

Høringsmottakere

Høringsbrev - Endring i brannforskriften som følge av endringer i FSS-koden (MSC.457(101) og MSC.484(103))

Sjøfartsdirektoratet sender med dette forslag om endring i forskrift 1. juli 2014 nr. 1099 om brannsikring på skip (brannforskriften) på høring.

Høringsuttalelser sendes Sjøfartsdirektoratet innen 10. september 2023 til post@sdir.no. Spørsmål om høringen kan rettes til juridisk seniorrådgiver John Kristian Spångberg på tlf. 52 74 52 43 eller via e-post til jks@sdir.no.

Resolusjon MSC.484(103) og MSC.457(101) fastsetter endringer i det internasjonale regelverket for brannsikringssystem (FSS-koden) kapittel 9 og 15. Resolusjonen trer i kraft 1. januar 2024.

Endringene er fremforhandlet i de relevante komiteene i IMO, og vedtatt i plenum i IMOs Marine Safety Committee (MSC). Norge utarbeidet posisjoner i samarbeid med næringen og deltok i forhandlingene. Næringen forutsettes godt kjent med endringene gjennom sine interesseorganisasjoner og informasjon fra Sjøfartsdirektoratet.

Nærmere om endringene

MSC har vedtatt endringer i FSS-koden ved resolusjonene MSC.457(101) og MSC.484(103). Tre bestemmelser om inertgassarrangementer i FSS-koden kapittel 15, og en bestemmelse i FSS-koden kapittel 9 er endret. FSS-koden er gjennomført i norsk regelverk ved henvisning i brannforskriften. Når koden endres, må også forskriften endres tilsvarende. Det er kun denne henvisningen som endres i brannforskriften, men Sjøfartsdirektoratet vil med dette redegjøre for endringene i koden.

Resolusjon MSC.484(103)

I FSS-kodens kapittel 9 endres 2.1 ved at ny 2.1.8 legges til:

"2.1.8 In cargo ships and on passenger ship cabin balconies, where an individually identifiable system is fitted, notwithstanding the provisions in paragraph 2.1.6.1, isolator modules need not be provided at each fire detector if the system is arranged in such a way that the number and location of individually identifiable fire detectors rendered ineffective due to a fault would not be larger than an equivalent section in a section identifiable system, arranged in accordance with paragraph 2.4.1."

Endringen medfører en presisering av eksisterende regelverk. Endringen åpner for at skipet under visse forutsetninger ikke behøver ha isolatormoduler ved hver branndetektor.



Resolusjon MSC.457 (101)

Ny ordlyd i FSS-koden kapittel 15 2.2.3.2.1 er "The inert gas main may be divided into two or more branches downstream of the non-return devices required by paragraph 2.2.3.1."

I FSS-koden kapittel 15 2.2.3.2.6 er ny ordlyd som følger:

"Arrangements shall be provided to enable the inert gas main to be connected to an external supply of inert gas. The arrangements shall consist of a 250 mm nominal pipe size bolted flange, isolated from the inert gas main by a valve and located downstream of the non-return valve. The design of the flange should conform to the appropriate class in the standards adopted for the design of other external connections in the ship's cargo piping system. "

Endringene er av redaksjonell art. Begrepet «downstream of» (nedstrøms for) er faglig korrekt når vi snakker om rør. "Forward of" (foran), som er tidligere ordlyd, kan misforstås som retningen på fartøyet eller lignende. Av den grunn er det gjort endringer i konvensjonen.

Endringene trer i kraft 1. januar 2024.

Høringen av endringsforskriften skjer forut for IMOs protestfrist 1. juli 2023, og gjennomføres under forutsetning av at endringene i FSS-koden trer i kraft.

Økonomiske og administrative konsekvenser

Som nevnt innledningsvis forutsetter Sjøfartsdirektoratet at aktørene som til daglig forholder seg til FSS-koden er godt kjent med de omtalte endringene. Videre vil ikke resolusjonene medføre endringer som påvirker aktørene økonomisk, da endringene i stor grad er av redaksjonell art. Sjøfartsdirektoratet legger derfor til grunn at endringene vil medføre begrensede kostnader for næringen. Myndighetene og næringen vil måtte innrette og tilpasse seg kontrollen av regelverket, men ettersom det allerede gjøres kontroll og sertifisering i henhold til FSS-koden, faller endringene etter direktoratets vurdering inn i ett allerede godt etablert kontroll og tilsynsregime. De administrative konsekvensene vurderes derfor å ikke være av en betydelig art.

Med hilsen

Knut Arild Hareide
sjøfartsdirektør

Linda Bruås
avdelingsdirektør,
Regelverk og
internasjonalt arbeid

Vedlegg: Utkast til forskrift om endring i forskrift om brannsikring på skip
Norsk oversettelse av resolusjon MSC.457(101) og resolusjon MSC.483(103)
Liste over høringsinstanser

Kopi til: Nærings- og fiskeridepartementet

Dette dokumentet er godkjent elektronisk, og har derfor ikke håndskrevne signaturer

Forslag til forskrift om endring i forskrift om brannsikring på skip

Hjemmel: Fastsatt av Sjøfartsdirektoratet dd.mm.åååå med hjemmel i lov 16. februar 2007 nr. 9 om skipssikkerhet (skipssikkerhetsloven) § 2, § 6, § 9, § 11, § 19, § 20, § 21, § 28a, § 29, § 30 og § 45, jf. delegeringsvedtak 16. februar 2007 nr. 171, delegeringsvedtak 31. mai 2007 nr. 590 og delegeringsvedtak 19. august 2013 nr. 1002.

I forskrift 1. juli 2014 nr. 1099 om brannsikring på skip (brannforskriften) gjøres følgende endring:

I

§ 2 b skal lyde:

«Det internasjonale regelverket for brannsikkerhetssystem (FSS-koden), jf. MSC.98(73), som endret ved MSC.206(81), MSC.217(82) MSC.292(87), MSC.311(88), MSC.327(90), MSC.339(91), MSC.367(93), MSC.403(96), MSC.410(97), *MSC.457 (101) og MSC.484 (103)*.

II

Forskriften trer i kraft 1. januar 2024.

RESOLUTION MSC.457(101)
(adopted on 13 June 2019)

AMENDMENTS TO THE INTERNATIONAL CODE
FOR FIRE SAFETY SYSTEMS (FSS CODE)

THE MARITIME SAFETY COMMITTEE,

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

RECALLING ALSO resolution MSC.98(73), by which it adopted the International Code for Fire Safety Systems ("the FSS Code"), which has become mandatory under chapter II-2 of the International Convention for the Safety of Life at Sea (SOLAS), 1974 ("the Convention"),

RECALLING FURTHER article VIII(b) and regulation II-2/3.22 of the Convention concerning the procedure for amending the FSS Code,

HAVING CONSIDERED, at its 101st session, amendments to the FSS Code proposed and circulated in accordance with article VIII(b)(i) of the Convention,

1 ADOPTS, in accordance with article VIII(b)(iv) of the Convention, amendments to the FSS Code, the text of which is set out in the annex to the present resolution;

2 DETERMINES, in accordance with article VIII(b)(vi)(2)(bb) of the Convention, that the amendments shall be deemed to have been accepted on 1 July 2023 unless, prior to that date, more than one third of the Contracting Governments to the Convention or Contracting Governments the combined merchant fleets of which constitute not less than 50% of the gross tonnage of the world's merchant fleet, have notified their objections to the amendments;

3 INVITES Contracting Governments to note that, in accordance with article VIII(b)(vii)(2) of the Convention, the amendments shall enter into force on 1 January 2024 upon their acceptance in accordance with paragraph 2 above;

4 REQUESTS the Secretary-General, in conformity with article VIII(b)(v) of the Convention, to transmit certified copies of the present resolution and the text of the amendments contained in the annex to all Contracting Governments to the Convention;

5 REQUESTS ALSO the Secretary-General to transmit copies of this resolution and its annex to Members of the Organization, which are not Contracting Governments to the Convention.

ANNEX

**AMENDMENTS TO THE INTERNATIONAL CODE
FOR FIRE SAFETY SYSTEMS (FSS CODE)**

**CHAPTER 15
INERT GAS SYSTEMS**

2 Engineering specifications

2.2 Requirements for all systems

2.2.3.2 Inert gas lines

1 Paragraph 2.2.3.2.1 is replaced by the following:

"2.2.3.2.1 The inert gas main may be divided into two or more branches downstream of the non-return devices required by paragraph 2.2.3.1."

2 Paragraph 2.2.3.2.6 is replaced by the following:

"2.2.3.2.6 Arrangements shall be provided to enable the inert gas main to be connected to an external supply of inert gas. The arrangements shall consist of a 250 mm nominal pipe size bolted flange, isolated from the inert gas main by a valve and located downstream of the non-return valve. The design of the flange should conform to the appropriate class in the standards adopted for the design of other external connections in the ship's cargo piping system."

2.2.4 Indicators and alarms

3 Paragraph 2.2.4.2 is replaced by the following:

"2.2.4.2 Instrumentation shall be fitted for continuously indicating and permanently recording, when inert gas is being supplied:

- .1 the pressure of the inert gas mains downstream of the non-return devices; and
- .2 the oxygen content of the inert gas."

RESOLUTION MSC.484(103)
(adopted on 13 May 2021)

AMENDMENTS TO THE INTERNATIONAL CODE FOR FIRE SAFETY SYSTEMS
(FSS CODE)

THE MARITIME SAFETY COMMITTEE,

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

RECALLING ALSO resolution MSC.98(73), by which it adopted the International Code for Fire Safety Systems ("the FSS Code"), which has become mandatory under chapter II-2 of the International Convention for the Safety of Life at Sea, 1974 ("the Convention"),

RECALLING FURTHER article VIII(b) and regulation II-2/3.22 of the Convention concerning the procedure for amending the FSS Code,

HAVING CONSIDERED, at its 103rd session, amendments to the FSS Code, proposed and circulated in accordance with article VIII(b)(i) of the Convention,

1 ADOPTS, in accordance with article VIII(b)(iv) of the Convention, amendments to the FSS Code, the text of which is set out in the annex to the present resolution;

2 DETERMINES, in accordance with article VIII(b)(vi)(2)(aa) of the Convention, that the amendments shall be deemed to have been accepted on 1 July 2023 unless, prior to that date, more than one third of the Contracting Governments to the Convention, or Contracting Governments the combined merchant fleets of which constitute not less than 50% of the gross tonnage of the world's merchant fleet, have notified their objections to the amendments;

3 INVITES Contracting Governments to note that, in accordance with article VIII(b)(vii)(2) of the Convention, the amendments shall enter into force on 1 January 2024 upon their acceptance in accordance with paragraph 2 above;

4 REQUESTS the Secretary-General, in conformity with article VIII(b)(v) of the Convention, to transmit certified copies of the present resolution and the text of the amendments contained in the annex to all Contracting Governments to the Convention;

5 REQUESTS ALSO the Secretary-General to transmit copies of this resolution and its annex to Members of the Organization which are not Contracting Governments to the Convention.

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ANNEX

**AMENDMENTS TO THE INTERNATIONAL CODE FOR FIRE SAFETY SYSTEMS
(FSS CODE)**

**CHAPTER 9
FIXED FIRE DETECTION AND FIRE ALARM SYSTEMS**

2 Engineering specifications

2.1 General requirements

1 The following new paragraph 2.1.8 is inserted after existing paragraph 2.1.7:

"2.1.8 In cargo ships and on passenger ship cabin balconies, where an individually identifiable system is fitted, notwithstanding the provisions in paragraph 2.1.6.1, isolator modules need not be provided at each fire detector if the system is arranged in such a way that the number and location of individually identifiable fire detectors rendered ineffective due to a fault would not be larger than an equivalent section in a section identifiable system, arranged in accordance with paragraph 2.4.1."
