

Explanatory Statement 17 of 2022

2021 amendments to the Protocol of 1988 relating to the International Convention on Load Lines, 1966 (Load Lines Protocol)

MSC.491(104)

(adopted 8 October 2021)

Practical and legal effect

This treaty action is Australia's acceptance of amendments to Annex B of the *Protocol of 1988 relating to the International Convention on Load Lines, 1966* (Load Lines Protocol).

Annex B concerns the hinged watertight doors and this amendment harmonizes the existing watertight door requirements with those in *International Convention for the Safety of Life at Sea 1974* (SOLAS), *The International Convention for the Prevention of Pollution from Ships 1973* (MARPOL) and Load Line Convention.

Nature and timing of proposed treaty matter

The Load Lines Protocol revised certain regulations in the technical Annexes to the Load Lines Convention and introduced the tacit amendment procedure. Amendments to the Convention may be considered either by a Conference of Parties, or by the Maritime Safety Committee (MSC) of the International Maritime Organization (IMO) – a specialised agency of the United Nations.

This amendment to the annex of the Load Lines Protocol outlined in resolution MSC.491(104) was adopted by MSC on 8 October 2021. The amendment has a deemed acceptance date of 1 July 2023 and will enter into force on 1 January 2024.

Reasons for Australia to take the proposed action relating to the treaty matter

Australia's acceptance of this amendment is required as we are a signatory to the Load Lines Convention.

Implementing Legislation

No legislative changes are needed to implement the proposed treaty action.

Marine Order (MO) 12, MO25, MO27 and MO49 automatically gives effect to the amendments provided for in this resolution.

Maritime Shipping

The Department of Infrastructure, Transport, Regional
Development and Communications and the Arts

Submitted to JSCOT
2022

RESOLUTION MSC.491(104)
(adopted on 8 October 2021)

**AMENDMENTS TO THE PROTOCOL OF 1988 RELATING TO
THE INTERNATIONAL CONVENTION ON LOAD LINES, 1966
(1988 LOAD LINES PROTOCOL)**

THE MARITIME SAFETY COMMITTEE,

RECALLING Article 28(b) of the Convention on the International Maritime Organization concerning the functions of the Committee,

RECALLING ALSO article VI of the Protocol of 1988 relating to the International Convention on Load Lines, 1966 (1988 Load Lines Protocol) concerning amendment procedures,

HAVING CONSIDERED, at its 104th session, amendments to the 1988 Load Lines Protocol proposed and circulated in accordance with article VI(2)(a) thereof,

1 ADOPTS, in accordance with article VI(2)(d) of the 1988 Load Lines Protocol, amendments to the 1988 Load Lines Protocol, the text of which is set out in the annex to the present resolution;

2 DETERMINES, in accordance with article VI(2)(f)(ii)(bb) of the 1988 Load Lines Protocol, that the said amendments shall be deemed to have been accepted on 1 July 2023, unless, prior to that date, more than one third of the Parties to the 1988 Load Lines Protocol, or Parties the combined merchant fleets of which constitute not less than 50% of the gross tonnage of all the merchant fleets of all Parties, have notified their objections to the amendments;

3 INVITES the Parties concerned to note that, in accordance with article VI(2)(g)(ii) of the 1988 Load Lines Protocol, the amendments shall enter into force on 1 January 2024 upon their acceptance in accordance with paragraph 2 above;

4 REQUESTS the Secretary-General, in conformity with article VI(2)(e) of the 1988 Load Lines Protocol, to transmit certified copies of the present resolution and the text of the amendments contained in the annex to all Parties to the 1988 Load Lines Protocol;

5 REQUESTS ALSO the Secretary-General to transmit copies of this resolution and its annex to Members of the Organization which are not Parties to the 1988 Load Lines Protocol.

ANNEX

**AMENDMENTS TO THE PROTOCOL OF 1988 RELATING TO THE INTERNATIONAL
CONVENTION ON LOAD LINES, 1966
(1988 LOAD LINES PROTOCOL)**

**Annex B
ANNEXES TO THE CONVENTION AS MODIFIED BY
THE PROTOCOL OF 1988 RELATING THERETO**

**Annex I
Regulations for determining load lines**

**Chapter II
Conditions of assignment of freeboard**

**Regulation 22
*Scuppers, inlets and discharges***

1 Regulation 22(1)(g) is replaced with the following:

"(g) Table 22.1 provides the acceptable arrangements of scuppers and discharges."

**Chapter III
Freeboards**

**Regulation 27
*Types of ships***

2 Regulation 27(13)(a) is replaced with the following:

"(13) The condition of equilibrium after flooding shall be regarded as satisfactory provided:

- (a) The final waterline after flooding, taking into account sinkage, heel and trim, is below the lower edge of any opening through which progressive downflooding may take place. Such openings shall include air pipes, ventilators (even if they comply with regulation 19(4)) and openings which are closed by means of weathertight doors (even if they comply with regulation 12) or hatch covers (even if they comply with regulation 16(1) through (5)), and may exclude those openings closed by means of manhole covers and flush scuttles (which comply with regulation 18), cargo hatch covers of the type described in regulation 27(2), remotely operated sliding watertight doors, hinged watertight access doors with open/closed indication locally and at the navigation bridge, of the quick-acting or single-action type that are normally closed at sea, hinged watertight doors that are permanently closed at sea, and sidescuttles of the non-opening type (which comply with regulation 23). In the case of doors separating a main machinery space from a steering gear compartment, watertight doors may be of a hinged, quick-acting type kept closed at sea whilst not in use, provided also that the lower sill of such doors is above the summer load waterline."
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