



सत्यमेव जयते

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Merchant Shipping Notice No. 22 of 2013

Subject : Certification of Offshore vessels, accommodation barges, etc. under the provisions Special Purpose Ships Code (SPS Code) while operating in Indian waters.

The Directorate had issued SD Circular no. 3 of 2008, [in supersession of the SD circulars 2 of 2006 and 1 of 2007 (as amended on 30 September 2008)], regarding the certification requirements applicable for vessels which carry more than 12 persons in excess of the Master and crew, and operate in Indian waters. During the implementation of this Circular over the past few years, certain queries have been raised by the ship-owners, certification agencies and charterers, with regard to the applicability of provisions contained in earlier circulars, which are not explicitly mentioned in the SD Circular 3 of 2008.

2. This MS Notice is intended as a single reference document, indicating all the requirements applicable for sea-going vessels, Indian and non-Indian, which carry more than 12 persons in excess of the Master and crew, and operate in Indian waters. It is also intended to provide more clarity to the requirements applicable under the SPS code, as contained in the earlier Circulars issued by the Directorate on this subject, in order to facilitate uniform and effective implementation.

3. A consolidated list of requirements applicable for sea-going vessels which carry more than 12 persons in excess of the Master and crew is given below for the information of ship-owners, recognized organizations, charterers and other stakeholders:

- (a) All vessels, which carry more than 12 persons in excess of the Master and crew and operate in Indian waters, shall be certified either as a passenger vessel or as a Special Purpose Ship. A ‘Special Purpose Ship’ shall comply with the requirements under subparagraphs b) to p) given below.
- (b) Vessels constructed after 13th May, 2008 shall fully comply with SPS Code, 2008 [MSC Resolution 266(84)]
- (c) Vessels constructed before 13th May, 2008, shall fully comply with SPS Code [IMO Res. A 534(13)].

- (d) However, compliance with sub-paragraphs b) and c) is not necessary if the vessel fully meets the requirements of the MODU Code 1979 [IMO Res.A 414(XI)], or MODU Code 1989 [IMO Res.A 649(16)] or MODU Code 2009 [IMO Res.A 1023(26)], as applicable.
- (e) Vessels which undergo a major modification, as defined in SOLAS II-1/3.1.4 and MSC Circ.1284, will be considered as a new vessel and shall comply with the provisions under subpara (b).
- (f) The requirements of this MS Notice are applicable for self-propelled as well as non-self propelled vessels (to the extent applicable), and irrespective of the size of the vessel (GT or kW).
- (g) For non-propelled vessels, instead of compliance with Chapter 2 of the SPS Code,2008 (Stability and Subdivision), compliance with relevant provisions as per MODU Code will be acceptable.
- (h) A separate compliance certificate with SPS Code (or the MODU Code, as the case may be) is necessary, even if the Certificate of Registry and/or the Form-E of the CSSEC/CSEC indicate adequacy of provisions for accommodating more than 12 persons in excess of the Master and crew.
- (i) For both self propelled and non-self propelled vessels, built or acquired prior to the date of issuance of this MS Notice, dispensation from the provision of lifeboat, if additionally required under the provisions of SPS Code, will be considered, if the vessel carries a Rescue boat and life rafts of 150 per cent capacity, on each side of the vessel.
- (j) While applying the SPS code (or MODU code), wherever the 'number of special personnel' appears as a parameter, it should include the number of passengers carried on board which may not exceed 12.
- (k) Notwithstanding sub-paras (c) and (f), those Indian vessels built before 13 May 2008, of size below 200GT and carrying less than 50 personnel in excess of the master and crew, the Directorate may consider exemption from the following areas of SPS Code (or MODU Code) requirements (i.e., the requirements in these areas which are in excess of those applicable for cargo ships), if it is impractical to comply with the requirements (for which a feasibility survey to be done by RO before the application to DGS) and suitable alternate arrangements are provided and/or operational restrictions are imposed:
- Fixed Fire-Fighting System in Machinery space
  - Sprinkler System
  - Fire detection System
  - Damage Stability requirements
  - Bilge Pumping arrangement
  - Steering gear
  - Provision of lifeboat

- (l) The certificate issued to the vessels shall be in the format given in the SPS Code, 2008 (or the format given in the MODU code, if certified under MODU Code). However, the survey of vessels constructed before 13 May 2008, may be carried out as per SPS Code (IMO Res. A 534(13)), and the provisions of SPS Code, 2008 (MSC Res.266(84)) only need to be applied to such vessels as far as reasonable and practicable.
- (m) Vessels other than Indian vessels, shall possess a SPS Safety certificate or a MODU Safety Certificate (or a Certificate/Statement of Compliance in the format given in the SPS/MODU Code), issued by one of the Recognised Organizations of the Govt of India, Further, foreign vessels, are not entitled for any exemption from the Code requirements, which are otherwise not granted to Indian vessels.
- (n) The application from non-Indian vessels for a license under Section 406/407 of the M.S. Act for operating in Indian waters, shall be accompanied by the document mentioned at sub-para (n) of this MS Notice.
- (o) Charterers and offshore operators are advised to include suitably in their tender document and/or the request for quotation, a specific reference to the applicability of the SPS code as one of the technical requirements that have to be met for carriage of more than 12 persons in excess of the Master and the crew, while operating in Indian waters.
- (p) Indian owners shall not acquire any vessel, propelled or non-propelled, intended for carriage of more than 12 persons in excess of the Master and the crew, which does not fully comply with the provisions of SPS Code or SPS Code 2008 or the MODU Code, as applicable.
4. A sea-going vessel, Indian or non-Indian, while operating in Indian waters, shall not carry more than 12 persons in excess of the Master and the crew, without complying with the relevant requirements under paragraph 3 above.
5. This MS Notice gives a consolidated list of provisions made applicable as per earlier circulars, and hence supersedes the SD Branch circulars issued earlier on this subject [i.e, SD Circular no. 3 of 2008, and the earlier SD circulars 2 of 2006 and 1 of 2007 (as amended on 30 September 2008)].
6. This notice does not impose any additional requirements or changes to those Indian flag vessels, which were already certified under the SPS Code as on date.

  
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(Aji Vasudevan)  
Deputy Chief Ship Surveyor

MSN 22/2013

Copy to

1. CS/NA/CSS
2. The Principal Officer, MMD, Mumbai /Kolkata / Chennai /Kandla /Cochin.
3. The Surveyor-in-charge, Mercantile Marine Department, Goa/Jamnagar/Port Blair /Visakhapatnam /Tuticorin /Delhi /Haldia/ Paradip /Mangalore.
4. All Recognized Organizations.
5. INSA/ICCSA
6. SD Branch
7. PS to DG- for information
8. PS to Jt.DG-for information
9. Hindi Cell – for translation
10. Computer Cell - for uploading on the DGS website
11. Guard file
12. Indian Navy, New Delhi
13. Indian Coast Guard, New Delhi
14. ODAG
15. Oil Industry Safety Directorate, New Delhi
16. M/s.ONGC Ltd.
17. M/s. Bharat Petroleum Corporation Ltd
18. M/s.Indian Oil Corporation Ltd
19. M/s.Hindustan Petroleum Corporation Ltd
20. Mangalore Refineries Ltd
21. M/s.Reliance Industries Ltd. Mumbai.
22. M/s.Cairn Energy India Pvt Ltd.
23. M/s.Essar Oil Limited, Mumbai
24. M/s.Gujrat Adani Port Ltd, Mundra
25. M/s.BG Exploration and Production India Ltd
26. M/s.Gujarat State Petroleum Corporation
27. M/s.Hardy Exploration and Production Indian Inc
28. M/s.Reliance oil and Gas, Mumbai
29. All State Maritime Boards