

	CIRCULAR 2012-009 (rev1)		
	DEPARTMENT OF MARINE SERVICES AND MERCHANT SHIPPING (ADOMS)		
	Testing and Certification of Lifting Appliances.	Ref	ILO No. 152 Directive 002-2012

**Companies operating ships under the flag of Antigua and Barbuda.
Ships registered under the flag of Antigua and Barbuda.
Authorised Recognised Organisations (ROs)**

This Circular was previously published as Circular 09-002-2012. It is republished as 2012-009 with minor editorial changes and clarifications.

Introduction.

The ILO Convention on Occupational Safety and Health (Dock Work) Convention, 1979 (No. 152) sets out the general standards for the examination and testing of lifting appliances. Antigua and Barbuda has not ratified this Convention but believes that as it is the accepted international standard for this subject, Antigua and Barbuda ships should comply with its requirements. In order to ensure clarity for Antigua and Barbuda ships the administration has therefore issued Directive 002-2012 which sets out the essential legal requirements giving effect to this Convention for Antigua and Barbuda ships. This is also an important part of the overall protection of seafarer's health and safety to meet the Maritime Labour Convention standards.

Lifting appliances.

The term lifting appliances covers any equipment used on board to lift or suspend weights and includes:

- Cranes,
- Derricks,
- Gantries,
- Davits,
- Accommodation ladder suspension arrangements,
- Hose handling cranes,
- Hatch and pontoon elevating rigs, and
- Similar equipment whether portable or fixed.

The term does not include davits and related equipment associated with the ship's life saving appliances, so that rescue boat davits, lifeboat davits, free-fall lifeboat recovery frames etc which are covered by the annual thorough examination and five year dynamic load testing requirements in SOLAS Chapter III Regulation 20 are not included in lifting appliances.

Basic requirements:

The Convention and the Directive require that all lifting appliances, accessories for lifting (which includes links, frames and other equipment to connect the load to the lifting appliance) and loose gear (which includes slings, shackles and related equipment) are to be:

- Examined annually by a competent person,

- Certificated,
- Marked with the safe working load,
- Tested at 5 yearly intervals.

Additionally the Directive requires that a register of all lifting appliances, accessories for lifting, and loose gear is maintained. The ILO has a standard model for this register and there are commercial products that are available using the standard model. These may be used. Alternatively the ILO standard model is available in the Annex to Convention No. 152 on the ILO Conventions website at <http://www.ilo.org/ilolex/english/convdisp1.htm> . Any format which is similar to the ILO model and which contains the same records is acceptable and may be used.

Ships should also retain certificates associated with each piece of equipment for at least 2 years and longer if the equipment remains in service beyond two years.

Timing of annual inspections.

Recognising that shipboard operations often place tight time constraints on the use of cargo equipment while schedules often make the arranging of dates for inspections and testing hard to assign precisely, the Antigua and Barbuda administration will accept a period of 3 months after the annual due date for the annual thorough inspection. This is intended to allow effective planning of inspections; it is not intended to create a 15 month inspection regime and evidence that inspections are routinely occurring at 15 month intervals will be regarded as a deficiency at an annual safety inspection. Any equipment and appliances that are in use beyond 12 months from the last annual thorough inspection should be checked very carefully before use on each occasion.

Competent persons.

A competent person is defined as; *“a person possessing the knowledge and experience required for the performance of a specific duty or duties and acceptable as such to the competent authority”*. (Art 3.).

This definition can cover a variety of persons depending on the equipment involved and the knowledge and experience may be obtained in a variety of ways ranging from thorough training by a manufacturer of equipment to “on the job” training provided on the vessel. A member of the crew may be considered to be a competent person for some particular equipment if they have the appropriate knowledge and experience for carrying out routine inspections, but possession of a certificate of competency (STCW) does not automatically make a crew member a competent person. The person should have a background, experience and training that is appropriate to the equipment that he is examining. On the other hand for the testing or examination of complex equipment it may be necessary to consider a competent person as a specialised company in that field.

It is for owners and managers to decide the optimum competent person for any particular piece of equipment. The choice should take into account the complexity of the equipment, the ease with which it can be examined, the experience of the person with that equipment and its components, the availability of any manufacturer’s guidance on it and any other factors that apply in choosing the competent person. Surveyors employed by the authorised Recognised Organisations will be regarded as “competent persons” for most appliances and all the ROs have expertise in the area of certification of lifting appliances.

The Recognised Organisations are available in many cases to undertake annual thorough examinations of equipment and may be engaged for that purpose and they will often be the ones supervising testing. There are many other organisations and companies that will undertake annual examinations of equipment. It is for each owner and manager to assess the competence and ability of the chosen organisation for the purpose, and if organisations other than the ROs are engaged, owners should establish that they are authorised for the examination of lifting appliances in their country. ADOMS is not required to approve "Competent Persons" and does not intend to undertake this work. Therefore any company or organisation properly authorised in its own country may be used.

Owners and managers should also note that Section 10 of the ISM Code says that:

"The Company should identify equipment and technical systems the sudden operational failure of which may result in hazardous situations. The Safety management system should provide for specific measures aimed at promoting the reliability of such equipment or systems. ..."

ADOMS is of the view that a lifting appliance is a piece of equipment which, if it failed suddenly, would cause a hazardous situation for any seafarers using it and hence would fall within Section 10.3 of the ISM Code. As such the register of equipment and the annual inspections and five yearly testing required in the Directive and described here is a specific measure aimed at meeting Section 10.3.

Similarly Standard A.4.3 of the MLC requires the flag state to adopt laws and other measures covering, amongst other things, "reasonable precautions to prevent occupational accidents, injuries etc." (Standard AS.4.3.1(b)); Requirements for inspecting, reporting and correcting unsafe conditions.." (Standard A.4.3.1(d)) all these are related to the requirement to take account of relevant international instruments. The arrangements for inspecting and testing lifting appliance address a number of the areas in MLC Standard A.4.3

December 2012