



VERBAND FÜR SCHIFFBAU UND MEERESTECHNIK E.V.

VERMERK

IMO-Hinweise zu Corona bedingten Ablieferungsverzögerungen

Circular Letter No.4204/Add.7 vom 3. April 2020

Die International Maritime Organization (IMO) hat in einem Rundschreiben klargestellt, dass Schiffe, die durch die Corona-Pandemie verspätet abgeliefert werden, von der Anwendung aktuell neu in Kraft tretender Vorschriften ausgenommen werden können.

Die IMO verweist in diesem Zusammenhang auf die existierenden Interpretationen von MSC-MEPC.5/Circ.8 und MSC.1/Circ.1247, die dem Rundschreiben beigelegt sind.

Die finale Entscheidung hierüber obliegt den einzelnen Flaggenstaaten. Es ist jedoch davon auszugehen, dass dies auf der Grundlage dieser IMO-Empfehlung einheitlich und unbürokratisch erfolgen wird. Sollten Sie betroffen sein und negative Erfahrungen machen bitten wir um entsprechende Hinweise an den Verband.

Weiterhin haben China und IACS in der Eingabe MSC 102/7/5 die Corona-Probleme speziell in Hinblick auf den Anwendungstermin 1. Juli 2020 für SOLAS Reg. II-1/3-10 zu "Goal-based ship construction standards for bulk carriers and oil tankers" thematisiert und detaillierte Regelungen vorgeschlagen. Diese Eingabe wird durch den asiatischen und europäischen Schiffbauverband (ASEF und CESA) unterstützt (MSC 102/7/5).

Beide Papiere werden jedoch erst auf der 102. Sitzung des Maritime Safety Committee (MSC) behandelt, die Corona bedingt auf unbestimmte Zeit verschoben wurde. Die Schiffbauverbände werden im MSC und weiteren IMO-Gremien darauf achten, dass Corona-Ausnahmen ggf. auch auf andere Anforderungen und Fristen angewendet werden.

Hamburg, den 3. April 2020
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Circular Letter No.4204/Add.7
3 April 2020

To: All IMO Member States
Intergovernmental organizations
Non-governmental organizations in consultative status

Subject: **Coronavirus (COVID-19) – Guidance concerning unforeseen delays in the delivery of ships**

1 The Secretary-General, having received communications from Member States regarding the **difficulties faced by shipbuilders, equipment suppliers, shipowners, surveyors and service engineers in respect of the timely delivery of ships due to the COVID-19 pandemic**, and taking into account that the **current situation is due to unforeseen circumstances beyond the control of the shipbuilder and the owner**, wishes to draw the attention of Member States and international organizations to the following **unified interpretations** approved by the Maritime Safety Committee:

- .1 *Unified interpretation of the application of regulations governed by the building contract date, the keel laying date and the delivery date for the requirements of the SOLAS and MARPOL Conventions (MSC-MEPC.5/Circ.8, approved on 1 July 2013), set out in annex 1; and*
- .2 *Unified interpretation of "unforeseen delay in the delivery of ships" (MSC.1/Circ.1247, approved on 6 November 2007), set out in annex 2.*

2 Reference is made, in particular, to paragraph 3.3 of MSC-MEPC.5/Circ.8, which states that:

- "3 regardless of the building contract signing date or keel laying date, if a ship's delivery date occurs on or after the delivery date specified for a particular set of regulation amendments, then, that set of regulation amendments applies **except in the case where the Administration has accepted that the delivery of the ships was delayed due to unforeseen circumstances beyond the control of the shipbuilder and the owner***. The delivery date means the completion date (day, month and year) of the survey on which the certificate is based (i.e. the initial survey before the ship is put into service and certificate issued for the first time) as entered on the relevant statutory certificates.

* Refer to Unified Interpretation of "Unforeseen delay in the delivery of ships" (MSC.1/Circ.1247 and MARPOL Annex I, Unified Interpretation 4)."

3 Reference is also made, in particular, to MSC.1/Circ.1247, as footnoted in paragraph 3.3 of MSC-MEPC.5/Circ.8. While the provisions therein concern the application of SOLAS regulation II-1/3-2 (Corrosion prevention of seawater ballast tanks in oil tankers and bulk carriers), a very similar situation is now arising with regard to the application of SOLAS regulation II-1/3-10 (Goal-based ship construction standards for bulk carriers and oil tankers) which will become effective for ships delivered on or after 1 July 2020.

4 MSC.1/Circ.1247 sets out that a ship for which the building contract (or keel laying) occurred, and the scheduled delivery date of which is before the date specified in the regulation, but where the delivery has been subject to delay beyond the specific date due to unforeseen circumstances beyond the control of the builder and the owner, may be accepted by the Administration as a ship delivered before the date of delivery specified in the regulation. The treatment of such ships should be considered by the Administration on a case-by-case basis, bearing in mind the particular circumstances. It proceeds to stress the importance that ships accepted by the Administration under the provisions of the circular should also be accepted as such by port States and recommends practices for Administrations to follow when considering an application for such a ship.

5 Attention is further drawn to document MSC 102/7/5, submitted by China and IACS to MSC 102, which states inter alia that, with regard to the consequences of the pandemic, shipbuilders and their associated supply chains were significantly impacted which has led to difficulties in resuming normal production and different degrees of delay in the delivery of ships under construction; and that there would be a significant impact on ships originally scheduled to be delivered before 1 July 2020, which were not designed and constructed in accordance with the requirements of SOLAS regulation II-1/3-10. The document, contains in the annex a proposed unified interpretation of SOLAS regulation II-1/3-10 concerning the term "unforeseen delay in the delivery of ships", which is set out in annex 3 of this circular letter for easy reference, reflecting the practice of MSC.1/Circ.1247. Due to the postponement of MSC 102, the Maritime Safety Committee will not be in a position to decide on the proposed unified interpretation before 1 July 2020.

6 The Secretary-General would be grateful if steps could be taken to bring the information in this circular letter to the attention of the appropriate authorities. Member States are invited to consider the application of the two annexed unified interpretations to ships the delivery of which is now delayed beyond 1 July 2020.

ANNEX 1



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MSC-MEPC.5/Circ.8
1 July 2013

**UNIFIED INTERPRETATION OF THE APPLICATION OF REGULATIONS GOVERNED BY
THE BUILDING CONTRACT DATE, THE KEEL LAYING DATE AND THE DELIVERY
DATE FOR THE REQUIREMENTS OF THE SOLAS AND MARPOL CONVENTIONS**

1 The Marine Environment Protection Committee, at its sixty-fifth session (13 to 17 May 2013), and the Maritime Safety Committee, at its ninety-second session (12 to 21 June 2013), approved the unified interpretation of the application of regulations governed by the building contract date, the keel laying date and the delivery date for the requirements of the SOLAS and MARPOL Conventions prepared by the Sub-Committee on Flag State Implementation, as set out in the annex, with a view to providing more specific guidance for application of the relevant requirements of the SOLAS and MARPOL Conventions.

2 Member Governments are invited to use the annexed interpretation when applying relevant provisions of the SOLAS and MARPOL Conventions and to bring it to the attention of all parties concerned.

3 This circular supersedes MSC-MEPC.5/Circ.4.

ANNEX

**UNIFIED INTERPRETATION OF THE APPLICATION OF REGULATIONS GOVERNED BY
THE BUILDING CONTRACT DATE, THE KEEL LAYING DATE AND THE DELIVERY
DATE FOR THE REQUIREMENTS OF THE SOLAS AND THE MARPOL CONVENTIONS**

1 Under certain provisions of the SOLAS and MARPOL Conventions, the application of regulations to a ship is governed by the dates:

- .1 for which the building contract is placed on or after dd/mm/yyyy; or
- .2 in the absence of a building contract, the keel of which is laid or which is at a similar stage of construction on or after dd/mm/yyyy; or
- .3 the delivery of which is on or after dd/mm/yyyy.

2 For the application of such provisions, the date on which the building contract is placed for optional ships should be interpreted to be the date on which the original building contract to construct the series of ships is signed between the shipowner and the shipbuilder provided:

- .1 the option for construction of the optional ship(s) is ultimately exercised within the period of one year after the date of the original building contract for the series of ships; and
- .2 the optional ships are of the same design plans and constructed by the same shipbuilder as that for the series of ships.

3 The application of regulations governed as described in paragraph 1, above, is to be applied as follows:

- .1 if a building contract signing date occurs on or after the contract date specified for a particular set of regulation amendments, then, that set of regulation amendments applies;
- .2 only in the absence of a building contract does the keel laying date criteria apply, and if a ship's keel laying date occurs on or after the keel laying date specified for a particular set of regulation amendments, then, that set of regulation amendments applies; and
- .3 regardless of the building contract signing date or keel laying date, if a ship's delivery date occurs on or after the delivery date specified for a particular set of regulation amendments, then, that set of regulation amendments applies except in the case where the Administration has accepted that the delivery of the ships was delayed due to unforeseen circumstances beyond the control of the shipbuilder and the owner*. The delivery date means the completion date (day, month and year) of the survey on which the certificate is based (i.e. the initial survey before the ship is put into service and certificate issued for the first time) as entered on the relevant statutory certificates.

* Refer to Unified Interpretation of "Unforeseen delay in the delivery of ships" (MSC.1/Circ.1247 and MARPOL Annex I, Unified Interpretation 4).

ANNEX 2

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IMO

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Ref.: T4/3.01

MSC.1/Circ.1247
6 November 2007

**UNIFIED INTERPRETATION OF
"UNFORESEEN DELAY IN DELIVERY OF SHIPS"**

1 The Maritime Safety Committee, at its eighty-third session (3 to 12 October 2007), approved a unified interpretation of the term "unforeseen delay in the delivery of ships", as set out in the annex, with a view to harmonizing the interpretation of the provisions for the application scheme in SOLAS regulation II-1/3-2 (Corrosion prevention of seawater ballast tanks in oil tankers and bulk carriers), as amended by resolution MSC.216(82), with the unified interpretation to regulation 1.28 of Annex I to the MARPOL Convention.

2 Member Governments are invited to use the annexed interpretation when applying the relevant provisions of SOLAS regulation II-1/3-2, and to bring it to the attention of all parties concerned.

ANNEX

**INTERPRETATION OF SOLAS REGULATION II-1/3-2 CONCERNING THE TERM
"UNFORESEEN DELAY IN DELIVERY OF SHIPS"**

1 For the purpose of defining the category of a ship under SOLAS regulation II-1/3-2, a ship for which the building contract (or keel laying) occurred, and scheduled delivery date was, before the dates specified in this regulation, but where the delivery has been subject to delay beyond the specific date due to unforeseen circumstances beyond the control of the builder and the owner, may be accepted by the Administration as a ship delivered before the date of delivery specified in this regulation. The treatment of such ships should be considered by the Administration on a case-by-case basis, bearing in mind the particular circumstances.

2 It is important that ships accepted by the Administration under the provisions of paragraph 1 above should also be accepted as such by port States. In order to ensure this, the following practice is recommended to Administrations when considering an application for such a ship:

- .1 the Administration should thoroughly consider applications on a case-by-case basis, bearing in mind the particular circumstances. In doing so in the case of a ship built in a foreign country, the Administration may require a formal report from the authorities of the country in which the ship was built, stating that the delay was due to unforeseen circumstances beyond the control of the builder and the owner;
- .2 when a ship is accepted by the Administration under the provisions of paragraph 1 above, the delivery date annotated on the Passenger Ship Safety Certificate, Cargo Ship Safety Construction Certificate or Cargo Ship Safety Certificate should be footnoted to indicate that the ship is accepted by the Administration under the unforeseen delay in delivery provisions of this interpretation; and
- .3 the Administration should report to the Organization on the identity of the ship and the grounds on which the ship has been accepted under the unforeseen delay in delivery provisions of this interpretation.

ANNEX 3

**DRAFT INTERPRETATION OF SOLAS REGULATION II-1/3-10 CONCERNING THE
TERM "UNFORESEEN DELAY IN DELIVERY OF SHIPS"
(MSC 102/7/5, annex)**

1 For the purpose of defining the category of a ship under SOLAS regulation II-1/3-10, a ship for which the building contract (or keel laying) occurred, and scheduled delivery date was, before the dates specified in this regulation, but where the delivery has been subject to delay beyond the specific date due to unforeseen circumstances beyond the control of the builder and the owner, may be accepted by the Administration as a ship delivered before the date of delivery specified in this regulation. The treatment of such ships should be considered by the Administration on a case-by-case basis, bearing in mind the particular circumstances.

2 It is important that ships accepted by the Administration under the provisions of paragraph 1 above should also be accepted as such by port States. In order to ensure this, the following practice is recommended to Administrations when considering an application for such a ship:

- .1 the Administration should thoroughly consider applications on a case-by-case basis, bearing in mind the particular circumstances. In doing so in the case of a ship built in a foreign country, the Administration may require a formal report from the authorities of the country in which the ship was built, stating that the delay was due to unforeseen circumstances beyond the control of the builder and the owner;
- .2 when a ship is accepted by the Administration under the provisions of paragraph 1 above, the delivery date annotated on the Cargo Ship Safety Construction Certificate or Cargo Ship Safety Certificate should be footnoted to indicate that the ship is accepted by the Administration under the unforeseen delay in delivery provisions of this interpretation; and
- .3 the Administration should report to the Organization on the identity of the ship and the grounds on which the ship has been accepted under the unforeseen delay in delivery provisions of this interpretation.

MARITIME SAFETY COMMITTEE
102nd session
Agenda item 7

MSC 102/7/5
9 March 2020
Original: ENGLISH
Pre-session public release:

GOAL-BASED NEW SHIP CONSTRUCTION STANDARDS

Unified interpretation of SOLAS regulation II-1/3-10 concerning the term "unforeseen delay in delivery of ships"

Submitted by China and IACS

SUMMARY

Executive summary: This document proposes a unified interpretation of SOLAS regulation II-1/3-10 concerning the term "unforeseen delay in the delivery of ships" with a view to harmonizing the interpretation of the provisions for the application scheme thereof with the unified interpretation to regulation 1.28 of MARPOL Annex 1

Strategic direction, if applicable: Other work

Output: OW 7

Action to be taken: Paragraph 7

Related documents: MSC.1/Circ.1247; resolutions MSC.287(87) and MSC.290(87)

Background

1 On 30 January 2020, the World Health Organization (WHO) declared that the outbreak of pneumonia epidemic caused by the novel coronavirus (COVID-19) constituted a Public Health Emergency of International Concern (PHEIC). Since the outbreak, the Government of China has adopted the most comprehensive and stringent prevention and control measures in a highly responsible manner to protect people's health. At the same time, in a responsible manner, China has timely notified WHO, relevant countries and regional organizations of the epidemic, maintained close communication, strengthened cooperation, made concerted efforts to deal with the epidemic, and maintained regional and global public health security. In a nationwide effort to fight against the novel coronavirus disease, shipbuilders in China have, upon the request of the Government, taken rigorous measures including extending the Spring Festival holiday, adopting necessary measures, such as personnel quarantine and working on a rotational basis etc., to contain the outbreak. As a consequence, shipbuilders and their associated supply chains took a hit which led to difficulties in resuming normal production and different degrees of delay in the delivery of ships under construction. There will be significant impact on ships originally scheduled to be

delivered before 1 July 2020, which were not designed and constructed in accordance with the requirements of SOLAS regulation II-1/3-10 (Goal-based ship construction standards for bulk carriers and oil tankers).

2 In accordance with SOLAS regulation II-1/3-10, adopted by resolution MSC.290(87), the following oil tankers and bulk carriers of 150 m in length and above, excluding ore carriers and combination carriers, need to satisfy the applicable structural requirements of a recognized organization or the national standards of an Administration, conforming to the functional requirements of the *Goal-based Ship Construction Standards for Bulk Carriers and Oil Tankers* (resolution MSC.287(87)), hereinafter referred to as the GBS Standards:

- .1 for which the building contract is placed on or after 1 July 2016;
- .2 in the absence of a building contract, the keels of which are laid on or after 1 July 2017; or
- .3 the delivery of which is on or after 1 July 2020.

Discussion

3 On 19 February 2020, the Organization issued Circular Letter No.4204/Add.1 on *COVID-19 – Implementation and enforcement of relevant IMO instruments* and called for understanding and close cooperation among all Member States to overcome challenges related to the implementation and enforcement of relevant IMO instruments. The epidemic of the novel coronavirus infection is unforeseen and its impact is far beyond the control of the shipbuilder and the shipowner. As a result, for oil tankers and bulk carriers of 150 m in length and above for which the building contract was placed before 1 July 2016 (in the absence of a building contract, the keels of which were laid before 1 July 2017), and scheduled to be delivered before 1 July 2020, the delivery may be on or after 1 July 2020. Although these ships were not designed and constructed in accordance with the Standards, they will need to satisfy the Standards upon delivery in accordance with SOLAS regulation II -1/3-10 if without appropriate interpretation of its applicability. Yet, it is obvious that the delays in delivery of those ships are unforeseen delays and it is necessary to develop an appropriate interpretation of this regulation for its applicability to ships in unforeseen delay.

4 The co-sponsors noted that MSC.1/Circ.1247 on *Unified interpretation of unforeseen delay in delivery of ships* was approved by MSC 83 to address the applicability of SOLAS regulation II-1/3-2 (Performance Standard for Protective Coatings (PSPC)) to ships in case of delay in delivery which is unforeseen and out of the control of the owner and the builder. The MSC circular has played a positive role in the implementation of PSPC requirements by the Administrations and the industry.

5 Based on the above discussion, the co-sponsors are of the view that the nature of the application of SOLAS regulation II-1/3-10 to unforeseen delay in delivery of ships is the same as that of SOLAS regulation II-1/3-2 and, therefore, the principles in MSC.1/Circ.1247 should also apply to the application of SOLAS regulation II-1/3-10 in terms of unforeseen delay in delivery of ships as mentioned in paragraph 3 above, i.e. the ship may be accepted by the Administration as a ship delivered before 1 July 2020 subject to stringent assessment and related procedures followed.

Proposal

6 Due to the urgency and importance of this matter and in order to clearly and timely address the applicability of SOLAS regulation II-1/3-10 to unforeseen delays in delivery of ships, the co-sponsors suggest that the Committee develops an MSC circular by referring to the practice of MSC.1/Circ.1247. In this connection, the co-sponsors have developed a draft MSC circular on Unified interpretation of SOLAS regulation II-1/3-10 concerning the term "unforeseen delay in delivery of ships", as set out in the annex, for consideration by the Committee.

Action requested of the Committee

- 7 The Committee is invited to note the above discussion and to:
- .1 agree with the view in paragraph 5; and
 - .2 consider the attached draft MSC circular on Unified interpretation of SOLAS regulation II-1/3-10 concerning the term "unforeseen delay in delivery of ships" with a view to approval (paragraph 6 and annex).

ANNEX

DRAFT MSC CIRCULAR

**UNIFIED INTERPRETATION OF SOLAS REGULATION II-1/3-10 CONCERNING THE
TERM "UNFORESEEN DELAY IN DELIVERY OF SHIPS"**

1 The Maritime Safety Committee, at its [102nd session (...)], approved the Unified interpretation of the term "unforeseen delay in the delivery of ships", as set out in the annex, with a view to harmonizing the interpretation of the provisions for the application scheme in SOLAS regulation II-1/3-10 (Goal-based ship construction standards for bulk carriers and oil tankers), as adopted by resolution MSC.290(87), with the unified interpretation to regulation 1.28 of Annex I of the MARPOL Convention.

2 Member Governments are invited to use the annexed unified interpretation when applying the relevant provisions of SOLAS regulation II-1/3-10 and to bring it to the attention of all parties concerned.

ANNEX

**INTERPRETATION OF SOLAS REGULATION II-1/3-10 CONCERNING THE TERM
"UNFORESEEN DELAY IN DELIVERY OF SHIPS"**

1 For the purpose of defining the category of a ship under SOLAS regulation II-1/3-10, a ship for which the building contract (or keel laying) occurred, and scheduled delivery date was, before the dates specified in this regulation, but where the delivery has been subject to delay beyond the specific date due to unforeseen circumstances beyond the control of the builder and the owner, may be accepted by the Administration as a ship delivered before the date of delivery specified in this regulation. The treatment of such ships should be considered by the Administration on a case-by-case basis, bearing in mind the particular circumstances.

2 It is important that ships accepted by the Administration under the provisions of paragraph 1 above should also be accepted as such by port States. In order to ensure this, the following practice is recommended to Administrations when considering an application for such a ship:

- .1 the Administration should thoroughly consider applications on a case-by-case basis, bearing in mind the particular circumstances. In doing so in the case of a ship built in a foreign country, the Administration may require a formal report from the authorities of the country in which the ship was built, stating that the delay was due to unforeseen circumstances beyond the control of the builder and the owner;
- .2 when a ship is accepted by the Administration under the provisions of paragraph 1 above, the delivery date annotated on the Cargo Ship Safety Construction Certificate or Cargo Ship Safety Certificate should be footnoted to indicate that the ship is accepted by the Administration under the unforeseen delay in delivery provisions of this interpretation; and
- .3 the Administration should report to the Organization on the identity of the ship and the grounds on which the ship has been accepted under the unforeseen delay in delivery provisions of this interpretation.

MARITIME SAFETY COMMITTEE
102nd session
Agenda item 7

MSC 102/7/6
24 March 2020
Original: ENGLISH
Pre-session public release:

GOAL-BASED NEW SHIP CONSTRUCTION STANDARDS

Comments on document MSC 102/7/5

Submitted by ASEF and CESA

SUMMARY

Executive summary: This document comments on document MSC 102/7/5 (China and IACS) and provides recommendations for consideration by the Committee

Strategic direction, if applicable: Other work

Output: OW 7

Action to be taken: Paragraph 8

Related documents: MSC 102/7/5; MSC.1/Circ.1247, MSC.1/Circ.1500/Rev.1; MSC-MEPC.5/Circ.8 and Circular Letters Nos.4203, 4204 and 4204/Add.1

Introduction

1 This document is submitted in accordance with paragraph 6.12.5 of the *Organization and method of work of the Maritime Safety Committee and the Marine Environment Protection Committee and their subsidiary bodies* (MSC-MEPC.1/Circ.5/Rev.1) and comments on the Unified interpretation of SOLAS regulation II-1/3-10 concerning the term "unforeseen delay in delivery of ships" (MSC 102/7/5).

2 Document MSC 102/7/5 (China and IACS) includes a draft MSC circular concerning the unforeseen delay in the delivery of ships under the SOLAS regulation II-1/3-10. The co-sponsors are of the view that document MSC 102/7/5 provides a timely and practical solution to deal with the issues on application of goal-based standards (GBS) for the time being and could be taken forward to conduct further discussions on unforeseen delay in delivery of ships under SOLAS as the issue, though profoundly affecting China, is also affecting the shipbuilding industry in other countries that may need to abide by the GBS requirements.

Discussion

Impacts of COVID-19

3 Due to the outbreak of COVID-19, a number of port States, flag States and shipbuilding countries have been enforcing emergency countermeasures such as personnel quarantines and transport restrictions, which bring significant impacts to shipping and shipbuilding activities. The co-sponsors are of the view that the introduced countermeasures for reasons of public health, either regionally or nationally, pose difficulties for shipping and shipbuilding companies to a variable extent, relating to restricted access to shipyards and ports for crews, workers, inspectors, auditors and surveyors which could result in unforeseen delays of scheduled maritime activities. As indicated in IMO Circular Letter No.4204/Add.1, the enforcement and implementation of some provisions in IMO instruments may be affected.

4 The co-sponsors note the difficulties in resuming formal production in shipyards and related supply chains globally and the risks associated with SOLAS regulation II-1/3-10 as introduced in document MSC 102/7/5. At the current stage, it is a fact that shipyards in certain areas will have some ships being delivered after 1 July 2020 due to such unforeseen delays. The co-sponsors consider that it is necessary to clarify the application scheme of SOLAS regulation II-1/3-10 with the view to ensure satisfactory implementation of GBS in unforeseen circumstances.

Unified interpretation of unforeseen delay in delivery of ships

5 The co-sponsors note that SOLAS regulation II-1/3-10 was developed based on the "three dates" criteria, as contained in document MSC.1/Circ.1500/Rev.1. Regarding the application of the "three dates" criteria, MSC-MEPC.5/Circ.8 provides a Unified Interpretation explaining it and referring to unforeseen delay in delivery of ships in paragraph 3.3 with the footnotes in MSC.1/Circ.1247 and MARPOL Annex I Unified Interpretation.

6 When interpreting the application scheme of provisions, particularly with respect to unforeseen delays in ships' delivery, the contexts and wordings in MSC.1/Circ.1247 and MARPOL Annex I Unified Interpretation 4 are in line with and complementary to each other. Therefore, the co-sponsors believe that the concepts and principles reflected in these two documents, in terms of unforeseen delays in ships' delivery, provide for a harmonized application regime under SOLAS and MARPOL and can be applied to SOLAS regulation II-1/3-10. Considering that the draft MSC circular proposed in document MSC 102/7/5 is harmonized with the above, the co-sponsors fully support this proposal.

Recommendations

7 The co-sponsors welcome Circular Letters Nos.4203 and 4204 issued by the Organization on COVID-19 as very timely and practical guidance to the maritime industry for protecting human health and ensuring the sustainable development of shipping. Bearing in mind the above, the co-sponsors recommend the following for consideration by the Committee:

- .1 to approve the proposal in document MSC 102/7/5 and issue the circular, considering the urgency of enforcing SOLAS regulation II-1/3-10; and
- .2 to annex the above-mentioned circular to further circular letters on COVID-19, if any, with the aim of informing stakeholders, including flag States, port States and companies, of the application of SOLAS regulation II-1/3-10 in the context of unforeseen delay in the delivery of ships and to implement it accordingly.

Action requested of the Committee

8 The Committee is invited to consider the comments and recommendations above and to take action, as appropriate.
