

ANNEX 28**RESOLUTION MSC.234(82)****RECOMMENDATIONS CONCERNING TONNAGE MEASUREMENT OF
OPEN-TOP CONTAINERSHIPS**

THE MARITIME SAFETY COMMITTEE,

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

RECALLING FURTHER the relevant provisions of the International Convention on Tonnage Measurement of Ships, 1969,

RECALLING ALSO circular TM.5/Circ.4 on Provisional formula to calculate a reduced gross tonnage of open-top containerships, whereby the Committee, being concerned with the economic disadvantages caused by the use of greater gross tonnage in comparison with gross tonnage of conventional containerships for the assessment of fees, agreed to recommend a reduced gross tonnage for open-top containerships based on a provisional formula,

RECALLING ALSO circular TM.5/Circ.5 on Interpretations of the provisions of the International Convention on Tonnage Measurement of Ships, 1969, in particular section 3 entitled "Open-top containerships",

NOTING that, by the aforementioned circular TM.5/Circ.4, Governments were invited to submit to the Organization information on open-top containerships in operation and under consideration which would enable the assessment of the final coefficients in the formula, including principal dimensions, gross tonnage underdeck and ondeck carrying capacities of containers, deadweight etc.,

HAVING RECOGNIZED that based on the provisions included in circular MSC/Circ.608/Rev.1, open-top containerships are designed and constructed to a high safety level in particular. This applies to improved protection and securing of containers,

NOTING that, in view of the explicit amendment procedure of the 1969 Tonnage Measurement Convention, it may require a significant period of time for any amendment to become effective,

REALIZING the need for the establishment of the principles for the treatment and unified application of tonnage measurement of open-top containerships,

HAVING CONSIDERED, at its eighty-second session, the recommendation made by the Sub-Committee on Stability and Load Lines and on Fishing Vessels Safety, at its forty-ninth session,

1. **ADOPTS** the Recommendations concerning tonnage measurement of open-top containerships, the text of which is set out in the Annex to the present resolution;

2. AGREES that Governments which are Contracting Governments to the 1969 Tonnage Measurement Convention should use these Recommendations when applying the provisions of the Convention;
3. INVITES Governments to advise the ports and harbours authorities to apply the Recommendations when assessing fees based on reduced gross tonnage for open-top containerships;
4. REVOKES circular TM.5/Circ.4 and section 3 entitled “Open-top containerships” of circular TM.5/Circ.5.

ANNEX

RECOMMENDATIONS CONCERNING TONNAGE MEASUREMENT OF OPEN-TOP CONTAINERSHIPS

1 In order to use a unified base for the application of tonnage measurement of open-top containerships, the Administrations are recommended to accept the following.

Definition of open-top containership

2 *An open-top containership*, for the purpose of application of the 1969 Tonnage Measurement Convention, means a ship which is designed for the carriage of containers and which is constructed like an open “U”, with not less than 66.7% of the total cargo hatchway clear opening area in an “open-top” configuration, with a double bottom and above this, high-sided erections without hatch covers on the upper deck and without a complete deck above the moulded draught (refer to the figure), and needs to be regarded as a ship of a novel type as referred to in regulation 1(3) of the Convention.

Interpretations of the provisions of the 1969 Tonnage Measurement Convention

3 The provisions of the 1969 Tonnage Measurement Convention for treatment of enclosed spaces should be applied to open-top containerships subject to the following unified interpretations:

.1 *Upper deck (regulation 2(1))*

In a ship which is exempted by the Administration from the requirements to fit weathertight hatch covers on the uppermost deck exposed to weather and sea, as in an open-top containership, the upper deck should be taken as that deck which would have been determined by regulation 2(1) as if such hatch covers had been fitted.

.2 *Enclosed spaces (regulation 2(4))*

In open-top containerships, an opening in a deck such as the absence of hatch covers should not preclude a space from being included in the enclosed space.

.3 *Shelter above container stacks*

In the case of open-top containerships having movable non-load-bearing covers (shelter) of light construction resting on the container-guides, the space above the hatch coamings up to the covers does not qualify as an excluded space according to regulation 2(5). For this particular design, however, an exception can be made in accordance with regulation 1(3). The space can be excluded provided that this type of ship meets the requirements of an open-top containership without such covers.

Reduced gross tonnage of open-top containerships

4 To reduce the disadvantages caused by the use of a greater gross tonnage in comparison with a gross tonnage of conventional containerships for assessing fees, a reduced gross tonnage for open-top containerships, without limitation in size, based on a simplified formula is recommended as follows:

$$GT_R = 0.9 \times GT$$

where:

GT_R = the reduced gross tonnage

GT = the gross tonnage calculated in accordance with the 1969 Tonnage Measurement Convention

Entry into the International Tonnage Certificate (1969)

5 In the International Tonnage Certificate (1969), under “Remarks”, an entry should be made for the tonnage of the open-top containership as follows:

“In accordance with resolution MSC.234(82), the reduced gross tonnage which should be used for the calculation of tonnage-based fees is.....”

Figure referred to in paragraph 2


