td>
<td></td>
</tr>
<tr>
<td>Reg. II-1/3-6.2.3</td>
<td>Means of access to cargo and other spaces – satisfaction of the Administration as well as survey</td>
<td></td>
</tr>
<tr>
<td>Reg. II-1/3-6.4.1</td>
<td>Approval of Ship Structure Access Manual</td>
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## SPECIFIC FLAG STATE OBLIGATIONS

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<td>Reg. II-1/3-8.3</td>
<td>Appropriate requirements for towing and mooring equipment</td>
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<tr>
<td>Reg. II-1/3-9.1</td>
<td>Means of embarkation and disembarkation</td>
<td></td>
</tr>
<tr>
<td>Reg. II-1/3-12</td>
<td>Determination of acceptable noise levels in machinery spaces</td>
<td></td>
</tr>
<tr>
<td>Reg. II-1/4.3</td>
<td>Alternative methodologies – communication to IMO</td>
<td></td>
</tr>
<tr>
<td>Reg. II-1/4.5</td>
<td>Beneficial or adverse effects of fitting structures as defined by the regulation</td>
<td></td>
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<td>Reg. II-1/5-1.1</td>
<td>Stability information to the Administration</td>
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<tr>
<td>Reg. II-1/7-2.5</td>
<td>Acceptance of equalization devices and their controls</td>
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<tr>
<td>Reg. II-1/13.9.2</td>
<td>Number and arrangements of doors with a device preventing unauthorized opening</td>
<td></td>
</tr>
<tr>
<td>Reg. II-1/13.11.2</td>
<td>Special consideration for tunnels piercing watertight bulkheads</td>
<td></td>
</tr>
<tr>
<td>Reg. II-1/15.2</td>
<td>Arrangement and efficiency of the means for closing any opening in the shell plating</td>
<td></td>
</tr>
<tr>
<td>Reg. II-1/15.6</td>
<td>Special sanction for automatic ventilating side scuttles</td>
<td></td>
</tr>
<tr>
<td>Reg. II-1/15.8.5</td>
<td>Material of pipes as referred to in the regulation</td>
<td></td>
</tr>
<tr>
<td>Reg. II-1/16-1.1</td>
<td>Design, material and construction of all watertight closures, such as doors, hatches, side scuttles, gangway and cargo ports, etc.</td>
<td></td>
</tr>
<tr>
<td>Reg. II-1/17-1.2</td>
<td>Indicators for closing appliances that could lead to flooding of a special category space or ro-ro space</td>
<td></td>
</tr>
<tr>
<td>Regs. II-1/19.2 and 19.3</td>
<td>Damage control information – general and specific precautions</td>
<td></td>
</tr>
<tr>
<td>SOURCE</td>
<td>SUMMARY DESCRIPTION</td>
<td>COMMENTS</td>
</tr>
<tr>
<td>--------</td>
<td>---------------------</td>
<td>----------</td>
</tr>
<tr>
<td>Reg. II-1/22.3</td>
<td>Authorization of such a watertight door that may be opened during navigation</td>
<td></td>
</tr>
<tr>
<td>Reg. II-1/26.2</td>
<td>Consideration of reliability of single essential propulsion components</td>
<td></td>
</tr>
<tr>
<td>Regs. II-1/29.1, 29.2.1 and 29.6.3</td>
<td>Steering gear</td>
<td></td>
</tr>
<tr>
<td>Reg. II-1/29.17.2</td>
<td>Adoption of regulations on rudder actuators for tankers, chemical tankers and gas carriers</td>
<td></td>
</tr>
<tr>
<td>Regs. II-1/35-1.3.7.2 and 35-1.3.9</td>
<td>Bilge pumping arrangements</td>
<td></td>
</tr>
<tr>
<td>Reg. II-1/40.2</td>
<td>Electrical installations – ensuring uniformity</td>
<td></td>
</tr>
<tr>
<td>Reg. II-1/42.1.3</td>
<td>Emergency source of electrical power in passenger ships</td>
<td></td>
</tr>
<tr>
<td>Reg. II-1/43.1.3</td>
<td>Emergency source of electrical power in cargo ships</td>
<td></td>
</tr>
<tr>
<td>Reg. II-1/44.2</td>
<td>Approval of automatically starting emergency generating sets</td>
<td></td>
</tr>
<tr>
<td>Regs. II-1/45.3.3, 45.5.3, 45.5.4, 45.5.6, 45.9.3, 45.10 and 45.11</td>
<td>Precautions against shock, fire and other hazards of electrical origin</td>
<td></td>
</tr>
<tr>
<td>Regs. II-1/46.2 and 46.3</td>
<td>Additional requirements for periodically unattended machinery space</td>
<td></td>
</tr>
<tr>
<td>Reg. II-1/53.1</td>
<td>Special requirements for machinery, boiler and electrical installations</td>
<td></td>
</tr>
<tr>
<td>Regs. II-1/55.3, 55.4.1 and 55.6</td>
<td>Evaluation of the alternative design and arrangements and re-evaluation due to change of conditions</td>
<td></td>
</tr>
<tr>
<td>Reg. II-1/55.5</td>
<td>Alternative design and arrangements – communication to IMO</td>
<td></td>
</tr>
<tr>
<td>Reg. II-2/1.2.1</td>
<td>Approval of fire protection arrangements in existing ships</td>
<td></td>
</tr>
<tr>
<td>SOURCE</td>
<td>SUMMARY DESCRIPTION</td>
<td>COMMENTS</td>
</tr>
<tr>
<td>--------</td>
<td>---------------------</td>
<td>----------</td>
</tr>
<tr>
<td>Regs. II-2/1.6.2.1.2 and 1.6.6</td>
<td>Application of requirements for tankers</td>
<td></td>
</tr>
<tr>
<td>Reg. II-2/4.2.2.5.1</td>
<td>Approval of material for oil fuel pipes and their valves and fittings</td>
<td></td>
</tr>
<tr>
<td>Reg. II-2/4.3</td>
<td>Approval of gaseous fuel systems used for domestic purposes</td>
<td></td>
</tr>
<tr>
<td>Reg. II-2/4.5.1.4.4</td>
<td>Installation of cargo oil lines where cargo wing tanks are provided</td>
<td></td>
</tr>
<tr>
<td>Reg. II-2/4.5.3.3</td>
<td>Requirements for safety devices in venting systems</td>
<td></td>
</tr>
<tr>
<td>Reg. II-2/4.5.5.2.1</td>
<td>Requirements for inert gas systems on chemical tankers</td>
<td></td>
</tr>
<tr>
<td>Reg. II-2/4.5.6.3</td>
<td>Arrangements for inerting, purging or gas-freeing</td>
<td>see Reg. II-2/4.5.5.3.1</td>
</tr>
<tr>
<td>Reg. II-2/5.2.2.5</td>
<td>Positioning of controls for any required fire-extinguishing system in passenger ships</td>
<td>see Regs. II-2/8.3.3 and 9.5.2.3</td>
</tr>
<tr>
<td>Reg. II-2/5.2.3.1</td>
<td>Special consideration to maintaining the fire integrity of periodically unattended machinery spaces</td>
<td></td>
</tr>
<tr>
<td>Reg. II-2/7.3.2</td>
<td>Initial and periodic tests</td>
<td></td>
</tr>
<tr>
<td>Reg. II-2/7.6</td>
<td>Protection of cargo spaces in passenger ships</td>
<td></td>
</tr>
<tr>
<td>Reg. II-2/8.3.4</td>
<td>Release of smoke from machinery spaces – passenger ships</td>
<td></td>
</tr>
<tr>
<td>Reg. II-2/9.2.2.1.5.1</td>
<td>Approval of equivalent means of controlling and limiting a fire on ships designed for special purposes</td>
<td></td>
</tr>
<tr>
<td>Reg. II-2/9.2.2.3.1</td>
<td>Fire integrity of bulkheads and decks in ships carrying more than 36 passengers</td>
<td></td>
</tr>
<tr>
<td>Regs. II-2/9.2.2.4.4, 9.2.3.3.4 and 9.2.4.2.4</td>
<td>Fire integrity of bulkheads and decks</td>
<td>see Reg. II-2/11.2</td>
</tr>
<tr>
<td>SOURCE</td>
<td>SUMMARY DESCRIPTION</td>
<td>COMMENTS</td>
</tr>
<tr>
<td>--------</td>
<td>---------------------</td>
<td>----------</td>
</tr>
<tr>
<td>Reg. II-2/9.3.4</td>
<td>Approval of structural fire protection details, taking into account the risk of heat transmission</td>
<td></td>
</tr>
<tr>
<td>Reg. II-2/9.5.2.4</td>
<td>Protection of openings in machinery space boundaries</td>
<td></td>
</tr>
<tr>
<td>Reg. II-2/10.2.1.2.1.3</td>
<td>Provisions for fixed water fire-extinguishing arrangements for periodically unattended machinery spaces</td>
<td></td>
</tr>
<tr>
<td>Reg. II-2/10.2.1.2.2.1</td>
<td>Ready availability of water supply</td>
<td></td>
</tr>
<tr>
<td>Reg. II-2/10.3.1.1</td>
<td>Approval of non-perishable material for fire hoses</td>
<td></td>
</tr>
<tr>
<td>Reg. II-2/10.3.2.1</td>
<td>Number and diameter of fire hoses</td>
<td></td>
</tr>
<tr>
<td>Reg. II-2/10.6.1.1</td>
<td>Arrangement of fire extinguishers</td>
<td></td>
</tr>
<tr>
<td>Reg. II-2/10.6.3.2</td>
<td>Type approval of automatic sprinkler, fire detection and fire alarm system</td>
<td></td>
</tr>
<tr>
<td>Reg. II-2/10.6.3.2</td>
<td>Approval of fire-extinguishing arrangement for flammable liquid lockers</td>
<td></td>
</tr>
<tr>
<td>Reg. II-2/10.7.1.2</td>
<td>Fixed gas fire-extinguishing systems for general cargo</td>
<td></td>
</tr>
<tr>
<td>Reg. II-2/10.7.1.4</td>
<td>Issue of an Exemption Certificate</td>
<td></td>
</tr>
<tr>
<td>Reg. II-2/13.3.1.4</td>
<td>Provision of means of escape from, or access to, radiotelegraph stations</td>
<td></td>
</tr>
<tr>
<td>Reg. II-2/13.3.2.5.1</td>
<td>Lighting or photoluminescent equipment to be evaluated, tested and applied in accordance with the FSS Code</td>
<td></td>
</tr>
<tr>
<td>Reg. II-2/13.3.2.6.2</td>
<td>Normally locked doors that form part of an escape route – quick release mechanisms</td>
<td></td>
</tr>
<tr>
<td>SOURCE</td>
<td>SUMMARY DESCRIPTION</td>
<td>COMMENTS</td>
</tr>
<tr>
<td>--------</td>
<td>---------------------</td>
<td>----------</td>
</tr>
<tr>
<td>Reg. II-2/13.5.1</td>
<td>Means of escape on passenger ships from special category and open ro-ro spaces to which any passengers carried can have access</td>
<td></td>
</tr>
<tr>
<td>Regs. II-2/17.4.1 and 17.6</td>
<td>Evaluation and approval of the engineering analysis for alternative design and arrangements for fire safety</td>
<td></td>
</tr>
<tr>
<td>Reg. II-2/17.5</td>
<td>Alternative design and arrangements for fire safety – communication of information to IMO</td>
<td></td>
</tr>
<tr>
<td>Reg. II-2/19.4</td>
<td>Provision of document of compliance</td>
<td></td>
</tr>
<tr>
<td>Reg. II-2/20.4.1</td>
<td>Provision and approval of fixed fire detection and fire alarm systems</td>
<td></td>
</tr>
<tr>
<td>Reg. II-2/20.6.1.4.2</td>
<td>Adverse effect as referred to in the regulation – approval of stability information</td>
<td></td>
</tr>
<tr>
<td>Reg. II-2/21.5.2</td>
<td>Alternate space for medical care</td>
<td></td>
</tr>
<tr>
<td>Reg. III/4</td>
<td>Evaluation, testing and approval of life-saving appliances and arrangements</td>
<td></td>
</tr>
<tr>
<td>Reg. III/5</td>
<td>Production tests for life-saving appliances</td>
<td></td>
</tr>
<tr>
<td>Reg. III/20.8.1.2</td>
<td>Approval of servicing stations</td>
<td></td>
</tr>
<tr>
<td>Reg. III/20.8.5</td>
<td>Extension of liferaft service intervals – notifying IMO</td>
<td></td>
</tr>
<tr>
<td>Regs. III/20.11</td>
<td>Maintenance, thorough examination, operational testing, overhaul and repair of lifeboats, rescue boats and fast rescue boats, launching appliances and release gear</td>
<td></td>
</tr>
<tr>
<td>Reg. III/26.2.4</td>
<td>Approval of liferafts on ro-ro passenger ships</td>
<td></td>
</tr>
<tr>
<td>Regs. III/26.3.1 and 26.3.2</td>
<td>Approval of fast rescue boats and their launching appliances on ro-ro passenger ships</td>
<td></td>
</tr>
<tr>
<td>SOURCE</td>
<td>SUMMARY DESCRIPTION</td>
<td>COMMENTS</td>
</tr>
<tr>
<td>------------------------</td>
<td>-------------------------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Reg. III/28</td>
<td>Approval of helicopter landing and pick-up areas on ro-ro passenger ships</td>
<td></td>
</tr>
<tr>
<td>Regs. III/38.3, 38.4.1 and 38.6</td>
<td>Evaluation of the alternative design and arrangements and re-evaluation due to change of conditions</td>
<td></td>
</tr>
<tr>
<td>Reg. III/38.5</td>
<td>Alternative design and arrangements – communication to IMO</td>
<td></td>
</tr>
<tr>
<td>Reg. IV/3.3</td>
<td>Exemptions – reporting to IMO</td>
<td></td>
</tr>
<tr>
<td>Reg. IV/14.1</td>
<td>Type approval of radio equipment</td>
<td></td>
</tr>
<tr>
<td>Reg. IV/15.5</td>
<td>Ensuring that radio equipment is maintained</td>
<td></td>
</tr>
<tr>
<td>Reg. IV/16.1</td>
<td>Radio personnel</td>
<td></td>
</tr>
<tr>
<td>Reg. IV/17</td>
<td>Radio records</td>
<td></td>
</tr>
<tr>
<td>Reg. V/1.4</td>
<td>Application – determination of the scope of application of specific regulations to certain categories of ships</td>
<td></td>
</tr>
<tr>
<td>Reg. V/3.3</td>
<td>Exemptions and equivalents – reporting to IMO</td>
<td></td>
</tr>
<tr>
<td>Reg. V/14</td>
<td>Ships’ manning</td>
<td></td>
</tr>
<tr>
<td>Reg. V/16</td>
<td>Maintenance of equipment</td>
<td></td>
</tr>
<tr>
<td>Reg. V/17</td>
<td>Electromagnetic compatibility</td>
<td></td>
</tr>
<tr>
<td>Reg. V/18.1</td>
<td>Type approval of navigational systems and equipment and voyage data recorder</td>
<td></td>
</tr>
<tr>
<td>Reg. V/18.5</td>
<td>Requirement for quality control system at manufacturers</td>
<td></td>
</tr>
<tr>
<td>Reg. V/23.3.3.1.3</td>
<td>Pilot transfer arrangements</td>
<td></td>
</tr>
<tr>
<td>Regs. VI/3.1 and 3.2</td>
<td>Provision of equipment for oxygen analysis and gas detection and training of crews in their use</td>
<td></td>
</tr>
<tr>
<td>Reg. VI/5.6</td>
<td>Approval of Cargo Securing Manual</td>
<td></td>
</tr>
<tr>
<td>Reg. VI/6</td>
<td>Acceptability for shipment</td>
<td></td>
</tr>
<tr>
<td>SOURCE</td>
<td>SUMMARY DESCRIPTION</td>
<td>COMMENTS</td>
</tr>
<tr>
<td>------------</td>
<td>-------------------------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Reg. VI/9.2</td>
<td>Grain loading information</td>
<td></td>
</tr>
<tr>
<td>Reg. VII/5</td>
<td>Approval of Cargo Securing Manual</td>
<td></td>
</tr>
<tr>
<td>Reg. VII/15.2</td>
<td>Warships – INF cargo</td>
<td></td>
</tr>
<tr>
<td>Reg. VIII/4</td>
<td>Approval of design, construction and standards of inspection and assembly of reactor installations</td>
<td></td>
</tr>
<tr>
<td>Reg. VIII/6</td>
<td>Ensuring radiation safety</td>
<td></td>
</tr>
<tr>
<td>Reg. VIII/7(a)</td>
<td>Approval of safety assessment</td>
<td></td>
</tr>
<tr>
<td>Reg. VIII/8</td>
<td>Approval of operating manual</td>
<td></td>
</tr>
<tr>
<td>Reg. VIII/10(f)</td>
<td>Issue of certificates</td>
<td></td>
</tr>
<tr>
<td>Reg. IX/4.1</td>
<td>Issue of Document of Compliance (DOC)</td>
<td></td>
</tr>
<tr>
<td>Reg. IX/4.3</td>
<td>Issue of Safety Management Certificate (SMC)</td>
<td></td>
</tr>
<tr>
<td>Reg. IX/6.1</td>
<td>Periodic verification of the safety management system</td>
<td></td>
</tr>
<tr>
<td>Reg. XI-1/1</td>
<td>Authorization of recognized organizations</td>
<td></td>
</tr>
<tr>
<td>Reg. XI-1/2</td>
<td>Enhanced surveys</td>
<td></td>
</tr>
<tr>
<td>Reg. XI-1/3.5.4</td>
<td>Ship identification number – approval of method of marking</td>
<td></td>
</tr>
<tr>
<td>Reg. XI-1/3-1.2</td>
<td>Registered owner identification number</td>
<td></td>
</tr>
<tr>
<td>Reg. XI-1/5.3</td>
<td>Issue of Continuous Synopsis Record (CSR)</td>
<td></td>
</tr>
<tr>
<td>Reg. XI-1/5.4.2</td>
<td>Amendments to CSR</td>
<td></td>
</tr>
<tr>
<td>Reg. XI-1/5.4.3</td>
<td>Authorization and requirement to amend CSR</td>
<td></td>
</tr>
</tbody>
</table>
### SPECIFIC FLAG STATE OBLIGATIONS

<table>
<thead>
<tr>
<th>SOURCE</th>
<th>SUMMARY DESCRIPTION</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reg. XI-1/5.8</td>
<td>Requirement for former flag State to send CSR to new flag State</td>
<td></td>
</tr>
<tr>
<td>Reg. XI-1/5.9</td>
<td>Appending previous CSR to new CSR</td>
<td></td>
</tr>
<tr>
<td>Reg. XI-1/6</td>
<td>Investigations of marine casualties and incidents</td>
<td></td>
</tr>
<tr>
<td>Reg. XII/8.1</td>
<td>Endorsement of booklet required by Reg. VI/7.2</td>
<td></td>
</tr>
<tr>
<td>Reg. XII/9.2</td>
<td>Approval of bilge well high water level alarms</td>
<td></td>
</tr>
<tr>
<td>Reg. XII/11.3</td>
<td>Loading instrument – approval of software for stability calculations</td>
<td></td>
</tr>
<tr>
<td><strong>MARPOL</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Articles 4(1) and 4(3)</td>
<td>Violation</td>
<td></td>
</tr>
<tr>
<td>Article 6(4)</td>
<td>Detection of violations and enforcement of the Convention – investigations</td>
<td></td>
</tr>
<tr>
<td>Article 12(1)</td>
<td>Casualties to ships – investigations</td>
<td></td>
</tr>
<tr>
<td><strong>Annex I</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reg. 2.6.2</td>
<td>Application – an oil tanker delivered on or before 1 June 1982 engaged in specific trades: agreement with port States</td>
<td></td>
</tr>
<tr>
<td>Reg. 3.3</td>
<td>Exemptions and waivers – reporting</td>
<td></td>
</tr>
<tr>
<td>Reg. 4.3</td>
<td>Exceptions – discharge of substances containing oil for the purpose of combating pollution incidents</td>
<td></td>
</tr>
<tr>
<td>Reg. 5.2</td>
<td>Equivalents – reporting</td>
<td></td>
</tr>
<tr>
<td>Reg. 6</td>
<td>Surveys</td>
<td></td>
</tr>
<tr>
<td>Reg. 7</td>
<td>Issue or endorsement of certificate</td>
<td></td>
</tr>
<tr>
<td>Reg. 9</td>
<td>Form of certificate</td>
<td></td>
</tr>
<tr>
<td>SOURCE</td>
<td>SUMMARY DESCRIPTION</td>
<td>COMMENTS</td>
</tr>
<tr>
<td>--------</td>
<td>---------------------</td>
<td>----------</td>
</tr>
<tr>
<td>Reg. 10.9.3</td>
<td>Transfer of flag</td>
<td></td>
</tr>
<tr>
<td>Reg. 12A.12</td>
<td>Oil fuel tank protection – approval of the design and construction of ships</td>
<td></td>
</tr>
<tr>
<td>Reg. 14.3</td>
<td>Oil filtering equipment – volume of oil bilge holding tank</td>
<td></td>
</tr>
<tr>
<td>Reg. 14.4</td>
<td>Oil filtering equipment – ships of less than 400 gross tonnage</td>
<td></td>
</tr>
<tr>
<td>Regs. 14.6 and 14.7</td>
<td>Oil filtering equipment – approval</td>
<td></td>
</tr>
<tr>
<td>Reg. 15.6.2</td>
<td>Control of discharge of oil – ships of less than 400 gross tonnage: design approval</td>
<td></td>
</tr>
<tr>
<td>Reg. 17.1</td>
<td>Approval of an electronic record book concerning Oil Record Book Part I</td>
<td></td>
</tr>
<tr>
<td>Regs. 18.8.2, 18.8.3 and 18.8.4</td>
<td>Requirements for product carriers of 40,000 tonnes deadweight and above – arrangement and operation, approval of oil content meter, clean ballast tank operational manual</td>
<td></td>
</tr>
<tr>
<td>Reg. 18.10.1.1</td>
<td>Segregated ballast tanks – oil tanker delivered on or before 1 June 1982 having special ballast arrangements: approval</td>
<td></td>
</tr>
<tr>
<td>Reg. 18.10.1.2</td>
<td>Segregated ballast tanks – oil tanker delivered on or before 1 June 1982 having special ballast arrangements: agreement with port States</td>
<td></td>
</tr>
<tr>
<td>Reg. 18.10.3</td>
<td>Segregated ballast tanks – oil tanker delivered on or before 1 June 1982 having special ballast arrangements: communication to IMO</td>
<td></td>
</tr>
<tr>
<td>Reg. 20.8.1</td>
<td>Double hull and double bottom requirements for oil tankers delivered before 6 July 1996 – communication to IMO</td>
<td></td>
</tr>
</tbody>
</table>
### SPECIFIC FLAG STATE OBLIGATIONS

<table>
<thead>
<tr>
<th>SOURCE</th>
<th>SUMMARY DESCRIPTION</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reg. 21.8.1</td>
<td>Prevention of oil pollution from oil tankers carrying heavy grade oil as cargo –</td>
<td></td>
</tr>
<tr>
<td></td>
<td>communication to IMO</td>
<td></td>
</tr>
<tr>
<td>Reg. 23.3.1</td>
<td>Accidental oil outflow performance – calculation of mean oil outflow parameter</td>
<td></td>
</tr>
<tr>
<td>Reg. 25.5</td>
<td>Hypothetical outflow of oil – information to IMO on accepted arrangements</td>
<td></td>
</tr>
<tr>
<td>Reg. 27.3</td>
<td>Intact stability – approval of written procedures for liquid transfer operation</td>
<td></td>
</tr>
<tr>
<td>Reg. 28.3.4</td>
<td>Subdivision and damage stability – sufficient stability during flooding</td>
<td></td>
</tr>
<tr>
<td>Reg. 28.6.3</td>
<td>Subdivision and damage stability – issuing a document of approval for the stability</td>
<td></td>
</tr>
<tr>
<td></td>
<td>instrument</td>
<td></td>
</tr>
<tr>
<td>Reg. 29.2.1</td>
<td>Slop tanks – approval</td>
<td></td>
</tr>
<tr>
<td>Reg. 30.6.5.2</td>
<td>Pumping, piping and discharge arrangement – establishment of requirements</td>
<td></td>
</tr>
<tr>
<td>Reg. 30.7</td>
<td>Pumping, piping and discharge arrangement – positive means of loading, transporting</td>
<td></td>
</tr>
<tr>
<td></td>
<td>or discharging cargo</td>
<td></td>
</tr>
<tr>
<td>Regs. 31.2 and 31.4</td>
<td>Oil discharge monitoring and control system – approval</td>
<td></td>
</tr>
<tr>
<td>Reg. 32</td>
<td>Oil/water interface detector – approval</td>
<td></td>
</tr>
<tr>
<td>Reg. 33.1</td>
<td>Crude oil washing requirement – compliance with requirement</td>
<td></td>
</tr>
<tr>
<td>Reg. 33.2</td>
<td>Crude oil washing requirements – establishment of requirements</td>
<td></td>
</tr>
<tr>
<td>Reg. 35.1</td>
<td>Crude oil washing operations – Operations and Equipment Manual</td>
<td></td>
</tr>
<tr>
<td>Reg. 36.1</td>
<td>Approval of an electronic record book concerning Oil Record Book Part II</td>
<td></td>
</tr>
</tbody>
</table>
## SPECIFIC FLAG STATE OBLIGATIONS

<table>
<thead>
<tr>
<th>SOURCE</th>
<th>SUMMARY DESCRIPTION</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reg. 36.9</td>
<td>Oil Record Book Part II – development of Oil Record Book for ships of less than 150 gross tonnage</td>
<td></td>
</tr>
<tr>
<td>Reg. 37.1</td>
<td>Shipboard oil pollution emergency plan – approval</td>
<td></td>
</tr>
<tr>
<td>Reg. 38.9.2</td>
<td>Reception facilities within special areas: Antarctic area – sufficient capacity</td>
<td></td>
</tr>
<tr>
<td>Reg. 38.10</td>
<td>Reception facilities – notification on alleged inadequacies of port reception facilities</td>
<td></td>
</tr>
<tr>
<td>Reg. 39.2.2</td>
<td>Special requirements for fixed or floating platforms – approval of record form</td>
<td></td>
</tr>
<tr>
<td>Reg. 41.1</td>
<td>Approval of oil tankers’ ship-to-ship (STS) operations plan</td>
<td></td>
</tr>
</tbody>
</table>

### Annex II

<table>
<thead>
<tr>
<th>SOURCE</th>
<th>SUMMARY DESCRIPTION</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reg. 3.1.3</td>
<td>Exceptions – approval of discharge of noxious liquid substances (NLS) for the purpose of combating pollution incidents</td>
<td></td>
</tr>
<tr>
<td>Reg. 4.1.2</td>
<td>Exemptions – communication to IMO on relaxations</td>
<td></td>
</tr>
<tr>
<td>Reg. 4.3.4</td>
<td>Exemptions – communication to IMO</td>
<td></td>
</tr>
<tr>
<td>Reg. 4.4.5</td>
<td>Exemptions – communication to IMO</td>
<td></td>
</tr>
<tr>
<td>Reg. 5.1</td>
<td>Equivalents – substitution of operational method</td>
<td></td>
</tr>
<tr>
<td>Reg. 5.2</td>
<td>Equivalents – communication to IMO on alternatives</td>
<td></td>
</tr>
<tr>
<td>Regs. 5.3.4 and 5.3.5</td>
<td>Equivalents – pumping and piping arrangement, approval of manual</td>
<td></td>
</tr>
<tr>
<td>Reg. 6.3</td>
<td>Establishment of tripartite agreements – notifying IMO</td>
<td></td>
</tr>
<tr>
<td>Reg. 8</td>
<td>Surveys</td>
<td></td>
</tr>
</tbody>
</table>
## SPECIFIC FLAG STATE OBLIGATIONS

<table>
<thead>
<tr>
<th>SOURCE</th>
<th>SUMMARY DESCRIPTION</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reg. 9</td>
<td>Issue or endorsement of certificates</td>
<td></td>
</tr>
<tr>
<td>Reg. 10.7</td>
<td>Expiry date of existing certificate</td>
<td></td>
</tr>
<tr>
<td>Reg. 10.9.3</td>
<td>Transfer of flag</td>
<td></td>
</tr>
<tr>
<td>Reg. 11.2</td>
<td>Design, construction, equipment and operations – establishment of appropriate measures</td>
<td></td>
</tr>
<tr>
<td>Reg. 12.5</td>
<td>Pumping, piping, unloading arrangements and slop tanks – approval of pumping performance test</td>
<td></td>
</tr>
<tr>
<td>Reg. 13.3</td>
<td>Control of discharges of residues of NLS – approval of ventilation procedure</td>
<td></td>
</tr>
<tr>
<td>Reg. 13.5</td>
<td>Control of discharges of residues of NLS – approval of tank washing procedure</td>
<td></td>
</tr>
<tr>
<td>Reg. 14.1</td>
<td>Procedures and arrangements manual – approval</td>
<td></td>
</tr>
<tr>
<td>Reg. 15.1</td>
<td>Approval of an electronic record book concerning Cargo Record Book</td>
<td></td>
</tr>
<tr>
<td>Reg. 17.1</td>
<td>Shipboard marine pollution emergency plan for NLS – approval</td>
<td></td>
</tr>
<tr>
<td>Reg. 18.7</td>
<td>Notification of alleged inadequacies of port reception facilities</td>
<td></td>
</tr>
</tbody>
</table>

### Annex IV

<table>
<thead>
<tr>
<th>Source</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reg. 4</td>
<td>Surveys</td>
</tr>
<tr>
<td>Reg. 5</td>
<td>Issue or endorsement of certificates</td>
</tr>
<tr>
<td>Reg. 7</td>
<td>Form of certificate</td>
</tr>
<tr>
<td>Reg. 8.8.2</td>
<td>Transfer of flag</td>
</tr>
<tr>
<td>Reg. 9.1</td>
<td>Approval of sewage systems</td>
</tr>
<tr>
<td>Reg. 9.2</td>
<td>Approval of sewage systems (passenger ships operating in special areas)</td>
</tr>
<tr>
<td>Reg. 11.1.1</td>
<td>Approval of rate of discharge</td>
</tr>
<tr>
<td>SOURCE</td>
<td>SUMMARY DESCRIPTION</td>
</tr>
<tr>
<td>--------</td>
<td>---------------------</td>
</tr>
<tr>
<td>Reg. 12.3</td>
<td>Notification of alleged inadequacies of port reception facilities</td>
</tr>
<tr>
<td>Annex V</td>
<td></td>
</tr>
<tr>
<td>Reg. 6.3.2</td>
<td>Sufficient capacity for the retention of all garbage on board ships before entering the Antarctic area</td>
</tr>
<tr>
<td>Reg. 8.4</td>
<td>Notification of alleged inadequacies of port reception facilities</td>
</tr>
<tr>
<td>Reg. 10.3</td>
<td>Approval of an electronic record book concerning Garbage Record Book</td>
</tr>
<tr>
<td>Annex VI</td>
<td></td>
</tr>
<tr>
<td>Regs. 3.2 and 3.3.2</td>
<td>Exceptions and exemptions</td>
</tr>
<tr>
<td>Regs. 4.2 and 4.4</td>
<td>Equivalents and communication to IMO</td>
</tr>
<tr>
<td>Reg. 5</td>
<td>Surveys and certification</td>
</tr>
<tr>
<td>Reg. 6</td>
<td>Issue or endorsement of certificates and Statements of Compliance related to fuel oil consumption reporting</td>
</tr>
<tr>
<td>Reg. 8</td>
<td>Form of Certificates and Statements of Compliance related to fuel oil consumption reporting</td>
</tr>
<tr>
<td>Regs. 9.1 and 9.10</td>
<td>Duration and validity of certificates</td>
</tr>
<tr>
<td>Reg. 9.12</td>
<td>Duration and validity of Statement of Compliance related to fuel oil consumption reporting</td>
</tr>
<tr>
<td>Reg. 9.9.3</td>
<td>Transfer of flag</td>
</tr>
<tr>
<td>Reg. 11.4</td>
<td>Detection of violations and enforcement – investigations and communication to the Party and IMO</td>
</tr>
<tr>
<td>Regs. 12.6, 13.5.3 and 14.6</td>
<td>Approval of an electronic record book concerning the required entries for discharge, transfers and other operations as required under Annex VI</td>
</tr>
<tr>
<td>SOURCE</td>
<td>SUMMARY DESCRIPTION</td>
</tr>
<tr>
<td>--------</td>
<td>---------------------</td>
</tr>
<tr>
<td>Regs. 13.1.1.2 and 13.1.2.2</td>
<td>Nitrogen oxides – acceptance of identical replacement and alternative control measures</td>
</tr>
<tr>
<td>Reg. 13.2.2</td>
<td>Acceptance of installation of Tier-II engine in lieu of Tier-III engine where Tier-III engine cannot be accommodated</td>
</tr>
<tr>
<td>Reg. 13.5.2.2</td>
<td>Combined nameplate diesel engine – application as referred to in the paragraph</td>
</tr>
<tr>
<td>Reg. 13.7.2</td>
<td>Approved method not commercially available</td>
</tr>
<tr>
<td>Reg. 15.5</td>
<td>Volatile organic compounds (VOCs) – approval of vapour collection systems</td>
</tr>
<tr>
<td>Reg. 15.6</td>
<td>VOC management plan – approval</td>
</tr>
<tr>
<td>Reg. 16.6.1</td>
<td>Shipboard incineration – approvals</td>
</tr>
<tr>
<td>Reg. 17.4</td>
<td>Reception facilities unavailable or inadequate – communication to IMO</td>
</tr>
<tr>
<td>Reg. 19.6</td>
<td>Information regarding decision to allow, suspend, withdraw or decline application of Reg. 19.4 on waiving the requirement for compliance with Regs. 20 and 21 – communication to the Organization</td>
</tr>
<tr>
<td>Reg. 20.1</td>
<td>Verification of the attained Energy Efficiency Design Index (EEDI)</td>
</tr>
<tr>
<td>Reg. 22A.7</td>
<td>Verification of the ship fuel oil consumption data</td>
</tr>
<tr>
<td>Reg. 22A.9</td>
<td>Transfer of the reported data to the IMO Ship Fuel Oil Consumption Database</td>
</tr>
<tr>
<td>Reg. 23</td>
<td>Cooperation with other parties to promote development and transfer of technology and exchange of information relating to the improvement of energy efficiency of ships</td>
</tr>
<tr>
<td>Appendix IV, Para. 1</td>
<td>Type approval as referred to in the paragraph</td>
</tr>
</tbody>
</table>
SPECIFIC FLAG STATE OBLIGATIONS

<table>
<thead>
<tr>
<th>SOURCE</th>
<th>SUMMARY DESCRIPTION</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Appendix VI, Paras. 1.2, 2.1 and 3.1</td>
<td>Fuel verification procedure – management and sample delivery</td>
<td></td>
</tr>
<tr>
<td><strong>Res. MSC.133(76), as amended</strong></td>
<td>Technical provisions for means of access for inspections</td>
<td></td>
</tr>
<tr>
<td>Para. 3.7</td>
<td>Vertical or spiral ladders – acceptance</td>
<td></td>
</tr>
<tr>
<td>Para. 3.9.7</td>
<td>Other means of access – approval and acceptance</td>
<td></td>
</tr>
<tr>
<td><strong>RO Code</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Part 1/4.2</td>
<td>Delegation of authority</td>
<td></td>
</tr>
<tr>
<td>Part 1/5</td>
<td>Communication to IMO – a list of recognized organizations (ROs)</td>
<td></td>
</tr>
<tr>
<td>Part 2/8</td>
<td>Authorization of RO</td>
<td></td>
</tr>
<tr>
<td>Part 3/7.1.1</td>
<td>Verification that ROs fulfil the requirements of the RO Code as per part 2/2.1</td>
<td></td>
</tr>
<tr>
<td><strong>ISM Code</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Para. 13.2</td>
<td>Issue of Document of Compliance (DOC)</td>
<td></td>
</tr>
<tr>
<td>Para. 13.4</td>
<td>Annual verification (DOC)</td>
<td></td>
</tr>
<tr>
<td>Para. 13.5</td>
<td>Withdrawal of DOC</td>
<td></td>
</tr>
<tr>
<td>Para. 13.7</td>
<td>Issue of Safety Management Certificate (SMC)</td>
<td></td>
</tr>
<tr>
<td>Para. 13.8</td>
<td>Intermediate verification (SMC)</td>
<td></td>
</tr>
<tr>
<td>Para. 13.9</td>
<td>Withdrawal of SMC</td>
<td></td>
</tr>
<tr>
<td>Para. 14.1</td>
<td>Issue of Interim DOC</td>
<td></td>
</tr>
<tr>
<td>Para. 14.2</td>
<td>Issue of Interim SMC</td>
<td></td>
</tr>
<tr>
<td>Para. 14.4</td>
<td>Verification required for issue of Interim SMC</td>
<td></td>
</tr>
<tr>
<td>Para. 15.1</td>
<td>Verification – acceptance of procedures</td>
<td></td>
</tr>
<tr>
<td>Para. 16</td>
<td>Forms of certificates</td>
<td></td>
</tr>
</tbody>
</table>
### SPECIFIC FLAG STATE OBLIGATIONS

<table>
<thead>
<tr>
<th>SOURCE</th>
<th>SUMMARY DESCRIPTION</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>INF Code</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Para. 1.3.2</td>
<td>Issue of certificate</td>
<td></td>
</tr>
<tr>
<td>Para. 2.1</td>
<td>Damage stability (INF 1 ship)</td>
<td></td>
</tr>
<tr>
<td>Para. 3.1</td>
<td>Fire safety measures (INF 1 cargo)</td>
<td></td>
</tr>
<tr>
<td>Para. 4.1.3</td>
<td>Temperature control of cargo spaces (INF 1, 2 and 3 ships)</td>
<td></td>
</tr>
<tr>
<td>Para. 6.2</td>
<td>Safe stowage and securing – approval of principles</td>
<td></td>
</tr>
<tr>
<td>Para. 7.1</td>
<td>Electrical power supplies (INF 1 ship)</td>
<td></td>
</tr>
<tr>
<td>Chapter 8</td>
<td>Radiological protection</td>
<td></td>
</tr>
<tr>
<td>Chapter 9</td>
<td>Management and training</td>
<td></td>
</tr>
<tr>
<td>Para. 10.2</td>
<td>Shipboard emergency plan – approval</td>
<td></td>
</tr>
<tr>
<td><strong>Noise Code</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Para. 1.3.1</td>
<td>Application of the Code</td>
<td></td>
</tr>
<tr>
<td>Para. 1.3.7</td>
<td>Special consideration for ships designed for and employed on voyages of short duration, or on other services involving short periods of operation of the ship</td>
<td></td>
</tr>
<tr>
<td>Para. 1.3.9</td>
<td>Repairs, alterations and modifications of a major character and outfitting of existing ships – determination of application of the Code</td>
<td></td>
</tr>
<tr>
<td>Para. 2.1.1</td>
<td>Acceptance of equivalent standard for sound level meter</td>
<td></td>
</tr>
<tr>
<td>Para. 2.1.2</td>
<td>Acceptance of equivalent standard for octave filter set</td>
<td></td>
</tr>
<tr>
<td>Para. 3.3.9</td>
<td>Agreement on a process to simulate the operation of the dynamic positioning (DP) thruster system</td>
<td></td>
</tr>
</tbody>
</table>

3 Voyages of short duration: Voyages where the ship is not generally underway for periods long enough for seafarers to require sleep, or long off-duty periods, during the voyages (Noise Code, para. 1.4.34).
## SPECIFIC FLAG STATE OBLIGATIONS

<table>
<thead>
<tr>
<th>SOURCE</th>
<th>SUMMARY DESCRIPTION</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Para. 6.2.2</td>
<td>Acceptance of laboratory tests of airborne sound insulation properties</td>
<td></td>
</tr>
<tr>
<td>Para. 7.4</td>
<td>Description of a warning notice comprising symbol and supplementary sign in working language</td>
<td></td>
</tr>
<tr>
<td><strong>FSS Code</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ch.1, Para. 4</td>
<td>Use of toxic extinguishing media</td>
<td></td>
</tr>
<tr>
<td>Ch.4, Para. 2</td>
<td>Type approval of fire extinguishers</td>
<td></td>
</tr>
<tr>
<td>Ch.4, Para. 3.1.1.2</td>
<td>Determining equivalents of fire extinguishers</td>
<td></td>
</tr>
<tr>
<td>Ch.4, Para. 3.2.2.2</td>
<td>Approval of foam concentrate</td>
<td></td>
</tr>
<tr>
<td>Ch.5, Para. 2.1.1.4</td>
<td>Containers for the storage of fire-extinguishing medium, etc.</td>
<td></td>
</tr>
<tr>
<td>Ch.5, Para. 2.1.2.1</td>
<td>System flow calculations</td>
<td></td>
</tr>
<tr>
<td>Ch.5, Para. 2.1.2.3</td>
<td>Spare parts</td>
<td></td>
</tr>
<tr>
<td>Ch.5, Para. 2.3</td>
<td>Steam systems</td>
<td></td>
</tr>
<tr>
<td>Ch.5, Para. 2.4</td>
<td>Equivalent systems – approval</td>
<td></td>
</tr>
<tr>
<td>Ch.6, Para. 1</td>
<td>Specific acceptance of fixed foam fire-extinguishing systems used for cargo pump-rooms of chemical tankers carrying liquid cargoes referred to in regulation II-2/1.6.2 of the Convention</td>
<td></td>
</tr>
<tr>
<td>Ch.6, Par. 3.1.2 and 4.1.1</td>
<td>Foam concentrates – approval</td>
<td></td>
</tr>
<tr>
<td>Ch.6, Par. 3.1.3 and 3.4.1</td>
<td>System test of fixed high-expansion foam fire-extinguishing systems</td>
<td></td>
</tr>
<tr>
<td>Ch.6, Para. 4.2.1</td>
<td>Acceptance of means for proving effective distribution of the foam</td>
<td></td>
</tr>
<tr>
<td>Ch.7, Para. 2.1</td>
<td>Fixed pressure water-spraying fire-extinguishing systems – approval</td>
<td></td>
</tr>
<tr>
<td>Ch.7, Para. 2.2</td>
<td>Equivalent systems – approval</td>
<td></td>
</tr>
<tr>
<td>SOURCE</td>
<td>SUMMARY DESCRIPTION</td>
<td>COMMENTS</td>
</tr>
<tr>
<td>--------</td>
<td>---------------------</td>
<td>----------</td>
</tr>
<tr>
<td>Ch.7, Para. 2.3</td>
<td>Fixed pressure water-spraying fire-extinguishing systems for cabin balconies – approval</td>
<td></td>
</tr>
<tr>
<td>Ch.7, Para. 2.4</td>
<td>Fixed water-based firefighting system for ro-ro space, vehicle spaces and special category spaces – approval</td>
<td></td>
</tr>
<tr>
<td>Ch.8, Para. 2.1.2</td>
<td>Equivalent sprinkler systems – approval</td>
<td></td>
</tr>
<tr>
<td>Ch.9, Para. 2.3.1.2</td>
<td>Sensitivity limits of smoke detectors in other spaces</td>
<td></td>
</tr>
<tr>
<td>Ch.9, Para. 2.3.1.3</td>
<td>Heat detector temperature limits</td>
<td></td>
</tr>
<tr>
<td>Ch.9, Para. 2.3.1.7</td>
<td>Fixed fire detection and fire alarm systems for cabin balconies – approval</td>
<td></td>
</tr>
<tr>
<td>Ch.9, Para. 2.4.1.3</td>
<td>Limiting the number of enclosed spaces included in each section</td>
<td></td>
</tr>
<tr>
<td>Ch.9, Para. 2.5.2</td>
<td>Testing on ships with self-diagnostic system – determination of requirements</td>
<td></td>
</tr>
<tr>
<td>Ch.10, Para. 2.1.2</td>
<td>Sequential scanning – overall response time</td>
<td></td>
</tr>
<tr>
<td>Ch.10, Para. 2.2.2</td>
<td>Extractor fans – overall response time</td>
<td></td>
</tr>
<tr>
<td>Ch.10, Para. 2.3.1.1</td>
<td>Means to isolate smoke accumulators</td>
<td></td>
</tr>
<tr>
<td>Ch.11, Para. 2.1</td>
<td>Low-location lighting – approval</td>
<td></td>
</tr>
<tr>
<td>Ch.12, Para. 2.2.2.1</td>
<td>Approval of heating arrangement of the diesel engine cooling water or lubricating oil system if the room for the diesel driven power source is not heated</td>
<td></td>
</tr>
<tr>
<td>Ch.14, Para. 2.2.1.4</td>
<td>Foam concentrate supplied on board for cargoes intended to be carried – approval of additional arrangements if foam is not effective or is incompatible</td>
<td></td>
</tr>
<tr>
<td>Ch.14, Para. 2.2.2.1</td>
<td>Medium expansion ratio foam – application rate, etc.</td>
<td></td>
</tr>
<tr>
<td>Ch.15, Para. 2.2.1.1</td>
<td>Inert gas systems – approval</td>
<td></td>
</tr>
<tr>
<td>SOURCE</td>
<td>SUMMARY DESCRIPTION</td>
<td>COMMENTS</td>
</tr>
<tr>
<td>--------</td>
<td>---------------------</td>
<td>----------</td>
</tr>
<tr>
<td>Ch.17, Para.3.7 and 3.8</td>
<td>Manufacture and test of foam fire-fighting system and its components, including deck integrated foam nozzles</td>
<td></td>
</tr>
<tr>
<td><strong>2010 FTP Code</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Para. 4.2</td>
<td>Recognition of testing laboratories</td>
<td></td>
</tr>
<tr>
<td>Paras. 5.1.1 and 5.1.2</td>
<td>Approval of products in accordance with established approval procedures or authorization of competent authorities to issue approvals</td>
<td></td>
</tr>
<tr>
<td>Para. 5.2.2</td>
<td>Requirement for manufacturers to have a quality control system audited by a competent authority, or, alternatively, use of final product verification procedures as referred to in the paragraph</td>
<td></td>
</tr>
<tr>
<td>Para. 7.2</td>
<td>Use of equivalents and modern technology – communication of information to the Organization</td>
<td></td>
</tr>
<tr>
<td>Annex 1, part 3/3.3</td>
<td>Structural core of a material other than steel or aluminium alloy – decision on limits for rise in temperature</td>
<td></td>
</tr>
<tr>
<td>Annex 1, part 3, appendix 1, Para. 2.3.2.9</td>
<td>Insulation system of &quot;A&quot; class door – approval to the same standard as that which the door is intended to achieve</td>
<td></td>
</tr>
<tr>
<td><strong>LSA Code</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Para. 1.2.3</td>
<td>Determine the period of acceptability of life-saving appliances (LSAs) subject to deterioration with age</td>
<td></td>
</tr>
<tr>
<td>Para. 4.4.1.2</td>
<td>Endorsement of lifeboat affixed approval plate</td>
<td></td>
</tr>
<tr>
<td>Para. 4.5.4</td>
<td>Fixed two-way VHF radiotelephone apparatus – sheltered space</td>
<td></td>
</tr>
<tr>
<td>Para. 5.1.1.4</td>
<td>Rescue boats – combination of rigid and inflatable construction</td>
<td></td>
</tr>
<tr>
<td>Para. 5.1.3.8</td>
<td>Rubbing strips on inflated rescue boats</td>
<td></td>
</tr>
<tr>
<td>Paras. 6.1.2.9 and 6.1.2.10</td>
<td>Lowering speed of a fully equipped liferaft</td>
<td></td>
</tr>
</tbody>
</table>
### SPECIFIC FLAG STATE OBLIGATIONS

<table>
<thead>
<tr>
<th>SOURCE</th>
<th>SUMMARY DESCRIPTION</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Para. 6.2.1.2</td>
<td>Marine evacuation systems (MESs) – strength and construction of passage and platform</td>
<td></td>
</tr>
<tr>
<td>Para. 7.2.2.1</td>
<td>Broadcast of messages from other places on board</td>
<td></td>
</tr>
<tr>
<td>Res.MSC.402(96)</td>
<td>Requirements for maintenance, thorough examination, operational testing, overhaul and repair of lifeboats and rescue boats, launching appliances and release gear</td>
<td></td>
</tr>
<tr>
<td>Para. 7.2</td>
<td>Availability to the information regarding authorized service providers</td>
<td></td>
</tr>
<tr>
<td>Para. 7.4.1</td>
<td>Issuance of an authorization document upon initial audit</td>
<td></td>
</tr>
<tr>
<td>Para. 7.4.2</td>
<td>Periodic audit and if not in compliance, withdrawal of the authorization of service providers</td>
<td></td>
</tr>
<tr>
<td>1994 HSC Code</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Para. 1.3.5</td>
<td>Verification</td>
<td></td>
</tr>
<tr>
<td>Para. 1.4.29</td>
<td>Determination of &quot;maximum operational weight&quot;</td>
<td></td>
</tr>
<tr>
<td>Para. 1.5.1.2</td>
<td>Specifying intervals for renewal surveys</td>
<td></td>
</tr>
<tr>
<td>Para. 1.5.4</td>
<td>Inspection and survey</td>
<td></td>
</tr>
<tr>
<td>Para. 1.5.5</td>
<td>Recognized organizations and nominated surveyors</td>
<td></td>
</tr>
<tr>
<td>Para. 1.5.7</td>
<td>Completeness of survey and inspection</td>
<td></td>
</tr>
<tr>
<td>Para. 1.8.1</td>
<td>Issue/endorsement of certificate</td>
<td></td>
</tr>
<tr>
<td>Para. 1.9.2</td>
<td>Issue of permit to operate</td>
<td></td>
</tr>
<tr>
<td>Para. 1.11.2</td>
<td>Equivalents – reporting</td>
<td></td>
</tr>
<tr>
<td>Para. 1.12.1</td>
<td>Adequate information and guidance provided to the craft by the company</td>
<td></td>
</tr>
<tr>
<td>Paras. 1.13.2 and 1.13.3</td>
<td>Adequate information and guidance provided to the craft by the company</td>
<td></td>
</tr>
<tr>
<td>SOURCE</td>
<td>SUMMARY DESCRIPTION</td>
<td>COMMENTS</td>
</tr>
<tr>
<td>--------</td>
<td>---------------------</td>
<td>----------</td>
</tr>
<tr>
<td>Para. 1.14.1</td>
<td>Investigation reports to IMO</td>
<td></td>
</tr>
<tr>
<td>Paras. 2.7.4 and 2.14.2</td>
<td>Inclining and stability information – approval</td>
<td></td>
</tr>
<tr>
<td>Para. 3.4</td>
<td>Determination of service life</td>
<td></td>
</tr>
<tr>
<td>Para. 3.5</td>
<td>Design criteria</td>
<td></td>
</tr>
<tr>
<td>Para. 4.8.3</td>
<td>Documentation and verification of evacuation time</td>
<td></td>
</tr>
<tr>
<td>Para. 7.5.6.3</td>
<td>Safe outlets for exhaust fans in fuel tank spaces</td>
<td></td>
</tr>
<tr>
<td>Para. 7.7.2.3.2</td>
<td>Sensitivity limits of smoke detectors</td>
<td></td>
</tr>
<tr>
<td>Para. 7.7.6.1.5</td>
<td>Additional quantity of fire-extinguishing medium</td>
<td></td>
</tr>
<tr>
<td>Para. 7.7.6.1.12</td>
<td>Containers for the storage of fire-extinguishing medium, etc. – design</td>
<td></td>
</tr>
<tr>
<td>Para. 7.7.8.5</td>
<td>Maximum length of fire hoses</td>
<td></td>
</tr>
<tr>
<td>Para. 8.1</td>
<td>Approval and acceptance of LSA and arrangements</td>
<td></td>
</tr>
<tr>
<td>Para. 8.9.1.2</td>
<td>Approval of novel LSAs or arrangements</td>
<td></td>
</tr>
<tr>
<td>Para. 8.9.1.3</td>
<td>Notifying the Organization</td>
<td></td>
</tr>
<tr>
<td>Para. 8.9.7.1.2</td>
<td>Approval of servicing stations</td>
<td></td>
</tr>
<tr>
<td>Para. 8.9.7.2</td>
<td>Deployment intervals of MES</td>
<td></td>
</tr>
<tr>
<td>Para. 8.9.11</td>
<td>Novel LSAs or arrangements</td>
<td></td>
</tr>
<tr>
<td>Para. 8.9.12</td>
<td>Notifying the Organization</td>
<td></td>
</tr>
<tr>
<td>Para. 10.2.4.9</td>
<td>Flexible oil fuel pipes</td>
<td></td>
</tr>
<tr>
<td>Para. 10.3.7</td>
<td>Internal diameters of suction branches</td>
<td></td>
</tr>
<tr>
<td>Para. 12.6.2</td>
<td>Specified voltages to earth</td>
<td></td>
</tr>
<tr>
<td>SOURCE</td>
<td>SUMMARY DESCRIPTION</td>
<td>COMMENTS</td>
</tr>
<tr>
<td>-------------</td>
<td>-------------------------------------------------------------------------------------</td>
<td>----------</td>
</tr>
<tr>
<td>Para. 13.1.2</td>
<td>Navigational equipment and its installation</td>
<td></td>
</tr>
<tr>
<td>Para. 13.13</td>
<td>Approval of systems, equipment and performance standards</td>
<td></td>
</tr>
<tr>
<td>Para. 14.3.3</td>
<td>Exemptions – reporting</td>
<td></td>
</tr>
<tr>
<td>Para. 14.13.1</td>
<td>Type approval</td>
<td></td>
</tr>
<tr>
<td>Para. 14.14.5</td>
<td>Ensuring maintenance</td>
<td></td>
</tr>
<tr>
<td>Para. 14.15</td>
<td>Radio personnel</td>
<td></td>
</tr>
<tr>
<td>Para. 14.16</td>
<td>Radio records</td>
<td></td>
</tr>
<tr>
<td>Para. 15.3.1</td>
<td>Operating station – field of vision</td>
<td></td>
</tr>
<tr>
<td>Para. 15.7.2</td>
<td>Ensuring clear view through windows</td>
<td></td>
</tr>
<tr>
<td>Para. 17.8</td>
<td>Acceleration and deceleration</td>
<td></td>
</tr>
<tr>
<td>Para. 18.1.4</td>
<td>Determining maximum allowable distance from a base port or place of refuge</td>
<td></td>
</tr>
<tr>
<td>Para. 18.2</td>
<td>Craft documentation</td>
<td></td>
</tr>
<tr>
<td>Paras. 18.3.1 to 18.3.7</td>
<td>Training and qualifications</td>
<td></td>
</tr>
<tr>
<td>Chapter 19</td>
<td>Inspection and maintenance requirements</td>
<td></td>
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</tbody>
</table>

**2000 HSC Code**

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<thead>
<tr>
<th>SOURCE</th>
<th>SUMMARY DESCRIPTION</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Para. 1.3.7</td>
<td>Verification</td>
<td></td>
</tr>
<tr>
<td>Para. 1.4.37</td>
<td>Determination of &quot;maximum operational weight&quot;</td>
<td></td>
</tr>
<tr>
<td>Para. 1.5.1.2</td>
<td>Specifying intervals for renewal surveys</td>
<td></td>
</tr>
<tr>
<td>Para. 1.5.4</td>
<td>Inspection and survey</td>
<td></td>
</tr>
<tr>
<td>Para. 1.5.5</td>
<td>Recognized organizations and nominated surveyors</td>
<td></td>
</tr>
<tr>
<td>Para. 1.5.7</td>
<td>Completeness of survey and inspection</td>
<td></td>
</tr>
</tbody>
</table>
## SPECIFIC FLAG STATE OBLIGATIONS

<table>
<thead>
<tr>
<th>SOURCE</th>
<th>SUMMARY DESCRIPTION</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Para. 1.7.3</td>
<td>Investigation to determine the need of survey</td>
<td></td>
</tr>
<tr>
<td>Para. 1.8.1</td>
<td>Issue/endorsement of certificate</td>
<td></td>
</tr>
<tr>
<td>Para. 1.9.1.1.4</td>
<td>Transit voyage – arrangements satisfactory</td>
<td></td>
</tr>
<tr>
<td>Para. 1.9.2</td>
<td>Issue of permit to operate</td>
<td></td>
</tr>
<tr>
<td>Para. 1.9.7</td>
<td>Worst intended conditions and operational limitations</td>
<td></td>
</tr>
<tr>
<td>Para. 1.11.2</td>
<td>Equivalents – reporting</td>
<td></td>
</tr>
<tr>
<td>Para. 1.12.1</td>
<td>Adequate information and guidance provided to the craft by the company</td>
<td></td>
</tr>
<tr>
<td>Paras. 1.13.2 and 1.13.3</td>
<td>Novel designs</td>
<td></td>
</tr>
<tr>
<td>Para. 1.14.1</td>
<td>Investigation reports to IMO</td>
<td></td>
</tr>
<tr>
<td>Para. 2.9.3</td>
<td>Verification of load line marks</td>
<td></td>
</tr>
<tr>
<td>Paras. 2.7.5 and 2.14.2</td>
<td>Inclining and stability information – approval</td>
<td></td>
</tr>
<tr>
<td>Para. 3.4</td>
<td>Determination of service life</td>
<td></td>
</tr>
<tr>
<td>Para. 3.5</td>
<td>Design criteria</td>
<td></td>
</tr>
<tr>
<td>Para. 4.2.2</td>
<td>Approval of public address system</td>
<td></td>
</tr>
<tr>
<td>Para. 4.8.3</td>
<td>Documentation and verification of evacuation time</td>
<td></td>
</tr>
<tr>
<td>Para. 4.8.10</td>
<td>Evacuation demonstration</td>
<td></td>
</tr>
<tr>
<td>Para. 7.3.3</td>
<td>Approval of structural fire protection details</td>
<td></td>
</tr>
<tr>
<td>Para. 7.5.6.3</td>
<td>Safe outlets for exhaust fans in fuel tank spaces</td>
<td></td>
</tr>
<tr>
<td>Para. 7.7.1.1.8</td>
<td>Limitation of number of enclosed spaces in each section</td>
<td></td>
</tr>
<tr>
<td>Para. 7.7.1.3.2</td>
<td>Sensitivity limits of smoke detectors</td>
<td></td>
</tr>
</tbody>
</table>
## SPECIFIC FLAG STATE OBLIGATIONS

<table>
<thead>
<tr>
<th>SOURCE</th>
<th>SUMMARY DESCRIPTION</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Para. 7.7.3.3.6</td>
<td>Additional quantity of fire-extinguishing medium</td>
<td></td>
</tr>
<tr>
<td>Para. 7.17.1</td>
<td>Reduced requirements for cargo craft of less than 500 GT</td>
<td></td>
</tr>
<tr>
<td>Para. 7.17.3.1.5</td>
<td>Water spray system – approval</td>
<td></td>
</tr>
<tr>
<td>Para. 7.17.3.3</td>
<td>Smoke detection systems – equivalent protection</td>
<td></td>
</tr>
<tr>
<td>Para. 7.17.4</td>
<td>Issue of Document of Compliance for craft carrying dangerous goods</td>
<td></td>
</tr>
<tr>
<td>Para. 8.1</td>
<td>Approval and acceptance of LSA and arrangements</td>
<td></td>
</tr>
<tr>
<td>Para. 8.9.7.1.2</td>
<td>Approval of servicing stations</td>
<td></td>
</tr>
<tr>
<td>Para. 8.9.8</td>
<td>Rotational deployment of marine evacuation systems</td>
<td></td>
</tr>
<tr>
<td>Para. 8.9.11</td>
<td>Extension of life raft service intervals – notification</td>
<td></td>
</tr>
<tr>
<td>Para. 8.11</td>
<td>Helicopter pick-up areas – approval</td>
<td></td>
</tr>
<tr>
<td>Para. 10.2.4.9</td>
<td>Flexible oil fuel pipes</td>
<td></td>
</tr>
<tr>
<td>Para. 10.3.7</td>
<td>Internal diameters of suction branches</td>
<td></td>
</tr>
<tr>
<td>Para. 12.6.2</td>
<td>Specified voltages to earth</td>
<td></td>
</tr>
<tr>
<td>Para. 13.1.2</td>
<td>Shipborne navigational systems and equipment and voyage data recorders and their installation</td>
<td></td>
</tr>
<tr>
<td>Para. 13.17</td>
<td>Type approval</td>
<td></td>
</tr>
<tr>
<td>Para. 14.3.3</td>
<td>Exemptions – reporting</td>
<td></td>
</tr>
<tr>
<td>Para. 14.4.2</td>
<td>GMDSS Identities – suitable arrangements</td>
<td></td>
</tr>
<tr>
<td>Para. 14.14.1</td>
<td>Type approval</td>
<td></td>
</tr>
<tr>
<td>Para. 14.15.5</td>
<td>Ensuring maintenance</td>
<td></td>
</tr>
<tr>
<td>SOURCE</td>
<td>SUMMARY DESCRIPTION</td>
<td>COMMENTS</td>
</tr>
<tr>
<td>--------</td>
<td>---------------------</td>
<td>----------</td>
</tr>
<tr>
<td>Para. 14.16</td>
<td>Radio personnel</td>
<td></td>
</tr>
<tr>
<td>Para. 14.17</td>
<td>Radio records</td>
<td></td>
</tr>
<tr>
<td>Para. 15.3.1</td>
<td>Operating station – field of vision</td>
<td></td>
</tr>
<tr>
<td>Para. 15.7.2</td>
<td>Ensuring clear view through windows</td>
<td></td>
</tr>
<tr>
<td>Para. 17.8</td>
<td>Acceleration and deceleration</td>
<td></td>
</tr>
<tr>
<td>Para. 18.1.4</td>
<td>Determining maximum allowable distance from a base port or place of refuge</td>
<td></td>
</tr>
<tr>
<td>Para. 18.2</td>
<td>Craft documentation</td>
<td></td>
</tr>
<tr>
<td>Paras. 18.3.1 to 18.3.7</td>
<td>Training and qualifications</td>
<td></td>
</tr>
<tr>
<td>Chapter 19</td>
<td>Inspection and maintenance requirements</td>
<td></td>
</tr>
</tbody>
</table>

**2011 ESP Code**

**Annex A, part A Single-side skin bulk carriers**

<table>
<thead>
<tr>
<th>PARA</th>
<th>SUMMARY DESCRIPTION</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Para. 3.3.4</td>
<td>Supervision on repair of cargo hatch securing system</td>
<td></td>
</tr>
<tr>
<td>Para. 5.1.1</td>
<td>Cooperation on development of a specific survey programme</td>
<td></td>
</tr>
<tr>
<td>Para. 5.1.4</td>
<td>Advice on the maximum acceptable structural diminution levels</td>
<td></td>
</tr>
<tr>
<td>Para. 5.2.2</td>
<td>Agreement on provisions for proper and safe access</td>
<td></td>
</tr>
<tr>
<td>Para. 9.1.2</td>
<td>Evaluation of survey report</td>
<td></td>
</tr>
<tr>
<td>Para. 9.2.3</td>
<td>Endorsement on condition evaluation report</td>
<td></td>
</tr>
<tr>
<td>Annex 4B, Para. 1</td>
<td>Cooperation on development of a survey programme</td>
<td></td>
</tr>
<tr>
<td>Annex 5, Para. 3.1</td>
<td>Certification of a firm engaged in thickness measurement</td>
<td></td>
</tr>
<tr>
<td>Annex 13, Para. 3</td>
<td>Approval of materials and welding</td>
<td></td>
</tr>
<tr>
<td>SOURCE</td>
<td>SUMMARY DESCRIPTION</td>
<td>COMMENTS</td>
</tr>
<tr>
<td>--------</td>
<td>---------------------</td>
<td>----------</td>
</tr>
<tr>
<td>Annex A, part B&lt;br&gt;Double-side skin bulk carriers&lt;br&gt;Para. 3.3.4</td>
<td>Supervision on repair of cargo hatch securing system</td>
<td></td>
</tr>
<tr>
<td>Para. 5.1.1</td>
<td>Cooperation on development of a specific survey programme</td>
<td></td>
</tr>
<tr>
<td>Para. 5.1.4</td>
<td>Advice on the maximum acceptable structural diminution levels</td>
<td></td>
</tr>
<tr>
<td>Para. 5.2.2</td>
<td>Agreement on provisions for proper and safe access</td>
<td></td>
</tr>
<tr>
<td>Para. 9.1.2</td>
<td>Evaluation of survey report</td>
<td></td>
</tr>
<tr>
<td>Para. 9.2.3</td>
<td>Endorsement on condition evaluation report</td>
<td></td>
</tr>
<tr>
<td>Annex 4B, Para. 1</td>
<td>Cooperation on development of a survey programme</td>
<td></td>
</tr>
<tr>
<td>Annex 5, Para. 3.1</td>
<td>Certification of a firm engaged in thickness measurement</td>
<td></td>
</tr>
<tr>
<td>Annex 11, Para. 3</td>
<td>Approval of materials and welding</td>
<td></td>
</tr>
<tr>
<td><strong>Annex B, part A&lt;br&gt;Double hull oil tankers</strong>&lt;br&gt;Para. 5.1.1</td>
<td>Cooperation on development of a specific survey programme</td>
<td></td>
</tr>
<tr>
<td>Para. 5.1.4</td>
<td>Advice on the maximum acceptable structural diminution levels</td>
<td></td>
</tr>
<tr>
<td>Para. 5.2.1.1</td>
<td>Agreement on provisions for proper and safe access</td>
<td></td>
</tr>
<tr>
<td>Para. 9.1.3</td>
<td>Evaluation of survey report</td>
<td></td>
</tr>
<tr>
<td>Para. 9.2.3</td>
<td>Endorsement on condition evaluation report</td>
<td></td>
</tr>
<tr>
<td>Annex 7B</td>
<td>Cooperation on development of a survey programme</td>
<td></td>
</tr>
<tr>
<td>SOURCE</td>
<td>SUMMARY DESCRIPTION</td>
<td>COMMENTS</td>
</tr>
<tr>
<td>--------</td>
<td>---------------------</td>
<td>----------</td>
</tr>
<tr>
<td>Annex 8, Para. 3.1</td>
<td>Certification of a firm engaged in thickness measurement</td>
<td></td>
</tr>
<tr>
<td><strong>Annex B, part B</strong>&lt;br&gt;Oil tankers other than double hull oil tankers</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Para. 5.1.1</td>
<td>Cooperation on development of a specific survey programme</td>
<td></td>
</tr>
<tr>
<td>Para. 5.1.4</td>
<td>Advice on the maximum acceptable structural diminution levels</td>
<td></td>
</tr>
<tr>
<td>Para. 5.2.1.1</td>
<td>Agreement on provisions for proper and safe access</td>
<td></td>
</tr>
<tr>
<td>Para. 8.1.3</td>
<td>Evaluation of survey report</td>
<td></td>
</tr>
<tr>
<td>Para. 8.2.3</td>
<td>Endorsement on condition evaluation report</td>
<td></td>
</tr>
<tr>
<td>Annex 6B</td>
<td>Cooperation on development of a survey programme</td>
<td></td>
</tr>
<tr>
<td>Annex 7, Para. 3.1</td>
<td>Certification of a firm engaged in thickness measurement</td>
<td></td>
</tr>
<tr>
<td><strong>Res. 4 of the 1997 SOLAS Conference</strong>&lt;br&gt;Section 5</td>
<td>Dimension and selection of weld connections and materials</td>
<td></td>
</tr>
<tr>
<td><strong>Res. MSC.168(79)</strong></td>
<td>Standards and criteria for side structures of bulk carriers of single-side skin construction</td>
<td></td>
</tr>
<tr>
<td>Para. 2.1</td>
<td>Applicable national standards</td>
<td></td>
</tr>
<tr>
<td>Para. 4.4</td>
<td>Applicable national standards</td>
<td></td>
</tr>
<tr>
<td>Para. 4.5</td>
<td>Applicable national standards</td>
<td></td>
</tr>
<tr>
<td>SOURCE</td>
<td>SUMMARY DESCRIPTION</td>
<td>COMMENTS</td>
</tr>
<tr>
<td>--------</td>
<td>---------------------</td>
<td>----------</td>
</tr>
<tr>
<td><strong>NO\textsubscript{X} Technical Code 2008</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chapter 1</td>
<td>Assumption of full responsibility for the approval of documentation as required by the Code together with the acceptance of procedures and alternatives as permitted by the Code</td>
<td></td>
</tr>
<tr>
<td>Chapter 2</td>
<td>Issue of the Engine International Air Pollution Prevention Certificate, arrangements for the parent engine test and pre-certification of engines, usage of the engine family/engine group concepts and approval of the technical file and any subsequent amendments</td>
<td></td>
</tr>
<tr>
<td>Chapter 2, Para. 2.2.5.1</td>
<td>Approval and pre-certification of the combined engine/NO\textsubscript{X}-reducing device</td>
<td></td>
</tr>
<tr>
<td>Chapter 3</td>
<td>Acceptance of modification of engine speed at E2 test cycle 25% power mode point</td>
<td></td>
</tr>
<tr>
<td>Chapter 4</td>
<td>Assignment of engine family/engine group status, as applicable, and selection of associated parent engine; acceptance of conformity of production arrangements; adjustment of parent engine relative to engine group reference values</td>
<td></td>
</tr>
<tr>
<td>Chapter 5</td>
<td>Ensuring that the parent engine test and subsequent calculations are undertaken in accordance with Code requirements and that, where alternatives are applied, these meet the Code's equivalency requirements and any deviations are within the permitted margins; filing of parent engine test report</td>
<td></td>
</tr>
<tr>
<td>SOURCE</td>
<td>SUMMARY DESCRIPTION</td>
<td>COMMENTS</td>
</tr>
<tr>
<td>--------</td>
<td>---------------------</td>
<td>----------</td>
</tr>
<tr>
<td>Chapter 6</td>
<td>Onboard NO\textsubscript{X} verification procedures are in accordance with the provisions of the Code and are adequate to provide verification that an engine, as so surveyed, will be in accordance with the applicable Annex VI requirements; acceptance of aspects within onboard NO\textsubscript{X} verification procedure – simplified measurement method if applicable; approval of aspects within onboard NO\textsubscript{X} verification procedure – direct measurement and monitoring method including the onboard monitoring manual, if applicable</td>
<td></td>
</tr>
<tr>
<td>Chapter 6, Para. 6.2.2</td>
<td>Approval of an electronic record book concerning the entries required under the Code</td>
<td></td>
</tr>
<tr>
<td>Chapter 7</td>
<td>Installation of approved method – amendment of IAPP Certificate</td>
<td></td>
</tr>
<tr>
<td>Appendix IV</td>
<td>Verification that the calibration of all necessary measurement equipment meets Code requirements</td>
<td></td>
</tr>
<tr>
<td>Appendix VII</td>
<td>Aspects to be included within onboard NO\textsubscript{X} verification procedure – parameter check method</td>
<td></td>
</tr>
<tr>
<td>Appendix VIII</td>
<td>Approval of alternative exhaust gas measurement principles</td>
<td></td>
</tr>
<tr>
<td><strong>IBC CODE</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Para. 1.1.6</td>
<td>Prescribe preliminary suitable conditions for carriage of products not listed in chapters 17 or 18</td>
<td></td>
</tr>
<tr>
<td>Para. 1.4.2</td>
<td>Equivalents – communication to IMO</td>
<td></td>
</tr>
<tr>
<td>Section 1.5</td>
<td>Survey and certification</td>
<td></td>
</tr>
<tr>
<td>Para. 1.5.4</td>
<td>Issue or endorsement of certificate</td>
<td></td>
</tr>
<tr>
<td>Para. 2.2.2</td>
<td>Intact stability in all seagoing conditions</td>
<td></td>
</tr>
<tr>
<td>Para. 2.2.3</td>
<td>Free surface effect in undamaged compartments</td>
<td></td>
</tr>
<tr>
<td>SOURCE</td>
<td>SUMMARY DESCRIPTION</td>
<td>COMMENTS</td>
</tr>
<tr>
<td>----------------</td>
<td>--------------------------------------------------------------------------------------</td>
<td>----------</td>
</tr>
<tr>
<td>Para. 2.2.6.3</td>
<td>Issuing a document of approval for the stability instrument</td>
<td></td>
</tr>
<tr>
<td>Section 2.4</td>
<td>Conditions of loading</td>
<td></td>
</tr>
<tr>
<td>Para. 2.8.1.6</td>
<td>Standard of damage</td>
<td></td>
</tr>
<tr>
<td>Para. 2.8.2</td>
<td>Standard of damage – alternative measures</td>
<td></td>
</tr>
<tr>
<td>Para. 2.9.2.3</td>
<td>Residual stability during intermediate stages of flooding</td>
<td></td>
</tr>
<tr>
<td>Para. 3.4.4</td>
<td>Access to spaces in the cargo area</td>
<td></td>
</tr>
<tr>
<td>Para. 3.7.3.5</td>
<td>Alternative arrangements for draining the piping</td>
<td></td>
</tr>
<tr>
<td>Para. 3.7.4</td>
<td>Relaxation for small ships</td>
<td></td>
</tr>
<tr>
<td>Para. 5.1.6.4</td>
<td>Dimensions for flanges not complying with the standards</td>
<td></td>
</tr>
<tr>
<td>Para. 5.2.2</td>
<td>Piping fabrication and joining details</td>
<td></td>
</tr>
<tr>
<td>Para. 7.1.1</td>
<td>Cargo temperature control – general</td>
<td></td>
</tr>
<tr>
<td>Para. 8.3.6</td>
<td>Devices to prevent the passage of flames into cargo tanks – requirements for the</td>
<td></td>
</tr>
<tr>
<td></td>
<td>design, testing and locating</td>
<td></td>
</tr>
<tr>
<td>Para. 10.1.3</td>
<td>Electrical installations – appropriate steps for uniform implementation</td>
<td></td>
</tr>
<tr>
<td>Para. 10.1.4</td>
<td>Electric equipment, cables and wiring that do not conform to the standard</td>
<td></td>
</tr>
<tr>
<td>Para. 10.1.5</td>
<td>Electrical equipment in hazardous locations</td>
<td></td>
</tr>
<tr>
<td>Para. 11.2.2</td>
<td>Approval of an appropriate fire-extinguishing system</td>
<td></td>
</tr>
<tr>
<td>Para. 11.3.2</td>
<td>Cargo area – additional arrangements</td>
<td></td>
</tr>
<tr>
<td>Para. 11.3.5.3</td>
<td>Cargo area – minimum capacity of monitor</td>
<td></td>
</tr>
<tr>
<td>SOURCE</td>
<td>SUMMARY DESCRIPTION</td>
<td>COMMENTS</td>
</tr>
<tr>
<td>------------------------</td>
<td>--------------------------------------------------------------------------------------</td>
<td>----------</td>
</tr>
<tr>
<td>Para. 11.3.7</td>
<td>Minimum capacity of foam monitor for ships less than 4,000 tonnes deadweight</td>
<td></td>
</tr>
<tr>
<td>Para. 11.3.13</td>
<td>Alternative provisions to deck foam system</td>
<td></td>
</tr>
<tr>
<td>Para. 13.2.3</td>
<td>Exemption of toxic-vapour-detection equipment</td>
<td></td>
</tr>
<tr>
<td>Para. 14.1.2</td>
<td>Protective equipment</td>
<td></td>
</tr>
<tr>
<td>Chapter 15</td>
<td>Approval of special requirements for specific chemicals</td>
<td></td>
</tr>
<tr>
<td>Para. 16.2.2</td>
<td>Cargo information – independent expert</td>
<td></td>
</tr>
<tr>
<td>Para. 16.5.1</td>
<td>Stowage of cargo samples – approval</td>
<td></td>
</tr>
<tr>
<td>Para. 18.2</td>
<td>Safety requirements – list of products to which the Code does not apply</td>
<td></td>
</tr>
</tbody>
</table>

**BCH CODE**

<table>
<thead>
<tr>
<th>PARA</th>
<th>SUMMARY DESCRIPTION</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Para. 1.5.2</td>
<td>Equivalents – communication to IMO</td>
<td></td>
</tr>
<tr>
<td>Section 1.6</td>
<td>Survey requirements</td>
<td></td>
</tr>
<tr>
<td>Para. 1.6.4</td>
<td>Issue or endorsement of certificate</td>
<td></td>
</tr>
<tr>
<td>Section 1.8</td>
<td>New products – establishing suitable conditions – notifying IMO</td>
<td></td>
</tr>
<tr>
<td>Para. 2.2.1.2.2</td>
<td>Issuing a document of approval for the stability instrument</td>
<td></td>
</tr>
<tr>
<td>Para. 2.2.4</td>
<td>Determination of the ability to survive flooding of the machinery space in Type 3 below 125 m in length</td>
<td></td>
</tr>
<tr>
<td>Para. 2.2.5</td>
<td>Nature of alternative measures prescribed for small ships – duly noted on certificate</td>
<td></td>
</tr>
<tr>
<td>Para. 2.9.5</td>
<td>Access to void spaces, cargo tanks, etc. – approval of smaller dimensions in special circumstances</td>
<td></td>
</tr>
<tr>
<td>SOURCE</td>
<td>SUMMARY DESCRIPTION</td>
<td>COMMENTS</td>
</tr>
<tr>
<td>-----------------------------</td>
<td>---------------------------------------------------------------</td>
<td>----------</td>
</tr>
<tr>
<td>Section 2.10</td>
<td>Cargo piping systems – setting standards</td>
<td></td>
</tr>
<tr>
<td>Section 2.12</td>
<td>Cargo hoses – setting standards</td>
<td></td>
</tr>
<tr>
<td>Para. 2.14.2</td>
<td>High-velocity vent valves – type approval</td>
<td></td>
</tr>
<tr>
<td>Para. 2.15.1</td>
<td>Cargo heating and cooling systems</td>
<td></td>
</tr>
<tr>
<td>Para. 3.1.2(f)</td>
<td>Ventilation fans – approval</td>
<td></td>
</tr>
<tr>
<td>Para. 3.14.1</td>
<td>Alternative provisions for ships dedicated to the carriage of specific cargoes</td>
<td></td>
</tr>
<tr>
<td>Para. 3.14.2</td>
<td>Additional arrangements when foam is not effective or is incompatible</td>
<td></td>
</tr>
<tr>
<td>Para. 3.14.7</td>
<td>Foam monitors on ships of less than 4,000 tonnes deadweight – minimum capacity</td>
<td></td>
</tr>
<tr>
<td>Para. 3.15.2</td>
<td>Protection of cargo pump-rooms with fire-extinguishing systems – approval</td>
<td></td>
</tr>
<tr>
<td>Para. 3.15.5</td>
<td>Products evolving flammable vapours – fire-extinguishing systems – approval</td>
<td></td>
</tr>
<tr>
<td>Chapter IV</td>
<td>Approval of special requirements for specific chemicals</td>
<td></td>
</tr>
</tbody>
</table>

**IGC CODE**

<table>
<thead>
<tr>
<th>SOURCE</th>
<th>SUMMARY DESCRIPTION</th>
<th>COMMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Para. 1.1.2.3</td>
<td>Compliance with relevant requirements for existing ships</td>
<td></td>
</tr>
<tr>
<td>Para. 1.1.6.1</td>
<td>Establishment of a Tripartite Agreement, where applicable</td>
<td></td>
</tr>
<tr>
<td>Para. 1.1.6.3</td>
<td>Assessment form and a proposal for a new and complete entry – submission to IMO</td>
<td></td>
</tr>
<tr>
<td>Para. 1.1.10</td>
<td>Implementation of the Code for ships operating in operation modes as referred to in the paragraph</td>
<td></td>
</tr>
<tr>
<td>Para. 1.3.2</td>
<td>Equivalents – communication to IMO</td>
<td></td>
</tr>
<tr>
<td>SOURCE</td>
<td>SUMMARY DESCRIPTION</td>
<td>COMMENTS</td>
</tr>
<tr>
<td>--------</td>
<td>----------------------</td>
<td>----------</td>
</tr>
<tr>
<td>Paras. 1.4.1.1, 1.4.1.5, 1.4.6</td>
<td>Survey and certification</td>
<td></td>
</tr>
<tr>
<td>Para. 1.4.1.3</td>
<td>Information of nominated surveyors or ROs – communication to IMO</td>
<td></td>
</tr>
<tr>
<td>Para. 1.4.4</td>
<td>Issue or endorsement of certificate</td>
<td></td>
</tr>
<tr>
<td>Para. 1.4.6.9.3</td>
<td>Flag changes – providing information regarding survey and certificate</td>
<td></td>
</tr>
<tr>
<td>Para. 2.2.6.3</td>
<td>Issuing a document of approval for the stability instrument</td>
<td></td>
</tr>
<tr>
<td>Para. 2.2.8</td>
<td>Damage survival capability investigation</td>
<td></td>
</tr>
<tr>
<td>Para. 2.6.2</td>
<td>Alternative measures – approval</td>
<td></td>
</tr>
<tr>
<td>Para. 4.3.6</td>
<td>Inspection/survey plan for the cargo containment system – approval</td>
<td></td>
</tr>
<tr>
<td>Para. 4.6.2.5</td>
<td>Inspection/test means for secondary barrier – approval</td>
<td></td>
</tr>
<tr>
<td>Para. 4.14.1.3</td>
<td>Methods to predict accelerations due to ship motion – approval</td>
<td></td>
</tr>
<tr>
<td>Para. 4.18.1.5</td>
<td>Allowable stress for materials other than those covered by chapter 6 – approval</td>
<td></td>
</tr>
<tr>
<td>Para. 4.18.2.6.3</td>
<td>Load distribution and sequence for longer periods – approval</td>
<td></td>
</tr>
<tr>
<td>Para. 4.19.1.6.3</td>
<td>Design and construction of the heating system – approval</td>
<td></td>
</tr>
<tr>
<td>Para. 4.20.3.3</td>
<td>Determining requirements of inspection for secondary barriers</td>
<td></td>
</tr>
<tr>
<td>Para. 6.4.1.1</td>
<td>Requirements for metallic materials as referred to in tables 6.1 to 6.5 of IGC Code</td>
<td></td>
</tr>
<tr>
<td>Para. 6.6.3</td>
<td>Requirements for testing and inspection of secondary barriers</td>
<td></td>
</tr>
<tr>
<td>Para. 8.2.6</td>
<td>Setting and sealing of pressure relief valves (PRVs)</td>
<td></td>
</tr>
<tr>
<td>SOURCE</td>
<td>SUMMARY DESCRIPTION</td>
<td>COMMENTS</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>-----------------------------------------------------------------------</td>
<td>----------</td>
</tr>
<tr>
<td>Para. 8.2.18</td>
<td>Adequacy of the vent system fitted on tanks</td>
<td></td>
</tr>
<tr>
<td>Para. 10.2.4</td>
<td>Recognition of accredited testing authority or notified body</td>
<td></td>
</tr>
<tr>
<td>Para. 11.4.1</td>
<td>Fixed dry chemical powder fire-extinguishing systems – approval</td>
<td></td>
</tr>
<tr>
<td>Para. 13.6.16</td>
<td>Vapour concentration value at which alarm in primary space is set – approval</td>
<td></td>
</tr>
<tr>
<td>Para. 15.6.1</td>
<td>Information on maximum allowable loading limits – approval</td>
<td></td>
</tr>
<tr>
<td>Para. 17.14.7</td>
<td>Maximum set pressure of PRVs (Ethylene oxide) – approval</td>
<td></td>
</tr>
<tr>
<td>Para. 17.18.24</td>
<td>Cargo handling plans – approval</td>
<td></td>
</tr>
<tr>
<td>Para. 18.2.1</td>
<td>Cargo system operation manuals – approval</td>
<td></td>
</tr>
<tr>
<td><strong>STCW Code, part A</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Section A-I/10.2</td>
<td>Withdrawal of endorsement of recognition – communication to the Party that issued the certificate</td>
<td></td>
</tr>
<tr>
<td>Section A-II/4.4</td>
<td>Determining the requirements of training, assessment and certification where there are no tables of competence for the support level</td>
<td></td>
</tr>
<tr>
<td>Section A-III/4.4</td>
<td>Determining the requirements of training, assessment and certification where there are no tables of competence for the support level</td>
<td></td>
</tr>
<tr>
<td>Section A-VIII/1.1</td>
<td>Fitness for duty – consideration of the danger posed by fatigue of seafarers</td>
<td></td>
</tr>
<tr>
<td>Section A-VIII/1.5</td>
<td>Requirement for watch schedules to be posted in a standardized form</td>
<td></td>
</tr>
<tr>
<td>Section A-VIII/1.7</td>
<td>Requirement for maintaining records of daily hours of rest of seafarers</td>
<td></td>
</tr>
<tr>
<td>SOURCE</td>
<td>SUMMARY DESCRIPTION</td>
<td>COMMENTS</td>
</tr>
<tr>
<td>--------</td>
<td>---------------------</td>
<td>----------</td>
</tr>
<tr>
<td>Section A-VIII/1.10</td>
<td>Establishment of a limit of alcohol concentration for personnel performing designated duties</td>
<td></td>
</tr>
<tr>
<td>Section A-VIII/2.84</td>
<td>Principles to be observed in keeping radio watch – directing the attention of companies, masters and radio watchkeeping personnel to comply with provisions of part 4-3 to ensure that an adequate safety radio watch is maintained while the ship is at sea</td>
<td></td>
</tr>
<tr>
<td><strong>Res. MEPC.94(46), as amended</strong></td>
<td>Condition assessment scheme</td>
<td></td>
</tr>
<tr>
<td>Para. 4.1</td>
<td>Issue of instructions to the recognized organization for Condition Assessment Scheme (CAS) survey</td>
<td></td>
</tr>
<tr>
<td>Para. 4.3</td>
<td>Requirement for oil tankers to remain out of service until Statement of Compliance is issued</td>
<td></td>
</tr>
<tr>
<td>Para. 7.1.3</td>
<td>CAS surveyors' requirements</td>
<td></td>
</tr>
<tr>
<td>Para. 11</td>
<td>Verification of CAS</td>
<td></td>
</tr>
<tr>
<td>Para. 12</td>
<td>Reassessment of ships that have failed</td>
<td></td>
</tr>
<tr>
<td>Para. 13</td>
<td>Issue, suspension or withdrawal of Statement of Compliance</td>
<td></td>
</tr>
<tr>
<td>Para. 14</td>
<td>Communication to IMO</td>
<td></td>
</tr>
<tr>
<td><strong>Res. MSC.215(82), as amended</strong></td>
<td>Performance standard for protective coatings for dedicated seawater ballast tanks in all types of ships and double-side skin spaces of bulk carriers</td>
<td></td>
</tr>
<tr>
<td>Para. 3.2</td>
<td>Inspection of surface preparation and coating processes</td>
<td></td>
</tr>
<tr>
<td>Para. 3.4.1</td>
<td>Coating technical file</td>
<td></td>
</tr>
<tr>
<td>Para. 4.4.3</td>
<td>Technical Data Sheet and Statement of Compliance or Type Approval Certificate – verification</td>
<td></td>
</tr>
<tr>
<td>SOURCE</td>
<td>SUMMARY DESCRIPTION</td>
<td>COMMENTS</td>
</tr>
<tr>
<td>--------</td>
<td>---------------------</td>
<td>----------</td>
</tr>
<tr>
<td>Section 5</td>
<td>Coating system approval</td>
<td></td>
</tr>
<tr>
<td>Para. 6.1.1</td>
<td>Verification of equivalent qualification of coating inspector</td>
<td></td>
</tr>
<tr>
<td>Section 7</td>
<td>Verification requirements</td>
<td></td>
</tr>
<tr>
<td><strong>Res. MSC.288(87), as amended</strong></td>
<td>Performance standard for protective coatings for cargo oil tanks of crude oil tankers</td>
<td></td>
</tr>
<tr>
<td>Para. 3.2</td>
<td>Inspection of surface preparation and coating processes – review</td>
<td></td>
</tr>
<tr>
<td>Para. 4.6.3</td>
<td>Verification of the Technical Data Sheet and Statement of Compliance or Type Approval Certificate for the protective coating system</td>
<td></td>
</tr>
<tr>
<td>Para. 6.1.1</td>
<td>Equivalent to NACE Coating Inspector Level 2 and FROSIO Inspector Level III – verification</td>
<td></td>
</tr>
<tr>
<td>Para. 7</td>
<td>Coating verification requirement as referred to in paragraph 7</td>
<td></td>
</tr>
<tr>
<td><strong>Res. MSC.289(87)</strong></td>
<td>Performance standard for alternative means of corrosion protection for cargo oil tanks of crude oil tankers</td>
<td></td>
</tr>
<tr>
<td>Para. 2.2</td>
<td>Verification of Technical File</td>
<td></td>
</tr>
<tr>
<td>Para. 4.2</td>
<td>Issuance of Type Approval Certificate for corrosion-resistant steel</td>
<td></td>
</tr>
<tr>
<td>Para. 5</td>
<td>Survey(s) during the construction process to verify that approved corrosion-resistant steel has been applied to the area required</td>
<td></td>
</tr>
<tr>
<td><strong>Casualty Investigation Code</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Para. 1.3</td>
<td>Qualified person(s) for investigation</td>
<td></td>
</tr>
<tr>
<td>Para. 6.2</td>
<td>Investigation into a very serious marine casualty</td>
<td></td>
</tr>
<tr>
<td>SOURCE</td>
<td>SUMMARY DESCRIPTION</td>
<td>COMMENTS</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>--------------------------------------------------------------------------------------</td>
<td>----------</td>
</tr>
<tr>
<td>Part A, Section 1.2</td>
<td>Criteria demonstrating sufficient ship stability in critical stability situation in waves</td>
<td></td>
</tr>
<tr>
<td>Part A, Para. 2.1.3</td>
<td>Stability criteria where anti-rolling devices are installed</td>
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<td>Part A, Section 2.3</td>
<td>Severe wind and stability criterion</td>
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<td>Part A, Chapter 3</td>
<td>Special criteria for certain types of ships</td>
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<td>Section 1.3</td>
<td>Conditions for the carriage of cargoes not listed in the Code</td>
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<td>Section 1.5</td>
<td>Exemptions</td>
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</tr>
<tr>
<td>Para. 7.3.2</td>
<td>Approval of specially constructed or fitted cargo ships for confining cargo shift</td>
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<td>Para. 7.3.2.1</td>
<td>Approval of specially constructed cargo ships with permanent structural boundaries for confining cargo shift</td>
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<td>Para. 7.3.2.2</td>
<td>Approval of plan of special arrangements and details of the stability conditions on which the design has been based</td>
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<tr>
<td>Para. 7.3.3.2</td>
<td>Approval of specially constructed cargo ships for dry powdery cargoes</td>
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<tr>
<td>Appendix 1, Schedule for Aluminium Ferrosilicon Powder, UN 1395, and Aluminium Silicon Powder, Uncoated, UN 1398 Appendix 1, Schedule for Ferrosilicon, UN 1408, and Ferrosilicon</td>
<td>Inspection and approval of gastight bulkheads between cargo spaces and engine-room Inspection and approval of gastight bulkheads between cargo spaces and engine-room and approval of safety of bilge pumping arrangement</td>
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<td>Part I-A, Paras. 1.3.4 and 1.3.7</td>
<td>Issue of a Polar Ship Certificate to a ship as applicable</td>
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<td>Part I-A, Para. 3.3.1</td>
<td>Approval of materials of exposed structures in ships</td>
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<td>Approval of scantlings of category A, B and ice-strengthened category C ships</td>
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<td>Part I-A, Para. 6.3.2.3</td>
<td>Approval of materials of exposed machinery and foundations for ships intended to operate in low air temperature</td>
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<td>Part I-A, Para. 6.3.3</td>
<td>Approval of propeller blades, propulsion line, steering equipment and other appendages of category A, B and ice-strengthened category C ships</td>
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<td>Part I-A, Para. 7.3.3</td>
<td>Approval of materials of exposed fire safety systems for ships intended to operate in low air temperature</td>
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<td>Part II-A, Para. 1.1.3</td>
<td>Approval of operational requirements for a category A ship in relation to discharge of oil or oily mixtures from machinery spaces, as applicable</td>
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<td>Part II-A, Para. 2.1.3</td>
<td>Approval of operational requirements for category A and B ships carrying NLS, as applicable</td>
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<tr>
<td>Part II-A, para 4.2.3</td>
<td>Approval of operational requirements for category A and B ships in relation to discharge of sewage, as applicable</td>
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<tr>
<td>IGF Code</td>
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<td>Para. 2.3.3</td>
<td>Approval of alternative design</td>
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<td>Para. 6.4.1.8</td>
<td>Approval of an inspection/survey plan for the liquefied gas fuel containment system</td>
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<td>Para. 6.4.4.5</td>
<td>Approval of the methods for periodically checking effectiveness of secondary barriers</td>
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<td>SUMMARY DESCRIPTION</td>
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<td>Para. 6.4.9.4.1.1</td>
<td>Approval of methods to predict accelerations due to ship motion</td>
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<tr>
<td>Para. 6.4.12.1.1.5</td>
<td>Approval of allowable stresses for materials other than those covered by paragraph 7.4 of the Code</td>
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<td>Para. 6.4.12.2.5</td>
<td>Special consideration in the case of use of simplified dynamic loading spectra for estimation of the fatigue life</td>
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<td>Para. 6.4.12.2.6</td>
<td>Approval of load distribution and sequence for longer periods</td>
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<td>Para. 6.4.13.1.1.4.3</td>
<td>Approval of the containment system including design and construction of the heating system</td>
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<td>Para. 6.6.1</td>
<td>Certification and approval for the storage tanks to be used for compressed natural gas</td>
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<td>Para. 7.3.4.3</td>
<td>Consideration of the allowable stress for pipes made of materials other than steel</td>
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Annex 3

SPECIFIC COASTAL STATE OBLIGATIONS

The following table contains a non-exhaustive list of obligations, including those obligations imposed when a right is exercised.

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<tr>
<th>SOURCE</th>
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<td>Reg. IV/5</td>
<td>Provision of radio communication services and communication of information on such provision</td>
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<td>Navigation warnings</td>
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<td>Search and rescue services – necessary arrangements</td>
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<td>Search and rescue services – information to IMO</td>
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<td>Reg. V/8</td>
<td>Life-saving signals</td>
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<td>Reg. V/9</td>
<td>Hydrographic services</td>
<td></td>
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<td>Regs. VII/6.1 and 7-4.1</td>
<td>Reporting of incidents involving dangerous goods</td>
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<td>MARPOL</td>
<td></td>
<td></td>
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<td>Annex I</td>
<td></td>
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<td>Reg. 4.3</td>
<td>Exceptions – discharge of substances containing oil for the purpose of combating pollution incidents</td>
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<td>Annex II</td>
<td></td>
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<td>Reg. 3.1.3</td>
<td>Exceptions – approval of discharge of NLS for the purpose of combating pollution incidents</td>
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<td>Reg. 13.2.3</td>
<td>Control of discharges of residues of NLS – agreement and communication to IMO</td>
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Annex 4

SPECIFIC PORT STATE OBLIGATIONS

The following table contains a non-exhaustive list of obligations, including those obligations imposed when a right is exercised.

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<td>Article 12</td>
<td>Inspection</td>
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<td>Control</td>
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<td>STCW 1978</td>
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<td>Article X</td>
<td>Control</td>
<td></td>
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<tr>
<td>Reg. I/4</td>
<td>Control procedures</td>
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<td>SOLAS 1974</td>
<td></td>
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<td>Reg. I/6(c)</td>
<td>Ships not allowed to sail</td>
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<td>Reg. I/19</td>
<td>Control</td>
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<td>Agreed plan for loading, unloading and stowage of solid bulk cargoes - lodged with the authority of the port State</td>
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<td>Special list, manifest or stowage plan copy to be made available before departure</td>
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<td>Reg. VII/7-2.2</td>
<td>Documents relating to carriage of dangerous goods in solid form</td>
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<td>Reg. VIII/11</td>
<td>Special control for nuclear ships</td>
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<td>Reg. XI-1/4</td>
<td>Port State control on operational requirements</td>
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<td>Reg. XIV/3.2</td>
<td>Port State control of ships to which the chapter applies</td>
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## SPECIFIC PORT STATE OBLIGATIONS

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<td>MARPOL</td>
<td>Certificate and special rules on inspection of ships – port State control</td>
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<td>Article 5(2)</td>
<td>Certificate and special rules on inspection of ships – denial of entry</td>
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<td>Article 5(3)</td>
<td>Detection of violations and enforcement of the Convention – inspection</td>
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<td>Article 6(2)</td>
<td>Detection of violations and enforcement of the Convention – inspection upon request – reporting</td>
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<td>Article 6(5)</td>
<td>Communication of information – a list of reception facilities including their location, capacity and available facilities and other characteristics</td>
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<td>Article 11 (1) (d)</td>
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<td>Annex I</td>
<td>Application – an oil tanker delivered on or before 1 June 1982 engaged in specific trades: agreement with flag States</td>
<td></td>
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<tr>
<td>Reg. 2.6.2</td>
<td>Application – an oil tanker delivered on or before 1 June 1982, engaged in specific trades: approval by port States</td>
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<td>Reg. 11</td>
<td>Port State control on operational requirements</td>
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<td>Reg. 17.7</td>
<td>Oil Record Book, Part I – inspection without undue delay</td>
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<td>Reg. 18.10.1.2</td>
<td>Segregated ballast tanks – oil tanker delivered on or before 1 June 1982 having special ballast arrangements: agreement with flag States</td>
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<td>Denial of entry – communication to IMO</td>
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<td>Denial of entry – communication to IMO</td>
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<tr>
<td>Reg. 36.8</td>
<td>Oil Record Book, Part II – inspection without undue delay</td>
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<td>Regs. 38.1, 38.2, 38.3 and 38.4</td>
<td>Reception facilities outside special areas</td>
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<td>Regs. 38.5, 38.6 and 38.7</td>
<td>Reception facilities within special areas</td>
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<td>Reg. 38.9.1</td>
<td>Reception facilities within special areas: &quot;Antarctic area&quot;</td>
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<td>Annex II</td>
<td>Exemptions – approval of adequacy of reception facilities</td>
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<td>Reg. 4.3.3</td>
<td>Control of discharges of residues – endorsement of cargo record book</td>
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<td>Reg. 13.6.1</td>
<td>Cargo record book – inspection without undue delay</td>
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<td>Reg. 15.6</td>
<td>Measures of control</td>
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<td>Regs. 16.6 and 16.7</td>
<td>Measures of control – exemption granted (endorsement of cargo record book)</td>
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<td>Reg. 16.9</td>
<td>Port State control on operational requirement</td>
<td></td>
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<td>Regs. 18.1, 18.2, 18.4 and 18.6</td>
<td>Reception facilities and cargo unloading terminal arrangements</td>
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<td>Annex III</td>
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<td>Reg. 9</td>
<td>Provision of reception facilities</td>
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<td>Annex IV</td>
<td>Provision of reception facilities for passenger ships in special areas</td>
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<td>Reg. 13.2</td>
<td>Measures taken regarding reception facilities for passenger ships in special areas – notifying the Organization</td>
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<tr>
<td>Reg. 14</td>
<td>Port State control on operational requirements</td>
<td></td>
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<td>Annex V</td>
<td>Provision of reception facilities – all garbage from all ships departing en route to or arriving from the Antarctic area</td>
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<td>Reg. 8.1</td>
<td>Reception facilities</td>
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<td>Reg. 8.2</td>
<td>Reception facilities within special areas</td>
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<td>Reg. 8.4</td>
<td>Measures taken regarding provision of reception facilities – notifying the Organization</td>
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<td>Reg. 9</td>
<td>Port State control on operational requirements</td>
<td></td>
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<td>Reg. 10.5</td>
<td>Inspection of Garbage Record Book or ship’s official log-book</td>
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<tr>
<td><strong>Annex VI</strong></td>
<td></td>
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<td>Reg. 5.3.3</td>
<td>Necessary assistance to the surveyor as referred to in the paragraph</td>
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<td>Port State control on operational requirements – in relation to chapter 4 of Annex VI, limiting of inspection to verification that there are valid Statement of Compliance related to fuel oil consumption and International Energy Efficiency Certificate on board</td>
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<td>Volatile organic compounds – approvals of vapour emission control systems and notifying IMO</td>
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<td>Reception facilities as referred to in the paragraph</td>
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<td>Reg. 17.3 and 17.4</td>
<td>Ports and terminals where reception facilities are/are not available to manage and process the substances as referred to in regulation 17.1 – communication to IMO</td>
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<td>Reg. 18.1</td>
<td>Availability of fuel oils and communication to IMO</td>
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<td>Ship not compliant with fuel oil standards</td>
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<td>Reg. 18.2.3</td>
<td>Action taken, including not taking control measures</td>
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<td>Evidence of the non-availability of compliant fuel oil – communication to IMO</td>
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<td>Reg. 18.9</td>
<td>Authorities designated for register of local suppliers, bunker delivery note and sample, fuel oil quality, actions against fuel oil suppliers for non-compliance, informing the Administration of any ship receiving non-compliant fuel oil and communication to IMO of non-compliant fuel oil suppliers as referred to in the paragraph</td>
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<td>Reg. 18.10</td>
<td>Fuel oil quality – communication to Party or non-Parties and remedial action</td>
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<td>Design approval</td>
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<td>Operational conditions – Permit to Operate</td>
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<td>Port State control</td>
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<td>Acceptance of the Code</td>
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<td>Exemptions for certain voyages</td>
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<td>Para. 7.2</td>
<td>Stability requirements</td>
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<td>Para. 4.3.3: Procedures for sampling, testing and controlling – role of the</td>
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<td>competent authority as referred to in the paragraph</td>
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<td>Para. 1.1.6.1: Establishment of a Tripartite Agreement, where applicable</td>
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<td>Para. 1.1.10: Implementation of the Code for ships operating in operation modes as</td>
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## Annex 5

### INSTRUMENTS MADE MANDATORY UNDER IMO CONVENTIONS

#### SOLAS 1974

<table>
<thead>
<tr>
<th>Instrument</th>
<th>Relevant Regulation</th>
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<tbody>
<tr>
<td>Res. MSC.215(82), as amended</td>
<td>Reg. II-1/3-2.2</td>
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<td>Res. MSC.133(76), as amended</td>
<td>Reg. II-1/3-6.2.1</td>
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<td>Res. MSC.287(87)</td>
<td>Reg. II-1/3-10.3</td>
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<td>Res. MSC.288(87), as amended</td>
<td>Reg. II-1/3-11.3.1</td>
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<td>Reg. II-1/3-11.3.2</td>
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<td>Reg. II-1/3-12</td>
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<td>2008 IS Code (introduction and part A)</td>
<td>Reg. II-1/5.1</td>
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<td>FSS Code</td>
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#### MARPOL

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Annex 6

SUMMARY OF AMENDMENTS TO MANDATORY INSTRUMENTS REFLECTED IN THE NON-EXHAUSTIVE LIST OF OBLIGATIONS (ANNEXES 1 TO 4 AND ANNEX 7)

The amendments to mandatory instruments reflected in annexes 1 to 4 and annex 7 are summarized below to facilitate the amendment of corresponding tables in the future.

SOLAS 1974

up to and including 2018 amendments (res. MSC.436(99) except chapter XI-2, regulation V/19-1 and ISPS Code)

Res. MSC.215(82) up to and including the 2012 amendments (res. MSC.341(91))
Res. MSC.133(76) up to and including the 2004 amendments (res. MSC.158(78))
Res. MSC.287(87) as adopted
Res. MSC.288(87) up to and including the 2012 amendments (res. MSC.342(91))
Res. MSC.289(87) as adopted
Res. MSC.402(96) as adopted
Noise Code as adopted by res. MSC.337(91)
2008 IS Code up to and including the 2018 amendments (res. MSC.443(99)/MSC.444(99))
FSS Code up to and including the 2016 amendments (res. MSC.403(96))
2010 FTP Code up to and including the 2018 amendments (res. MSC.437(99))
LSA Code up to and including the 2017 amendments (res. MSC.425(98))
IMSBC Code up to and including the 2019 amendments (res. MSC.462(101))
CSS Code, sub-chapter 1.9 up to and including the 2002 amendments (MSC/Circ.1026)
Grain Code up to and including the 1991 amendments (res. MSC.23(59))
IMDG Code up to and including the 2020 amendments (res. MSC.477(102))
IBC Code up to and including the 2019 amendments (res. MSC.460(101) and res. MEPC.318(74))
IGC Code up to and including the 2018 amendments (res. MSC.441(99))
INF Code up to and including the 2007 amendments (res. MSC.241(83))
ISM Code up to and including the 2013 amendments (res. MSC.353(92))
1994 HSC Code up to and including the 2018 amendments (res. MSC.438(99))
2000 HSC Code up to and including the 2018 amendments (res. MSC.439(99))
RO Code as adopted by res. MSC.349(92) and MEPC.237(65)
2011 ESP Code up to and including the 2019 amendments (res. MSC.461(101))
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The following tables contain non-exhaustive lists of obligations, including those obligations imposed when a right is exercised.

### Annex 1

**OBLIGATIONS OF CONTRACTING GOVERNMENTS/PARTIES**

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<th>SOURCE</th>
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<tr>
<td>IMDG Code</td>
<td>Approval of metal hydride storage systems installed in vehicles, vessels, machinery, engines or aircraft or in completed components or intended to be installed in vehicles, vessels, machinery, engines or aircraft</td>
<td>In force 1/6/2022 by MSC.477(102)</td>
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<tr>
<td>Chapter 5.5.2.5.2</td>
<td>Determining the period between fumigant application and loading of fumigated cargo transport unit on board the ship Determination of requirements for fumigation of cargo transport units to ensure a sufficient period has elapsed to attain a reasonable uniform gas concentration throughout the cargo in it</td>
<td>In force 1/6/2022 by MSC.477(102)</td>
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<td>Chapter 6.2</td>
<td>Approval of pressure receptacles, aerosol dispensers, small receptacles containing gas (gas cartridges) and fuel cell cartridges containing liquefied flammable gas - role of competent authority</td>
<td>In force 1/6/2022 by MSC.477(102)</td>
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<tr>
<td>Para.6.2.2.1.2</td>
<td>Approval of tube service life test programme and the results – role of competent authority</td>
<td>In force 1/6/2022 by MSC.477(102)</td>
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The struck-out text indicates deletions and the underlined text shows additions or changes to the non-exhaustive list of obligations.
### Annex 2

**SPECIFIC FLAG STATE OBLIGATIONS**

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<td>In force 1/6/2022 by MSC.477(102)</td>
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<td><strong>Chapter 3.3, SP976</strong> Prohibition of the transport of this substance except with the approval</td>
<td>In force 1/6/2022 by MSC.477(102)</td>
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Annex 4

SPECIFIC PORT STATE OBLIGATIONS

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