

Subject

Exemption of fire extinguisher in boiler spaces

ClassNK

Technical Information

No. TEC-1152

Date 18 May 2018

To whom it may concern

IMO Resolution MSC.409(97) was adopted at the ninety-seventh session of the Maritime Safety Committee (MSC 97) held in November 2016, which stipulates that in case where boiler spaces are protected by fixed local fire extinguish systems required in SOLAS Chapter II-2 10.5.6, a foam fire extinguisher of at least 135L capacity or equivalent required in SOLAS Chapter II-2 10.5.1.2.2 is not required.

The amendments will come into force from 1 January 2020 for all ships.

Also MSC.1/Circ.1566 was approved at the same time, which invites Administration's voluntary early implementation of the amendments prior to 1 January 2020 at their discretion.

Accordingly, please be instructed as follows.

1. Voluntary Early Implementation

(1) In case where an Administration accepts early implementation of the amendments in accordance with the Circular prior to 1 January 2020, ClassNK follows the decision.

(2) The following Administrations have already informed ClassNK of the voluntary early implementation of this amendment.

Bahamas, Bermuda, British Virgin Islands, Cayman Islands, Cyprus(*1), Gibraltar, Isle of Man, Japan, Liberia, Marshall Islands, Panama, United Kingdom

(*1) It is necessary to submit an application for authorization to the Administration for each ship (see Attachment 3).

The updated information on above is available on ClassNK web site as shown below, including the related Resolution and Circular.

http://www.classnk.or.jp/hp/en/activities/statutory/solas/solas_treaty/exemption/

(To be continued)

NOTES:

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2. Removal of the fire extinguisher

- (1) This amendment is applicable only in case that boiler space is protected by the fixed local fire extinguish systems required in SOLAS Chapter II-2 10.5.6. The fixed local fire extinguish system is required for machinery spaces of category A having areas greater than 500 m³ on of 2000 gross tonnage and above with a date of keel laying on or after 1 July 2002.
- (2) As for an "equivalent" as mentioned above, ClassNK accepts a CO2 extinguisher of at least 45kg capacity or a powder extinguisher of at least 40kg capacity, which are equivalent to foam fire extinguisher of at 135L capacity. Thus, at the time of removal, please pay attention not to mix up with other extinguishers which are required in the different provisions.
- (3) If the fire extinguisher is removed, it is necessary to revise the fire control plan. And the master should conduct the revision of the plan. In addition, the plan is recommended to be signed by the master or the officer in charge. The revised plan needs not to be approved by ClassNK surveyor.
- (4) The fact of the removal of the fire extinguisher should be confirmed at the first periodical Safety Equipment survey after the fire extinguisher is removed. Please inform the attending ClassNK surveyor of the removal in advance of the survey.

For any questions about the above, please contact:

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Attachment:

1. IMO Resolution MSC.409(97)
2. MSC.1/Circ.1566
3. Circular No.15/2015 "Application for Extension, Dispensation, Equivalence or Exemption"

ANNEX 1

**RESOLUTION MSC.409(97)
(adopted on 25 November 2016)**

**AMENDMENTS TO THE INTERNATIONAL CONVENTION
FOR THE SAFETY OF LIFE AT SEA, 1974, AS AMENDED**

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 VIII(b) of the International Convention for the Safety of Life at Sea, 1974 ("the Convention"), concerning the amendment procedure applicable to the annex to the Convention, other than to the provisions of chapter I,

HAVING CONSIDERED, at its ninety-seventh session, amendments to the Convention proposed and circulated in accordance with Article VIII(b)(i) of the Convention,

1 ADOPTS, in accordance with Article VIII(b)(iv) of the Convention, amendments to the Convention the text of which is set out in the annex to the present resolution;

2 DETERMINES, in accordance with Article VIII(b)(vi)(2)(bb) of the Convention, that the said amendments shall be deemed to have been accepted on 1 July 2019, unless, prior to that date, more than one third of the Contracting Governments to the Convention or Contracting Governments the combined merchant fleets of which constitute not less than 50% of the gross tonnage of the world's merchant fleet, have notified the Secretary-General of their objections to the amendments;

3 INVITES Contracting Governments to the Convention to note that, in accordance with Article VIII(b)(vii)(2) of the Convention, the amendments shall enter into force on 1 January 2020 upon their acceptance in accordance with paragraph 2 above;

4 REQUESTS the Secretary-General, for the purposes of Article VIII(b)(v) of the Convention, to transmit certified copies of the present resolution and the text of the amendments contained in the annex to all Contracting Governments to the Convention;

5 REQUESTS ALSO the Secretary-General to transmit copies of this resolution and its annex to Members of the Organization which are not Contracting Governments to the Convention.

ANNEX

**AMENDMENTS TO THE INTERNATIONAL CONVENTION FOR THE
SAFETY OF LIFE AT SEA, 1974, AS AMENDED**

**CHAPTER II-1
CONSTRUCTION – STRUCTURE, SUBDIVISION AND STABILITY, MACHINERY AND
ELECTRICAL INSTALLATIONS**

**PART A
GENERAL**

Regulation 3-12 – Protection against noise

1 The existing paragraph 2.1 is amended to read as follows:

".1 contracted for construction before 1 July 2014 and the keels of which are laid or which are at a similar stage of construction on or after 1 January 2009; or"

**CHAPTER II-2
CONSTRUCTION – FIRE PROTECTION, FIRE DETECTION
AND FIRE EXTINCTION**

**PART A
GENERAL**

Regulation 1 – Application

2 The following new paragraph is added after existing paragraph 2.8:

"2.9 Regulation 10.5.1.2.2, as amended by resolution MSC.409(97), applies to ships constructed before 1 January 2020, including those constructed before 1 July 2012."

**PART C
SUPPRESSION OF FIRE**

Regulation 10 – Firefighting

3 In paragraph 5.1.2.2, the last sentence is replaced with the following:

"In the case of domestic boilers of less than 175 kW, or boilers protected by fixed water-based local application fire-extinguishing systems as required by paragraph 5.6, an approved foam-type extinguisher of at least 135 l capacity is not required."

**CHAPTER XI-1
SPECIAL MEASURES TO ENHANCE MARITIME SAFETY**

4 The following new regulation 2-1 is inserted after existing regulation 2:

"Regulation 2-1 – Harmonization of survey periods of cargo ships not subject to the ESP Code

For cargo ships not subject to enhanced surveys under regulation XI-1/2, notwithstanding any other provisions, the intermediate and renewal surveys included in regulation I/10 may be carried out and completed over the corresponding periods as specified in the 2011 ESP Code, as may be amended, and the guidelines developed by the Organization*, as appropriate.

* Refer to Survey Guidelines under the harmonized system of survey and certification (HSSC), 2015, as adopted by the Assembly of the Organization by resolution A.1104(29), as may be amended."

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MSC.1/Circ.1566
15 June 2017

**VOLUNTARY EARLY IMPLEMENTATION OF THE AMENDMENTS TO SOLAS
REGULATIONS II-2/1 AND II-2/10, ADOPTED BY RESOLUTION MSC.409(97)**

- 1 The Maritime Safety Committee, at its ninety-seventh session (21 to 25 November 2016), adopted amendments to SOLAS regulations II-2/1 and II-2/10, by resolution MSC.409(97).
- 2 The entry-into-force date of the aforementioned amendments is 1 January 2020.
- 3 In adopting the amendments to the above-mentioned regulations, the Committee, at its ninety-eighth session (7 to 16 June 2017), having considered the need for their voluntary early implementation, in accordance with the *Guidelines on the voluntary early implementation of amendments to the 1974 SOLAS Convention and related mandatory instruments* (MSC.1/Circ.1565), agreed to invite the Contracting Governments to the International Convention for the Safety of Life at Sea, 1974, as amended, to implement them prior to the entry-into-force date.
- 4 Voluntary early implementation should be communicated by a Contracting Government to the Organization for dissemination through GISIS.
- 5 In addition to the aforementioned communication, a Contracting Government may also consider the use of the existing provisions for equivalent arrangements under SOLAS regulation I/5 to cover the interim period between the date of the voluntary early implementation and the entry-into-force date of the amendments.
- 6 A Contracting Government, in line with paragraph 1.2.3 of the *Procedures for Port State Control, 2011* (resolution A.1052(27)), as may be amended, when acting as a port State, should refrain from enforcing its decision to voluntarily early implement the amendments to SOLAS regulations II-2/1 and II-2/10 to ships entitled to fly the flag of other Contracting Governments, calling at its ports.
- 7 The Contracting Governments, when undertaking port State control activities, should take into account the present invitation and any subsequent notifications communicated by other Contracting Governments through GISIS.
- 8 Contracting Governments are invited to be guided accordingly and to bring the contents of this circular to the attention of all concerned, especially port State control authorities and recognized organizations.



REPUBLIC OF CYPRUS
**MINISTRY OF TRANSPORT,
COMMUNICATIONS AND WORKS**



**DEPARTMENT
OF MERCHANT SHIPPING
LEMESOS**

Circular No. 15 / 2015
TEN 5.13.09

23 July 2015

To all Owners, Managers
and Representatives
of ships under the Cyprus Flag.

Subject: Application for Extension, Dispensation, Equivalence or Exemption

The purpose of this circular is to advise the ship owners / managers that as from 01 October 2015 the applications for Service Extension, Dispensation, Equivalence or Exemption **should be submitted in the format prescribed at the appendix 1** of this circular. **All applications should be sent to the DMS head office at the email shipsafety@dms.mcw.gov.cy.**

This procedure applies to all cargo ships under the Flag of Cyprus for matters related to the following International Instruments only:

- 1. International Convention for the Safety of Life At Sea, 1974 as amended –SOLAS 74 as amended;**
- 2. International Convention on Load Lines, 1966 – ILLC '69;**
- 3. Code for the Construction and Equipment of Mobile offshore Drilling units – MODU Code;**
- 4. Code of Safety for Special Purpose Ships - SPS Code;**
- 5. The Code of Safe Practice for Cargo Stowage and Securing – CSS Code; and**
- 6. International Regulations for Preventing Collisions at Sea, 1972 - COLREG '72.**

Furthermore, please be advised that the following basic **definitions** are established for reference when addressing such issues:

Extension: An Extension is a postponement of the term of validity of a Statutory certificate, servicing interval, or Dispensation, in accordance with the provisions of the relevant Convention, due to extenuating circumstances encountered that prevent the crediting of a requisite task prior to the nominal due date. Extensions of servicing intervals in particular are referred to as “Service Extensions.” Extensions are also issued with time specific corrective action requirements compliance with which is reportable to the Administrator by the expiration date.

Dispensation: A Dispensation is a temporary allowance granted in writing (Dispensation Letter) by the Administrator to permit a ship to proceed without being in full compliance with a specific Convention requirement due to mitigating circumstances preventing the immediate rectification of the subject deficiency. Dispensations are issued with time specific corrective action requirements compliance with which are reportable to the Administrator by the expiration date.

Equivalence: Equivalence is an equivalent arrangement which provides the same general level of safety or intent of a Convention requirement without meeting all criteria for full compliance. Such arrangements can be accomplished, either independently or in combination with, alternative equipment, additional procedures/precautions, operational restrictions, etc.

Equivalences, when granted, will be communicated to the IMO.

Exemption: An Exemption is a permanent release from compliance with a Statutory Convention requirement due to the existence of specific circumstances as sanctioned by the provisions of that Convention. The Exemption Certificate is linked to, and retained with, its associated statutory certificate, and is issued by the Recognized Organization (RO) issuing that certificate under authorization from the Administrator. Applications for Exemptions can also be requested directly by the shipowner, however, the Administrator will review these request with the relevant RO.



Andreas I. Chrysostomou
Acting Director
Department of Merchant Shipping

cc: Permanent Secretary, Ministry of Communications and Works
Permanent Secretary, Ministry of Foreign Affairs
Maritime Offices of the Department of Merchant Shipping abroad
Diplomatic Missions and Honorary Consular Officers of the Republic
Cyprus Shipping Chamber
Cyprus Union of Shipowners
PEO Trade Union
SEK Trade Union
Cyprus Bar Association
All Recognized Organizations and Inspectors of Cyprus Ships

AF/AK



REPUBLIC OF CYPRUS
MINISTRY OF TRANSPORT,
COMMUNICATIONS AND WORKS



DEPARTMENT
OF MERCHANT SHIPPING
LEMESOS

DEPARTMENT OF MERCHANT SHIPPING	APPLICATION FOR EXTENSION, DISPENSATION, EQUIVALENCE OR EXEMPTION	Page 1 of 1
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TYPE OF APPLICATION			
Extension <input type="checkbox"/>	Dispensation <input type="checkbox"/>	Equivalence <input type="checkbox"/>	Exemption <input type="checkbox"/>

1. Name of Vessel:	2. IMO Number:	3. Date Submitted:
4. Name & Title of Person Submitting Application:	5. Contact Number:	6. Email:
7. Company's Name (ISM) as Referred onto the Vessel's Safety Management Certificate:		
8. Description of extension/dispensation/equivalence or exemption requested (details of equipment involved, proposal, etc.):		
9. Reason for extension/dispensation /equivalence or exemption requested (circumstances necessitating the extension/dispensation/equivalence or exemption):		
10. If the application is for extension or dispensation please advise the Corrective Action Plan (anticipated location/date completion of repairs or servicing, itinerary of vessel, etc.):		
11. Special conditions or further remarks:		

FOR MARITIME ADMINISTRATION USE ONLY		Case number:
Approved ()	Rejected ()	Need More Information ()
Comments By Maritime Administration:		
Regulation that grants the right to an extension/dispensation/equivalence or exemption:		
Is class informed?	Name & Title of Officer:	
Date Reviewed:	extension/dispensation/equivalence or exemption valid until:	