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Treaty Series No. 87 (2000)

1998 Amendments
to the
International Convention on
Maritime Search and Rescue, 1979
(MSC.70(69))

(Adopted at London, 18 May 1998)

[The Amendments entered into force on 1 January 2000]

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
July 2000*

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RESOLUTION MSC.70(69)
(adopted on 18 May 1998)

**ADOPTION OF AMENDMENTS TO THE INTERNATIONAL CONVENTION ON
MARITIME SEARCH AND RESCUE, 1979¹**

THE MARITIME SAFETY COMMITTEE,

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

RECALLING FURTHER article III(2)(f) of the International Convention on Maritime Search and Rescue, 1979, hereinafter referred to as "the Convention", concerning the procedures for amending the Annex to the Convention, other than the provisions of paragraphs 2.1.4, 2.1.5, 2.1.7, 2.1.10, 3.1.2 or 3.1.3 thereof,

HAVING CONSIDERED, at its sixty-ninth session, amendments to the Convention proposed and circulated in accordance with article III(2)(a) thereof,

1. ADOPTS, in accordance with article III(2)(c) 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 III(2)(f) of the Convention, that the amendments shall be deemed to have been accepted on 1 July 1999, unless, prior to that date, more than one third of the Parties, have notified their objections to the amendments;
3. INVITES Parties to the Convention to note that, in accordance with article III(2)(h) of the Convention, the amendments shall enter into force on 1 January 2000 upon their acceptance in accordance with paragraph 2 above;
4. REQUESTS the Secretary-General, in conformity with article III(2)(d) of the Convention, to transmit certified copies of the present resolution and the text of the amendments contained in the Annex to all Parties to the Convention;
5. FURTHER REQUESTS the Secretary-General to transmit copies of this resolution and its Annex to Members of the Organization, which are not Parties to the Convention.

ANNEX

**AMENDMENTS TO THE INTERNATIONAL CONVENTION ON MARITIME
SEARCH AND RESCUE, 1979**

The existing text of the Annex to the Convention, except paragraphs 2.1.4, 2.1.5, 2.1.7, 2.1.10, 3.1.2 and 3.1.3 is replaced by the following:

¹Treaty Series No. 59 (1986) Cm 12.

“CHAPTER 1

TERMS AND DEFINITIONS

1.1 “Shall” is used in the Annex to indicate a provision, the uniform application of which by all Parties is required in the interest of safety of life at sea.

1.2 “Should” is used in the Annex to indicate a provision, the uniform application of which by all Parties is recommended in the interest of safety of life at sea.

1.3 The terms listed below are used in the Annex with the following meanings:

- .1 “Search”. An operation, normally co-ordinated by a rescue co-ordination centre or rescue sub-centre, using available personnel and facilities to locate persons in distress;
- .2 “Rescue”. An operation to retrieve persons in distress, provide for their initial medical or other needs, and deliver them to a place of safety;
- .3 “Search and rescue service”. The performance of distress monitoring, communication, co-ordination and search and rescue functions, including provision of medical advice, initial medical assistance, or medical evacuation, through the use of public and private resources including co-operating aircraft, vessels and other craft and installations;
- .4 “Search and rescue region”. An area of defined dimensions associated with a rescue co-ordination centre within which search and rescue services are provided;
- .5 “Rescue co-ordination centre”. A unit responsible for promoting efficient organization of search and rescue services and for co-ordinating the conduct of search and rescue operations within a search and rescue region;
- .6 “Rescue sub-centre”. A unit subordinate to a rescue co-ordination centre established to complement the latter according to particular provisions of the responsible authorities;
- .7 “Search and Rescue facility”. Any mobile resource, including designated search and rescue units, used to conduct search and rescue operations;
- .8 “Search and Rescue unit”. A unit composed of trained personnel and provided with equipment suitable for the expeditious conduct of search and rescue operations;
- .9 “Alerting post”. Any facility intended to serve as an intermediary between a person reporting an emergency and a rescue co-ordination centre or rescue sub-centre;
- .10 “Emergency phase”. A generic term meaning, as the case may be, uncertainty phase, alert phase or distress phase;
- .11 “Uncertainty phase”. A situation wherein uncertainty exists as to the safety of a person, a vessel or other craft;
- .12 “Alert phase”. A situation wherein apprehension exists as to the safety of a person, a vessel or other craft;
- .13 “Distress phase”. A situation wherein there is a reasonable certainty that a person, a vessel or other craft is threatened by graver and imminent danger and requires immediate assistance;
- .14 “On-scene co-ordinator”. A person designated to co-ordinate search and rescue operations within a specified area;
- .15 “Secretary-General”. The Secretary-General of the International Maritime Organization.

CHAPTER 2

ORGANIZATION AND CO-ORDINATION

2.1 Arrangements for provision and co-ordination of search and rescue services

2.1.1 Parties shall, as they are able to do so individually or in co-operation with other States and, as appropriate, with the Organization, participate in the development of search and rescue services to ensure that assistance is rendered to any person in distress at sea. On receiving information that any person is, or appears to be, in distress at sea, the responsible authorities of a Party shall take urgent steps to ensure that the necessary assistance is provided.

2.1.2 Parties shall, either individually or, if appropriate, in co-operation with other States, establish the following basic elements of a search and rescue service:

- .1 legal framework;
- .2 assignment of a responsible authority;
- .3 organisation of available resources;
- .4 communication facilities;
- .5 co-ordination and operational functions; and
- .6 processes to improve the service including planning, domestic and international co-operative relationships and training.

Parties shall, as far as practicable, follow relevant and minimum standards and guidelines developed by the Organization.

2.1.3 To help ensure the provision of adequate shore-based communication infrastructure, efficient distress alert routing, and proper operational co-ordination to effectively support search and rescue services, Parties shall, individually or in co-operation with other States, ensure that sufficient search and rescue regions established within each sea area in accordance with paragraphs 2.1.4 and 2.1.5. Such regions should be contiguous and, as far as practicable, not overlap.

2.1.6 Agreement on the regions or arrangements referred to in paragraphs 2.1.4 and 2.1.5 shall be recorded by the Parties concerned, or in written plans accepted by the Parties.

2.1.8 Parties should seek to promote consistency, where applicable, between their maritime and aeronautical search and rescue services while considering the establishment of maritime search and rescue regions which shall be established by agreement in accordance with paragraph 2.1.4 or the reaching of agreement upon appropriate arrangements in accordance with paragraph 2.1.5.

2.1.9 Parties having accepted responsibility to provide search and rescue services for a specified area shall use search and rescue units and other available facilities for providing assistance to a person who is, or appears to be, in distress at sea.

2.1.11 Parties shall forward to the Secretary-General information on their search and rescue service, including the:

- .1 national authority responsible for the maritime search and rescue services;
- .2 location of the established rescue co-ordination centres or other centres providing search and rescue co-ordination, for the search and rescue region or regions and communications therein;
- .3 limits of their search and rescue region or regions and the coverage provided by their shore based distress and safety communication facilities; and
- .4 principal types of available search and rescue units.

Parties shall with priority, update the information provided with respect to any alterations of importance. The Secretary-General shall transmit to all Parties the information received.

2.1.12 The Secretary-General shall notify all Parties of the agreements or arrangements referred to in paragraphs 2.1.4 and 2.1.5.

2.2 Development of national search and rescue services

2.2.1 Parties shall establish appropriate national procedures for overall development, co-ordination, and improvement of search and rescue services.

2.2.2 To support efficient search and rescue operations, Parties shall:

- .1 ensure the co-ordinated use of available facilities; and
- .2 establish close co-operation between services and organizations which may contribute to improve the search and rescue service in areas such as operations, planning, training, exercises and research and development.

2.3 Establishment of rescue co-ordination centres and rescue sub-centres

2.3.1 To meet the requirements of paragraph 2.2, Parties shall individually or in co-operation with other States establish rescue co-ordination centres for their search and rescue services and such rescue sub-centres as they consider appropriate.

2.3.2 Each rescue co-ordination centre and rescue sub-centre, established in accordance with paragraph 2.3.1 shall arrange for the receipt of distress alerts originating from within its search and rescue region. Every such centre shall also arrange for communications with persons in distress, with search and rescue facilities, and with other rescue co-ordination centres or rescue sub-centres.

2.3.3 Each rescue co-ordination centre shall be operational on a 24-hour basis and be constantly staffed by trained personnel having a working knowledge of the English language.

2.4 Co-ordination with aeronautical services

2.4.1 Parties shall ensure the closest practicable co-ordination between maritime and aeronautical services so as to provide for the most effective and efficient search and rescue services in and over their search and rescue regions.

2.4.2 Whenever practicable, each Party should establish joint rescue co-ordination centres and rescue sub-centres to serve both maritime and aeronautical purposes.

2.4.3 Whenever separate maritime and aeronautical rescue co-ordination centres or rescue sub-centres are established to serve the same area, the Party concerned shall ensure the closest practicable co-ordination between the centres or sub-centres.

2.4.4 Parties shall ensure as far as is possible the use of common procedures by search and rescue units established for maritime purposes and those established for aeronautical purposes.

2.5 Designation of search and rescue facilities

Parties shall identify all facilities able to participate in search and rescue operations, and may designate suitable facilities as search and rescue units.

2.6 Equipment of search and rescue units

2.6.1 Each search and rescue unit shall be provided with equipment appropriate to its task.

2.6.2 Containers and packages containing survival equipment for dropping to survivors should have the general nature of their contents indicated by markings in accordance with standards adopted by the Organization.

CHAPTER 3

CO-OPERATION BETWEEN STATES

3.1 Co-operation between States

3.1.1 Parties shall co-ordinate their search and rescue organizations and should, whenever necessary, co-ordinate search and rescue operations with those of neighbouring States.

3.1.4 The responsible authorities of Parties shall:

- .1 immediately acknowledge the receipt of such a request; and
- .2 as soon as possible indicate the conditions, if any, under which the projected mission may be undertaken.

3.1.5 Parties should enter into agreements with neighbouring States setting forth the conditions for entry of each other's search and rescue units into or over their respective territorial sea or territory. These agreements should also provide for expediting entry of such units with the least possible formalities.

3.1.6 Each Party should authorize its rescue co-ordination centres:

- .1 to request from other rescue co-ordination centres such assistance, including vessels, aircraft, personnel or equipment, as may be needed;
- .2 to grant any necessary permission for the entry of such vessels, aircraft, personnel or equipment into or over its territorial sea or territory; and
- .3 to make the necessary arrangements with the appropriate customs, immigration, health or other authorities with a view to expediting such entry.

3.1.7 Each Party shall ensure that its rescue co-ordination centres provide, when requested, assistance to other rescue co-ordination centres, including assistance in the form of vessels, aircraft, personnel or equipment.

3.1.8 Parties should enter into agreements with other States, where appropriate, to strengthen search and rescue co-operation and co-ordination. Parties shall authorize their responsible authority to make operational plans and arrangements for search and rescue co-operation and co-ordination with responsible authorities of other States.

CHAPTER 4

OPERATING PROCEDURES

4.1 Preparatory measures

4.1.1 Each rescue co-ordination centre and rescue sub-centre shall have available up-to-date information especially concerning search and rescue facilities and available communications relevant to search and rescue operations in its area.

4.1.2 Each rescue co-ordination centre and rescue sub-centre should have ready access to information regarding the position, course, and speed of vessels within its area which may be able to provide assistance to persons, vessels or other craft in distress at sea, and regarding how to contact them. This information should either be kept in the rescue co-ordination centre, or be readily obtainable when necessary.

4.1.3 Each rescue co-ordination centre and rescue sub-centre shall have detailed plans of operation for the conduct of search and rescue operations. Where appropriate, these plans shall be developed jointly with the representatives of those who may assist in providing, or who may benefit from, the search and rescue services.

4.1.4 Rescue co-ordination centres or sub-centres shall be kept informed of the state of preparedness of search and rescue units.

4.2 Information concerning emergencies

4.2.1 Parties, either individually or in co-operation with other States shall ensure that they are capable on a 24-hour basis of promptly and reliably receiving distress alerts from equipment used for this purpose within their search and rescue regions. Any alerting post receiving a distress alert shall:

- .1 immediately relay the alert to the appropriate rescue co-ordination centre or sub-centre, and then assist with search and rescue communications as appropriate; and
- .2 if practicable acknowledge the alert.

4.2.2 Parties shall, where appropriate, ensure that effective arrangements are in place for the registration of communication equipment and for responding to emergencies, to enable any rescue co-ordination centre or sub-centre to access pertinent registration information quickly.

4.2.3 Any authority or element of the search and rescue service having reason to believe that a person, a vessel or other craft is in a state of emergency shall forward as soon as possible all available information to the rescue co-ordination centre or rescue sub-centre concerned.

4.2.4 Rescue co-ordination centres and rescue sub-centres shall, immediately upon receipt of information concerning a person, a vessel, or other craft in a state of emergency, evaluate such information and determine the phase of emergency in accordance with paragraph 4.4, and the extent of operations required.

4.3 Initial action

Any search and rescue unit receiving information of a distress incident shall initially take immediate action if in the position to assist and shall, in any case without delay, notify the rescue co-ordination centre or rescue sub-centre in whose area the incident has occurred.

4.4 Emergency phases

To assist in determining the appropriate operating procedures, the following emergency phases shall be distinguished by the rescue co-ordination centre or sub-centre concerned:

- .1 Uncertainty phase:
 - .1.1 when a person has been reported as missing, or a vessel or other craft is overdue; or
 - .1.2 when a person, a vessel or other craft has failed to make an expected position or safety report.
- .2 Alert phase:
 - .2.1 when, following the uncertainty phase, attempts to establish contact with a person, a vessel or other craft have failed and inquiries addressed to other appropriate sources have been unsuccessful; or
 - .2.2 when information has been received indicating that the operating efficiency of a vessel or other craft is impaired, but not to the extent that a distress situation is likely.
- .3 Distress phase:
 - .3.1 when positive information is received that a person, a vessel or other craft is in danger and in need of immediate assistance; or
 - .3.2 when, following the alert phase, further unsuccessful attempts to establish contact with a person, a vessel or other craft and more widespread unsuccessful inquiries point to the probability that a distress situation exists; or

- .3.3 when information is received which indicates that the operating efficiency of a vessel or other craft has been impaired to the extent that a distress situation is likely.

4.5 Procedures to be followed by rescue co-ordination centres and rescue sub-centres during emergency phases

4.5.1 Upon the declaration of the uncertainty phase, the rescue co-ordination centre or rescue sub-centre, as appropriate, shall initiate inquiries to determine the safety of a person, a vessel or other craft, or shall declare the alert phase.

4.5.2 Upon the declaration of the alert phase, the rescue co-ordination centre or rescue sub-centre, as appropriate, shall extend the inquiries for the missing person, vessel or other craft, alert appropriate search and rescue services and initiate such action, as is necessary in the light of the circumstances of the particular case.

4.5.3 Upon the declaration of the distress phase, the rescue co-ordination centre or rescue sub-centre, as appropriate, shall proceed as prescribed in its plans of operation, as required by paragraph 4.1.

4.5.4 Initiation of search and rescue operations when the position of the search object is unknown

In the event of an emergency phase being declared for a search object whose position is unknown, the following shall apply:

- .1 when an emergency phase exists, a rescue co-ordination centre or rescue sub-centre shall, unless it is aware that other centres are taking action, assume responsibility for initiating suitable action and confer with other centres with the objective of designating one centre to assume responsibility;
- .2 unless otherwise decided by agreement between the centres concerned, the centre to be designated shall be the centre responsible for the area in which the search object was according to its last reported position; and
- .3 after the declaration of the distress phase, the centre co-ordinating the search and rescue operations shall, as appropriate, inform other centres of all the circumstances of the emergency and of all subsequent developments.

4.5.5 Passing information to persons, vessels, or other craft for which an emergency phase has been declared

Whenever possible, the rescue co-ordination centre or rescue sub-centre responsible for search and rescue operations shall forward to the person, a vessel or other craft for which an emergency phase has been declared, information on the search and rescue operations it has initiated.

4.6 Co-ordination when two or more Parties are involved

For search and rescue operations involving more than one Party, each Party shall take appropriate action in accordance with the plans of operation referred to in paragraph 4.1 when so requested by the rescue co-ordination centre of the region.

4.7 On-scene co-ordination of search and rescue activities

4.7.1 The activities of search and rescue units and other facilities engaged in search and rescue operations shall be co-ordinated on-scene to ensure the most effective results.

4.7.2 When multiple facilities are about to engage in search and rescue operations, and the rescue co-ordination centre or rescue sub-centre considers it necessary, the most capable person should be designated as on-scene co-ordinator as early as practicable and preferably before the facilities arrive within the specified area of operation. Specific responsibilities shall be assigned to the on-scene co-ordinator taking into account the apparent capabilities of the on-scene co-ordinator and operational requirements.

4.7.3 If there is no responsible rescue co-ordination centre or, for any reason, the responsible rescue co-ordination centre is unable to co-ordinate the search and rescue mission, the facilities involved should designate an on-scene co-ordinator by mutual agreement.

4.8 Termination and suspension of search and rescue operations

4.8.1 Search and rescue operations shall continue, when practicable, until all reasonable hope of rescuing survivors has passed.

4.8.2 The responsible rescue co-ordination centre or rescue sub-centre concerned shall normally decide when to discontinue search and rescue operations. If no such centre is involved in co-ordinating the operations, the on-scene co-ordinator may take this decision.

4.8.3 When a rescue co-ordination centre or rescue sub-centre considers, on the basis of reliable information that a search and rescue operation has been successful, or that the emergency no longer exists, it shall terminate the search and rescue operation and promptly so inform any authority, facility or service which has been activated or notified.

4.8.4 If a search and rescue operation on-scene becomes impracticable and the rescue co-ordination centre or rescue sub-centre concludes that survivors might still be alive, the centre may temporarily suspend the on-scene activities pending further developments, and shall promptly so inform any authority, facility or service which has been activated or notified. Information subsequently received shall be evaluated and search and rescue operations resumed when justified on the basis of such information.

CHAPTER 5

SHIP REPORTING SYSTEMS

5.1 General

5.1.1 Ship reporting systems may be established either individually by Parties or in co-operation with other States, where this is considered necessary, to facilitate search and rescue operations.

5.1.2 Parties contemplating the institution of a ship reporting system should take account of the relevant recommendations of the Organization. Parties should also consider whether existing reporting systems or other sources of ship position data can provide adequate information for the region, and seek to minimize unnecessary additional reports by ships, or the need for rescue co-ordination centres to check with multiple reporting systems to determine availability of ships to assist with search and rescue operations.

5.1.3 The ship reporting system should provide up-to-date information on the movements of vessels in order, in the event of a distress incident, to:

- .1 reduce the interval between the loss of contact with a vessel and the initiation of search and rescue operations in cases where no distress signal has been received;
- .2 permit rapid identification of vessels which may be called upon to provide assistance;
- .3 permit delineation of a search area of limited size in case the position of a person, a vessel or other craft in distress is unknown or uncertain; and
- .4 facilitate the provision of urgent medical assistance or advice.

5.2 Operational requirements

5.2.1 Ship reporting systems should satisfy the following requirements:

- .1 provision of information, including sailing plans and position reports, which would make it possible to determine the current and future positions of participating vessels;

- .2 maintenance of a shipping plot;
- .3 receipt of reports at appropriate intervals from participating vessels;
- .4 simplicity in system design and operation; and
- .5 use of internationally agreed standard ship reporting format and procedures.

5.3 Types of reports

5.3.1 A ship reporting system should incorporate the following types of ship reports in accordance with the recommendations of the Organization:

- .1 Sailing plan;
- .2 Position report; and
- .3 Final report.

5.4 Use of systems

5.4.1 Parties should encourage all vessels to report their position when travelling in areas where arrangements have been made to collect information on positions for search and rescue purposes.

5.4.2 Parties recording information on the position of vessels should disseminate, so far as practicable, such information to other States when so requested for search and rescue purposes.”



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