



Evrak Tarihi ve Sayısı: 25/10/2019-3744

İSTANBUL VE MARMARA, EGE, AKDENİZ, KARADENİZ BÖLGELERİ

İSTANBUL & MARMARA, AEGEAN, MEDITERRANEAN, BLACKSEA REGIONS

DENİZ TİCARET ODASI  **CHAMBER OF SHIPPING**

Sayı : 38591462 - 430.04.03 - 2019 - 3744

25/10/2019

Konu : IMO Deniz Trafik Hizmetleri Rehberi Revizyonu Hk.

Sirküler No :732

SAYIN ÜYEMİZ,

İlgi : Uluslararası Deniz Ticaret Odasının (ICS) 23/10/2019 tarihli ve RN(19)07 sayılı yazısı.

Uluslararası Deniz Ticaret Odası (ICS) tarafından gönderilen ilgi yazıda, Deniz Güvenliği Komitesi'nin (MSC) 99'uncu oturumunda, gemi trafik hizmetlerine ilişkin Kılavuzun (A.857 (20) sayılı Kararname) modernize edilerek güncellenmesi, dünya genelinde gemi trafik hizmetlerine uyumlu bir şekilde getirilmesi ve etkili bir biçimde kullanımına devam edilmesi amacıyla revize edilmesinin önerildiği, konunun IMO Seyir, Haberleşme, Arama ve Kurtarma Alt Komitesi'nin (NCSR) 7.dönem toplantısında da yer aldığı, söz konusu toplantıda, aralarında Türkiye'nin de bulunduğu 5 ülke ile bazı Uluslararası Denizcilik Organizasyonlarının da katkılarıyla oluşturulan Gemi Trafik Hizmetleri Kılavuzu'nun revize edilmesine ilişkin taslak teklifi "Uluslararası Deniz Seyir Yardımcıları ve Fener Otoriteleri Birliği" tarafından Alt Komite'ye (NCSR) sunulduğu bildirilmektedir.

Bahse konu hakkında, ICS ve BIMCO'nun da ortaklaşa bir çalışma gerçekleştirerek EK-1'de sunulan revizyon teklifini oluşturduğu belirtilmekte olup, her iki revizyon teklifine de ilişkin görüş ve önerilerin ICS' e iletilmek üzere 7 Kasım 2019 tarihi mesai bitimine kadar Odamıza (iletisim@denizticaretodasi.org.tr) bildirilmesi hususunda bilgilerinizi ve gereğini arz ederim.

Saygılarımla,

e-imza

İsmet SALİHOĞLU
Genel Sekreter

Ek:

- 1- Gemi Trafik Hizmetleri Kılavuzunda Değişiklik Teklifi Taslağı (Draft Submission to NCSR 7) (2 sayfa)
- 2- EK_1 (2 sayfa)
- 3- EK_2 (11 sayfa)

Dağıtım:

Gereği:

- Tüm Üyeler (WEB sayfası ve e-posta ile)
- Türk Armatörler Birliği
- S.S. Gemi Armatörleri Mot. Taş. Koop.
- Vapur Donatanları ve Acenteleri Derneği
- İMEAK DTO Şubeleri ve Temsilcilikleri

Bilgi:

- Ulaştırma ve Altyapı Bakanlığı Deniz ve İçsular Düzenleme Genel Müdürlüğü
- Kıyı Emniyeti Genel Müdürlüğü
- Yönetim Kurulu Başkan ve Üyeleri
- İMEAK DTO Meslek Komite Bşk.



- Türk Loydu Uygunluk Değerlendirme Hizmetleri A.Ş.
- KOSDER
- UND
- Gemi Brokerleri Derneği
- WISTA Türkiye Derneği
- Gemi Sahibi Firmalar

25/10/2019 Müdür
25/10/2019 Genel Sekreter Yardımcısı

: Serkan İNAL
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23 October 2019

RN(19)07

To: RADIO AND NAUTICAL SUB-COMMITTEE

**Copy: MARINE COMMITTEE
ALL FULL AND ASSOCIATE MEMBERS (for information)**

DRAFT SUBMISSION TO NCSR 7 – Draft Assembly Resolution on Guidelines for Vessel Traffic Services.

Action required: *Members are invited to review the draft submission attached as Annex A and note that the Secretariat plans to co-sponsor the submission unless Members advise otherwise. Members are requested to provide any comments by Friday 8th November 2019.*

Members will recall;

REVISION OF THE GUIDELINES FOR VESSEL TRAFFIC SERVICES (RESOLUTION A.857(20))

The Maritime Safety Committee, at its ninety-ninth session proposed to revise the Guidelines for vessel traffic services (resolution A.857(20)) to ensure that they were modernized/updated and continued to serve as an effective instrument, providing a clear framework to implement vessel traffic services globally in a harmonized manner.

This output was included in the Agenda for NCSR 7.

Attached as Annex B, the document proposes a draft Assembly resolution for the Sub-Committee's consideration in progressing the revision of the Guidelines for Vessel Traffic Services (resolution A.857(20)).

ICS, in co-sponsorship with BIMCO, present a comment submission to this draft as Annex A, which provides comments to NCSR 7/7/x (Annex B), on draft revision of the guidelines for vessel traffic services (Resolution A.857(20)).

The ICS Secretariat recommends co-sponsorship of the draft comment submission.

Members are requested to review the draft submission and advise their support (or otherwise) along with providing any other comments to the undersigned (gregor.stevens@ics-shipping.org) by Friday 8th November 2019.

Gregor Stevens
Marine Advisor

Enclosed:

- Annex : A** - IMO NCSR7 Submission - Cover Note and VTS47-13.2.1 Draft Assembly Resolution on Guidelines For Vessel Traffic Services (002)
- B** - Draft submission Commenting on IALA VTS paper

SUB-COMMITTEE ON NAVIGATION,
COMMUNICATIONS AND SEARCH AND
RESCUE
7th session
Agenda item 7

NCSR 7/7/x
Document date, i.e. 20 November 2019
Language: i.e. Original: ENGLISH
Pre-session public release:

AGENDA ITEM TITLE

Comments on NCSR 7/7/y

Submitted by [ICS] and BIMCO

SUMMARY

Executive summary: This document provides comments to NCSR 7/7/x, draft revision of the guidelines for vessel traffic services (Resolution A.857(20))

Strategic direction, if applicable: Xx

Output: xx

Action to be taken: [11]

Related documents: Resolution A.857(20); Resolution MSC.43(64); NCSR 7/7/x

Introduction

1. This document comments in NCSR 7/7/X and has been submitted in accordance with the provisions of paragraph 6.12.5 of MSC-MEPC.1/Circ.5/Rev.1.

Background

2. Resolution A.857(20) describes the principles and general provisions for the operation of a VTS and participating ships, the roles and responsibilities of Contracting Governments, competent authorities and VTS authorities, and qualifications and training of VTS.

3. IALA, through the expertise of the VTS Committee and its associated correspondence Group, to which BIMCO was given a chance to participate, has taken a coordinating role in the update and preparation of a revised resolution and associated guidelines for consideration by the IMO during the 2019-2020 biennium.

Discussion

4. While, most of the text in the revised draft guidelines serves its intended purpose, there are still two paragraphs that are of concern to the co-sponsors.

5. The co-sponsors are concerned about the suggestion in paragraph 4.4 of establishing a VTS with voluntary participation outside the normal jurisdiction of a VTS. This may end up in a scenario where some ships participate in the VTS and others do not.

5. bis [The co-sponsors are aware that a shore-based authority with the responsibility for the management and co-ordination of a mandatory reporting system may be an authority in charge of a vessel traffic service. Even if such a system may be established beyond the territorial waters of a state, it does not make it an VTS.]

6. Adding to this confusion, is the fact that the bridge team in some cases will receive advice and information only and in other cases will receive instructions and requirements. So the danger and dilemma could be identifying when is the bridge team communicating with an authority that has jurisdiction in accordance with SOLAS Chapter 5 Regulation 12.3 and when is it communicating with an advisor without authority?

7. By introducing a voluntary VTS service beyond the territorial seas of a coastal State, it is unclear as to on which party the liability will rest in case of an incident that has been based on advice/instructions given by the VTS.

8. The wording in paragraph 6.1.3 of paper NCSR 7/7/x includes “safety” but not “protection of the marine environment”. This seems to restrict and undermine the responsibility of the master as stipulated in SOLAS Chapter 34-1. The draft Assembly Resolution should also consider a situation where the master in acting to protect the marine environment and based on the master’s professional judgement choose not to follow the instructions given by the VTS.

Proposal

9. The co-sponsors propose to delete paragraph 4.4.

10. The co-sponsors propose to add protection of the marine environment in paragraph 6.1.3, so it reads: In a VTS area, participating ships should: comply with the requirements and instructions given to the ship by the VTS unless contradictory safety and/ or marine environment protection reasons exist;

Action requested by the committee

11. The Committee is invited to consider the comments in this paper and the proposals in paragraph 9 and 10, and take action, as appropriate.

SUB-COMMITTEE ON NAVIGATION,
COMMUNICATIONS AND SEARCH
AND RESCUE
7th session
Agenda item 7

NCSR 7/x
XX Month 20XX
Original: ENGLISH

**REVISION OF THE GUIDELINES FOR VESSEL TRAFFIC SERVICES
(RESOLUTION A.857(20))**

Draft Assembly Resolution

**Submitted by IALA, [Australia, China, Norway, India, Turkey, BIMCO, IFSMA, IAIN
IHMA, IAPH, NI]**

SUMMARY

Executive summary: This document provides a draft revision of the *Guidelines for Vessel Traffic Services* (resolution A.857(20)) for the Sub-Committee's consideration.

Strategic direction, if applicable: 2 and 6

Output: X.XX

Action to be taken: Paragraph 12

Related documents: Resolution A.857(20); MSC.1/Circ.952; MSC.1/Circ.1065/Rev.1; MSC 99/20/3; IALA Standards and associated Recommendations, Guidelines and Model Courses relating to VTS.

Introduction

1 The Maritime Safety Committee, at its ninety-ninth session (16 to 25 May 2018), considered document MSC 99/20/3 (Australia et al.), proposing to revise the *Guidelines for vessel traffic services* (resolution A.857(20)) to ensure that they were modernized/updated and continued to serve as an effective instrument, providing a clear framework to implement vessel traffic services globally in a harmonized manner; and agreed to include in its post-biennial agenda an output on "Revision of the Guidelines for vessel traffic services (resolution A.857(20))" with one session needed to complete the item, assigning the NCSR Sub-Committee as the coordinating organ. This output was subsequently included in the agenda of NCSR 7.

2 This document proposes a draft Assembly resolution for the Sub-Committee's consideration in progressing the revision of the *Guidelines for Vessel Traffic Services* (resolution A.857(20)).

Background

3 Resolution A.857(20) describes the principles and general provisions for the operation of a VTS and participating ships, the roles and responsibilities of Contracting Governments, competent authorities and VTS authorities, and qualifications and training of VTS Operators.

4 Since the adoption of the resolution more than 20 years ago, various organizational, operational and technological developments have taken place globally in a rapidly changing maritime domain. This has rendered important parts of the resolution open to differing interpretation, resulting in debate amongst stakeholders and a reduced ability to implement the *Guidelines for Vessel Traffic Services* in a consistent and harmonized manner.

5 The *Guidelines for Vessel Traffic Services* came into effect in 1997, and were developed:

- .1 at a time when VTS was in its infancy in many parts of the world. VTS is now an established and recognized service that ensures safe and efficient shipping and it continues to evolve in a changing maritime domain;
- .2 prior to major recent technological developments such as AIS, internet connectivity, high speed communication networks, modern computing power, sophisticated decision support tools and relational database;
- .3 during a period of rapid development in the maritime industry, in which the impact on VTS (functions, responsibilities, operations, etc.) was not yet clear; and
- .4 prior to the development of related IALA guidance since 1997 including a series of Recommendations accompanied by associated Guidelines and Model Courses which are now available. These encompass organizational, operational, technical and training aspects of VTS.

6 The resolution remains an important instrument to bring commonality and order to VTS. Although the resolution introduced some new and relatively fundamental principles giving reason for some concerns and debate, the text agreed at that time was acceptable to a wide range of stakeholders.

7 Whilst most of the principles in the document remain relevant, amplifying guidance and documentation, advances in equipment and training and the lessons learned from many years of experience in operating VTSSs have revealed significant parts of the document where the text is now considered to be ambiguous or subjective. This has resulted in the resolution being open to differing interpretation and debate amongst Contracting Governments, competent authorities, VTS authorities, mariners and allied services.

8 As identified in document MSC 99/20/3, a revision of the resolution is necessary to ensure it continues to be an effective IMO instrument with a clear and concise framework that:

- .1 mitigates the risks associated with differing vessel traffic service procedures between adjacent vessel traffic services, resulting in confusion aboard participating ships and between ships and the VTS;

- .2 assists Contracting Governments and competent authorities to meet their obligations under SOLAS regulation V/12 (Vessel Traffic Services) to implement and deliver VTS in a consistent and harmonized manner;
- .3 responds to technological and operational changes that have occurred since the existing resolution came into effect and meets emerging needs and developments;
- .4 ensures that the international framework for VTS continues to meet its objectives; and
- .5 provides an up-to-date framework for the international recognized VTS standards, including those for training and certification of VTS personnel.

Discussion

9 To facilitate the revision of resolution A.857(20), guiding principles were developed for drafting the revised/new resolution in a manner to ensure that the outcomes identified in document MSC 99/20/3 were achieved. These are:

- .1 provide an appropriate high-level framework that is both clear and concise;
- .2 provide a link between SOLAS, the resolution, IMO documentation and requirements relevant to VTS and IALA Standards (as amended or as adopted); and
- .3 the key areas identified in document MSC 99/20/3 that contribute to the broad interpretation and debate are addressed. These included:
 - .1 role of the competent authority/VTS authority;
 - .2 changing traditional boundaries;
 - .3 recognition of IALA Standards;
 - .4 types of service;
 - .5 result-oriented instructions;
 - .6 VTS qualifications, training and certification;
 - .7 VTS and future developments; and
 - .8 administrative amendments.

10 The eight key areas have been addressed as follows:

Existing resolution	Proposed revision
<p>1. Role of the competent authority/VTS authority</p> <ul style="list-style-type: none"> • Overly prescriptive on the respective responsibilities. 	<ul style="list-style-type: none"> • Clear structure, providing the links between: <ul style="list-style-type: none"> ○ SOLAS

Existing resolution	Proposed revision
<ul style="list-style-type: none"> • Does not recognize circumstances that may differ due to national law. 	<ul style="list-style-type: none"> ○ IMO resolution - guidelines for vessel traffic services ○ IALA Standards • Concisely describes the responsibilities at a high level for Contracting Governments, competent authorities and VTS providers.
<p>2. Changing traditional boundaries</p> <ul style="list-style-type: none"> • Silent on the ways that a VTS may contribute to the safety of vessel traffic and the protection of the environment beyond territorial waters. 	<ul style="list-style-type: none"> • The proposed draft recognizes the contribution of VTS beyond the territorial seas of a coastal State on the basis of voluntary participation.
<p>3. VTS and future developments</p> <ul style="list-style-type: none"> • Does not provide a framework to accommodate new trends (e.g. the development and implementation of Maritime Services, e-navigation development, etc). 	<ul style="list-style-type: none"> • The proposed draft recognizes the need to take account of: <ul style="list-style-type: none"> ○ applicable IMO instruments', and international guidance; and ○ future technical and other developments recognized by the Organization relating to VTS.
<p>4. Types of service</p> <ul style="list-style-type: none"> • Is subjective and open to broad interpretation and debate. • Causes confusion to stakeholders, particularly masters of vessels navigating in different VTS areas. • Concern that services are not being declared or delivered globally in a consistent manner. 	<ul style="list-style-type: none"> • Provides clear and concise guidance on how VTS is delivered. • Identifies that it is the role of all VTSs to provide information, monitor and manage traffic and respond to developing situations.
<p>5. Result-oriented instructions</p> <ul style="list-style-type: none"> • Causes confusion and is open to differing interpretation. • Restricts the ability to provide effective communications to ensure the safety of navigation. 	<ul style="list-style-type: none"> • Replaced a confusing term with a requirement for clear and concise VTS communications particularly when responding to developing unsafe situations.
<p>6. VTS qualifications, training and certification</p> <ul style="list-style-type: none"> • Existing text (Annex 2) is: <ul style="list-style-type: none"> ○ Overly prescriptive – 12 pages; ○ Dated; and ○ In conflict with, or constraining the necessary continued development of modern IALA training Recommendations, Guidelines and Model Courses. 	<ul style="list-style-type: none"> • Proposed draft provides: <ul style="list-style-type: none"> ○ concise and high level requirements generic VTS training, On-the-Job training, assessments / revalidation training and appropriate certification. ○ links to the IALA Standards, Recommendations, Guidelines and associated Model Courses as described below. • Reference to recruitment deleted as it is adequately covered within IALA documentation.

Existing resolution	Proposed revision
<p>7. Recognition of IALA Standards</p> <ul style="list-style-type: none"> • Does not recognise IALA Standards and associated Recommendations, Guidelines and Model Courses. • The guidance and terminology is limiting and complicating the development and modernization of IALA guidance in a range of areas. 	<ul style="list-style-type: none"> • The proposed draft recognizes: <ul style="list-style-type: none"> ○ IALA as an important contributor to IMO's role and responsibilities relating to VTS. ○ That IALA Standards provide the framework to harmonize VTS worldwide.
<p>8. Administrative amendments</p> <ul style="list-style-type: none"> • The current resolution refers to a number of instruments which are now incorrect, obsolete or no longer in place and require updating. The document would also benefit from overall rationalization and restructuring. 	<ul style="list-style-type: none"> • Elements that were incorrect, obsolete or no longer in place and required updating have been addressed. • The document has been restructured in a clear and concise form.

11 The attached draft resolution was prepared as a 'clean' version noting that track changes were deemed not appropriate recognizing the scale of the change and, in particular, the need to make the document clear and concise and to re-order topics in a logical sequence.

Action requested of the Sub-Committee

12 The Sub-Committee is invited to consider the proposed draft revision of resolution A.857(20), as set out in the annex, and finalize the draft resolution for approval by MSC 102.

ANNEX

**DRAFT ASSEMBLY RESOLUTION ON GUIDELINES FOR
VESSEL TRAFFIC SERVICES**

THE ASSEMBLY,

RECALLING Article 15(j) of the Convention on the International Maritime Organization concerning the functions of the Assembly in relation to regulations and guidelines concerning maritime safety and the prevention and control of marine pollution from ships,

BEARING IN MIND the responsibility of Governments for the safety of navigation and protection of the marine environment in areas under their jurisdiction,

BEING AWARE that vessel traffic services are provided worldwide and make a valuable contribution to safety of navigation, improved efficiency of traffic flow and the protection of the marine environment,

RECOGNIZING that various organizational, operational and technological developments have taken place globally in a rapidly changing maritime domain since the adoption in 1997 of resolution A.857(20) on *Guidelines for Vessel Traffic Services* and the revision of the current Guidelines became necessary,

RECOGNIZING ALSO that the level of safety and efficiency in the movement of maritime traffic within an area covered by a vessel traffic service is dependent upon close cooperation between those operating the vessel traffic service and participating ships,

RECOGNIZING FURTHER that the use of differing procedures may cause confusion to ship masters, vessel traffic services should be established and operated in a harmonized manner and in accordance with internationally approved guidelines,

NOTING that the International Association of Marine Aids to Navigation and Lighthouse Authorities (IALA) has contributed significantly to the development of internationally harmonized guidance for vessel traffic services,

HAVING CONSIDERED the recommendation made by the Maritime Safety Committee at its [102nd] session,

1 **ADOPTS** the revised *Guidelines for vessel traffic services* set out in the annex to the present resolution;

2 **RECOMMENDS** Contracting Governments and Members of the Organization which are not Contracting Governments to the Convention to take into account the annexed Guidelines when planning and implementing a vessel traffic service in accordance with SOLAS regulation V/12;

3 **ALSO RECOMMENDS** Governments to encourage masters of ships navigating in an area for which a vessel traffic service is provided to make use of such a service;

4 **AUTHORIZES** the Maritime Safety Committee to keep the annexed Guidelines under review and amend them, as appropriate;

5 **REVOKES** resolution A.857(20).

ANNEX

GUIDELINES FOR VESSEL TRAFFIC SERVICES**1 INTRODUCTION**

1.1 These Guidelines are associated with regulation V/12 of the International Convention for the Safety of Life at Sea, 1974 (SOLAS) and should be complied with by Contracting Governments when planning, implementing and operating a vessel traffic service under national law. Members of the Organization which are not Contracting Governments to the Convention are encouraged to comply with these guidelines.

1.2 IMO, in its role in regulating the planning, implementation and operation of vessel traffic services, is responsible for providing guidance on its establishment, operation, qualification and training. This includes a leadership role in providing a forum and framework for cooperation among Governments to facilitate the consistent and harmonized delivery of vessel traffic services worldwide.

1.3 IALA is recognized as an important contributor to IMO's role and responsibilities relating to vessel traffic services.

1.4 In complying with these Guidelines, Contracting Governments should take account of applicable IMO instruments and refer to the relevant international guidance prepared and published by appropriate international organizations.

2 TERMS AND DEFINITIONS

The following terms are used in connection with a vessel traffic service:

2.1 *Vessel traffic service (VTS)* means a service implemented by a Government with the capability to interact with vessel traffic and respond to developing situations within a vessel traffic service area to improve the safety and efficiency of navigation, contribute to safety of life at sea and support the protection of the environment.

2.2 *Competent authority* means the authority made legally responsible by the Government for vessel traffic services.

2.3 *VTS provider* means the organization or entity legally empowered by the Government or Competent authority for the provision of a vessel traffic service.

2.4 *VTS area* means the delineated, formally declared area for which the vessel traffic service provider is legally empowered to deliver a vessel traffic service.

2.5 *VTS personnel* means persons performing tasks associated with vessel traffic services, trained in vessel traffic service operations and appropriately qualified.

2.6 *Allied services* means services other than VTS involved in the safe and efficient passage of a ship through a VTS area, such as pilotage, tugs and linesman.

2.7 *Participating ship* means a ship legally required to participate with the VTS.

3 PURPOSE OF A VTS

3.1 The purpose of VTS is to contribute to safety of life at sea, safety and efficiency of navigation and the protection of the environment within the VTS area by mitigating the development of unsafe situations through:

- .1 the provision of timely and relevant information on factors that may influence the ship's movements and assist on-board decision making. This may include:
 - .1 position, identity, intention and movements of ships;
 - .2 maritime safety information;
 - .3 limitations of ships in the VTS area that may impose restrictions on the navigation of other ships (e.g. manoeuvrability), or any other potential hindrances;
 - .4 other information such as reporting formalities and ISPS International Ship and Port Facility Security (ISPS) code details; and
 - .5 support to, and cooperation with, allied services;
- .2 the monitoring and management of ship traffic to ensure the safety and efficiency of ship movements. This may include:
 - .1 forward planning of ship movements;
 - .2 organizing ships underway;
 - .3 organizing space allocation;
 - .4 establishing a system of traffic clearances;
 - .5 establishing a system of voyage or passage plans;
 - .6 providing route advice; and
 - .7 ensuring compliance with and enforcement of regulatory provisions for which they are empowered;
- .3 responding to developing unsafe situations, which may include:
 - .1 a ship unsure of its route or position;
 - .2 a ship deviating from the route;
 - .3 a ship requiring guidance to an anchoring position;
 - .4 a ship that has defects or deficiencies, such as navigation or manoeuvring equipment failure;
 - .5 severe meteorological conditions (e.g. low visibility, strong winds);

- .6 a ship at risk of grounding or collision; and
- .7 emergency response or support to emergency services.

3.2 To achieve its purpose, a VTS should provide information or issue advice, warnings and instructions as deemed necessary.

4 REGULATORY AND LEGAL FRAMEWORK

4.1 VTS is recognized internationally as a navigational safety measure through SOLAS regulation V/12.

4.2 Under the general provisions of treaty law and of IMO conventions, Contracting Governments are responsible for promulgating laws and regulations and for taking all other steps which may be necessary to give those instruments full and complete effect.

4.3 The establishment of a VTS is dependent on national law, recognizing factors such as the volume of traffic, degree of risk, geographic and environmental conditions.

4.4 A VTS may be established beyond the territorial seas of a coastal State on the basis of voluntary participation. Such a VTS may be established in association with an IMO adopted ships' routing system or mandatory ship reporting system, in accordance with SOLAS regulations V/10 and V/11, respectively.

4.5 Contracting Governments should ensure that ships flying their flag comply with the requirements of VTS. Those Contracting Governments which have received information of an alleged violation of a VTS by a ship flying their flag should provide the Government which has reported the offence with details of any appropriate action taken.

5 VTS RESPONSIBILITIES

5.1 The Contracting Government should:

- .1 establish a legal basis for VTS that gives effect to SOLAS regulation V/12;
- .2 appoint and authorize a competent authority for VTS;
- .3 take appropriate action against a ship flying its flag that is reported not to have complied with the provisions of a VTS; and
- .4 take account of future technical and other developments recognized by the Organization relating to VTS.

5.2 The Competent authority for VTS should:

- .1 establish a regulatory framework for establishing and operating VTSs in accordance with relevant international conventions and IMO instruments, IALA standards and national law;
- .2 authorize a VTS provider to operate a VTS within a delineated VTS area;
- .3 ensure that VTS training is approved and VTS personnel are certified; and

- .4 establish a compliance and enforcement framework with respect to violations of VTS regulatory requirements.

5.3 The VTS provider should:

- .1 ensure the VTS conforms with the regulatory framework set by the Competent authority for VTS;
- .2 set operational objectives for the VTS that are consistent with improving the safety and efficiency of ship traffic and protection of the environment. The objectives set should be routinely evaluated to demonstrate they are being achieved;
- .3 ensure that appropriate equipment, systems and facilities for the delivery of VTS are provided;
- .4 ensure that a VTS is adequately staffed and that VTS personnel are appropriately trained and qualified; and
- .5 ensure that information regarding requirements and procedures of the VTS and the categories of ships required to participate in the VTS are promulgated in appropriate nautical publications.

6 PARTICIPATING SHIPS

6.1 In a VTS area, participating ships should:

- .1 provide reports or information required by the VTS;
- .2 take into account the information provided, or advice and warnings issued, by the VTS;
- .3 comply with the requirements and instructions given to the ship by the VTS unless contradictory safety reasons exist; and
- .4 report any pollution or dangers to navigation to the VTS.

6.2 Ships not designated as participating ships may take part in a VTS subject to complying with the requirements of the VTS and any guidance issued by the VTS provider.

6.3 Masters may be required to report on their actions should they decide to disregard any instruction given by a VTS.

7 GENERAL PRINCIPLES

7.1 Nothing in these Guidelines change the Master's ultimate responsibility for all aspects of the operation of the ship including the responsibility for safe navigation.

7.2 The need for VTS should be assessed and reviewed through risk assessment.

7.3 VTS communications should be timely, clear, concise and unambiguous.

7.4 VTS operates within a comprehensive environment in which ships, ports, allied services and other organizations fulfil their respective roles, as appropriate.

7.5 Effective harmonized data exchange and information sharing is fundamental to overall operational efficiency and safety. VTS providers are encouraged to make use of automated reporting where possible.

7.6 VTS operations should be harmonized with ship reporting systems, ship routing measures and allied services as appropriate.

8 QUALIFICATIONS AND TRAINING

8.1 A major factor in the operation of a VTS is the competence of its personnel.

8.2 VTS personnel should only be considered competent when appropriately trained and qualified for their VTS duties. This includes:

- .1 satisfactorily completing generic VTS training approved by a Competent Authority;
- .2 satisfactorily completing On-the-Job training at the VTS where the person is employed;
- .3 undergoing periodic assessments and revalidation training to ensure competence is maintained; and
- .4 being in possession of appropriate certification.

9 IALA STANDARDS

9.1 IALA publishes standards and associated recommendations, guidelines and model courses specifically related to the establishment and operation of VTS to contribute to achieving worldwide harmonization of VTS.

9.2 Contracting Governments are encouraged to take into account IALA standards and associated recommendations, guidelines and model courses.