



RUSSIAN MARITIME REGISTER OF SHIPPING

CIRCULAR LETTER

No. 381-08-1170c

dated 20.11.2018

Re:

amendments to the Rules for Technical Supervision during Construction of Ships and Manufacture of Materials and Products for Ships, 2018, ND No. 2-020101-040-E

Item(s) of supervision:

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Appendix(-ces):

text of amendments to Part I "General Regulations for Technical Supervision"

Director General

K.G. Palnikov

Text of CL:

We hereby inform that based on the proposals received to SRPAA, the amendments given in the Appendix to this Circular Letter shall be introduced into the Rules for Technical Supervision During Construction of Ships and Manufacture of Materials and Products for Ships. The above amendments will be introduced into the Rules at their re-publication.

It is necessary to do the following:

1. Familiarize the surveyors of the RS Branch Offices with the content of the Circular Letter.
 2. Apply provisions of the Circular Letter.
 3. Clarify the provisions of the Circular Letter to all interested parties in the area of the RS Branch Offices' activity.
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List of amended and introduced paras/chapters/sections (to specify in the List of Circular Letters (form 8.3.36)):

Part I: para 8.3.15- new revision. New paras 9.3.9.4, 9.3.12.5

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**RULES FOR TECHNICAL SUPERVISION DURING CONSTRUCTION OF SHIPS AND
MANUFACTURE OF MATERIALS AND PRODUCTS FOR SHIPS (2018)
ND No. 2-020101-040-E**

Part I. GENERAL REGULATIONS FOR TECHNICAL SUPERVISION

8 RECOGNITION OF SERVICE SUPPLIERS

8.3 SPECIAL REQUIREMENTS

Para 8.3.15 shall be amended to read:

"**8.3.15 Special requirements for firms engaged in** expertise of safe carriage of bulk cargoes by sea (**code 22023000MK**).

8.3.15.1. The firm whose recognition was cancelled due to major nonconformities of the firm activity with the Register requirements, may apply for re-recognition, provided it has complied with 8.1.5.3. While doing so, the Register shall carry out direct supervision for the firm activity for 5 years.

8.3.15.2 If the decision is taken on possible provision of services by the firm compliant to the RS requirements, the following shall be regarded to provide the safety of navigation:

- .1 competence and qualification compliant to 8.2.2 – 8.2.11 and 8.3.15;
- .2 previous firm area of activity in the indicated area;
- .3 review results of the current firm activity on implementation of provisions of the RF international contracts and the RF legislation in the area of merchant shipping and environmental protection in the area of activity;
- .4 results of control and supervision over the firm activities by the authorized bodies of the Russian Federation;
- .5 petitions by citizens, non-governmental organizations and other persons concerned, including foreign, as regards the firm activity.

8.3.15.3 Legal status.

8.3.15.3.1 The firm and its personnel shall not be involved in any activities that may impair their independence and impartiality in respect of services rendered. The firm and its personnel involved in this kind of activity shall not interact with the developer, manufacturer, supplier, purchaser, owner, user or accompanying person (forwarder / agent), shipowner and underwriter or any representative thereof.

8.3.15.3.2 The firm activities on expertise of safe carriage of bulk cargoes by sea shall be independent on any other kind of commercial activities.

8.3.15.3.3 The firm shall have representatives in all sea basins to ensure possible service provision in all ports of Russia, processing bulk cargoes.

8.3.15.4 Personnel.

8.3.15.4.1 The firm shall have a sufficient number of technical, managing and attending personnel capable of providing up-to-date expertise of safe carriage of bulk cargoes by sea including those specialized in the following areas:

- .1 cargo carriage by sea;
- .2 review of physical and chemical properties of bulk cargoes;
- .3 the ship theory and arrangements.

8.3.15.4.2 The firm personnel involved in development of Declarations of the Transportation Characteristics and Conditions for the Safe Shipment of Bulk Cargoes by Sea and Certificates of Cargo Characteristics at the Time of Loading as well as in development and implementation of the procedures for sampling, laboratory testing and water content monitoring shall have:

- .1 higher education and field-specific continuing professional education corresponding to the area of recognition;
- .2 appropriate skills and competence with regard to the expertise of safe bulk cargo carriage by sea and monitoring of safety precautions during the cargo carriage by sea;
- .3 confirmed work experience in expertise of safe bulk cargo carriage by sea and development of Declarations on Transportation Characteristics and Conditions for the Safe Carriage of Bulk Cargoes by Sea and Certificates of Cargo Characteristics at the Time of Loading not less than 3 years.

8.3.15.4.3 The firm shall have at least five employees involved in full-time activities complying with 8.3.15.4.2.

8.3.15.4.4 Employees not complying with 8.3.15.4.2 may be involved in activities, provided that they perform these activities under supervision of the employees complying with these requirements.

8.3.15.4.5 The firm shall submit the following documents confirming fulfilment of the established requirements:

- .1 employment agreements (or their copies);
- .2 civil law agreements (or their copies);
- .3 certificates on higher education, secondary vocational education or continuing professional education (or their copies);
- .4 employment record books or their copies.

8.3.15.5 Measurement assurance.

The firm shall incorporate a testing laboratory accredited by the Federal Accreditation Service complying with 9.3.9.

8.3.15.6 Files of the firm documents.

8.3.15.6.1 The firm shall develop and keep its own register and information files of national and international rules and regulations applicable to the assessment of acceptability of safe cargo shipments including cargo handling operations in ports.

8.3.15.6.2 The firm shall have valid normative and technical documents required for performance of activities in the expertise of safe bulk cargo carriage by sea including the following:

- .1 national and international normative documents regulating carriage of bulk cargoes by sea;
- .2 technical regulations, interstate, state and industry standards, technical specifications, safety data sheets for materials to be declared and certified;

.3 international and national standards regulating sampling, sample preparation and laboratory tests of materials to be declared and certified.

8.3.15.6.3 The firm shall keep, store for a period of 10 years and submit to the Register the following records both in Russian and English:

.1 list of the personnel authorized to perform bulk cargo sampling with the specimen signatures;

.2 training record books for the personnel involved in sampling and sample preparation;

.3 reports on internal review to ensure that the procedures for sampling and sample preparation are applied correctly;

.4 record books of spot samples and forms where the traceability of the subsample and representative sample is ensured;

.5 record books for maintenance, calibration and testing of sampling and sample preparation equipment;

.6 reports on deviations from the approved sampling and sample preparation procedures and any modification to the procedures.

8.3.15.7 Quality System.

8.3.15.7.1 The firm shall develop, implement and maintain as well as certify the Quality System for compliance with the effective version of ISO 9001 by the certification authority accredited in compliance with the effective version of ISO/IEC 17021 or its national equivalent.

8.3.15.7.2 The firm shall develop and implement the procedures prescribing the following:

.1 development of Declaration on Transportation Characteristics and Conditions for the Safe Carriage of Bulk Cargoes by Sea and Certificates of Cargo Characteristics at the Time of Loading with regard to international and national normative documents as well as the Register procedures;

.2 development and implementation of procedures for sampling, laboratory testing and water content monitoring as per International Maritime Solid Bulk Cargoes (IMSBC Code), IMO resolution MSC. 1/Circ. 1454;

.3 sampling, sample recording and preparation of bulk cargo samples. The procedures shall be approved by the Register, comply with the effective edition of the IMSBC Code and provide for liability of a person, involved in sampling and sample preparation, for compliance with applicable procedures and liability of the head of the firm for fulfilment of the sampling and sample preparation procedures by the personnel and assignment of only qualified personnel for the sampling. The sampling documents (reports, certificates) shall be signed by a person having directly performed the sampling.

The sampling procedure shall provide as follows:

if sampling takes place in each stack, the stack action plan shall be issued and stored (storage may be allowed in electronic form, eliminating the loss and misinterpretation of information), indicating the following:

stack action plan identification number;

ship's name with the lot being loaded;

stack location;

cargo identification (mark, grade);

quantity of cargo in stack;
sampler's full name;
date and time of the commence and completion of sampling;
the required number and mass of point sampling;
locations (in stack) where the point sampling is performed;
sample packaging technique, seal No. (during sealing), or another label identification;
sampler's full name;

period of storage of stack action plans— a minimum of one year. The plans shall be kept at the Company division directly performing the sampling, the copies shall be made available at the Company's office.

Maintenance of sampling record books. The sampling record books shall include the following information, but may not be limited to:

terminal attending time;
number and mass of selected point sampling;
performance location of sample division;
mass of integrated sample;
stack action plan number;
seal No. or sample label No.;

The storage period of sampling record books is a minimum of 3 years. The record books shall be kept at the Company division having directly performed the sampling, the copies shall be made available at the Company's office.

While sampling outside of the laboratory, the shipment/transport document (contracts, delivery notes, waybills) for transportation of samples shall be stored for at least 1 year.

Photographic evidence (unless prohibited by port regulations) of sampling with automatic indication of photographing and geotagging date and time: Photo of the filled-out sampling action plan contrasted with the stack, from where the sampling shall be performed, stack location with reference to landmarks, a general view of the stack, selected samples.

.4 liability of the firm management and personnel for failure to comply with international and national documents and the Register procedures when carrying out the activities on the assessment of acceptability of safe cargo shipments;

.5 development and implementation of measures to prevent and settle the conflict of interest;

.6 guarantees of the firm independence from commercial, financial, administrative or other pressures that may affect the quality of the activities performed;

.7 responsibility for impartial decision-making of the firm when performing works/rendering services as well as methods to provide impartiality;

.8 disclosure of information on affiliates of the recognized firm as per antitrust laws of the Russian Federation;

.9 identification of risks related to impartiality during work, elimination and minimization of the specified risks;

.10 assurance of the firm independence from the manufacturers, sellers, executors and purchasers including consumers;

.11 requirements to firm employees regarding the obligation to notify the firm on the previous and actual relations with designers, developers, manufacturers, sellers, product (work/service) operators, or other circumstances, which may result in a potential conflict of interest.

9 RECOGNITION OF TESTING LABORATORIES

9.3 SPECIAL REQUIREMENTS

New para 9.3.9.4 shall be introduced reading as follows:

"9.3.9.4 The testing laboratory/TL and its personnel shall not be involved in any activities that may impair their independence and impartiality in respect of services rendered. TL and its personnel shall not be under any commercial, financial or other pressure from the cargo manufacturer, purchaser, shipper, owner, user or guide (shipping clerk/forwarder or agent), shipowner and insurer or any representative thereof that may impair their independence and impartiality in respect of services rendered".

A new **para 9.3.12.5** shall be introduced reading as follows:

"9.3.12.5 The testing laboratory/TL and its personnel shall not be involved in any activities that may impair their independence and impartiality in respect of services rendered. TL and its personnel shall not be under any commercial, financial or other pressure from the cargo manufacturer, purchaser, shipper, owner, user or guide (shipping clerk/forwarder or agent), shipowner and insurer or any representative thereof that may impair their independence and impartiality in respect of services rendered".