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**UNIFIED INTERPRETATION OF SOLAS REGULATION II-1/3-10
CONCERNING THE TERM "UNFORESEEN DELAY IN DELIVERY OF SHIPS"
DURING THE CORONAVIRUS (COVID-19) PANDEMIC**

1 The Maritime Safety Committee, at its 102nd session (4 to 11 November 2020), approved a unified interpretation of the term "unforeseen delay in the delivery of ships", as set out in the annex, with a view to harmonizing the interpretation of the provisions for the application scheme in SOLAS regulation II-1/3-10 (Goal-based ship construction standards for bulk carriers and oil tankers), as adopted by resolution MSC.290(87), with the unified interpretation of regulation 1.28 of Annex I of the MARPOL Convention.

2 Member Governments are invited to use the annexed unified interpretation when applying the relevant provisions of SOLAS regulation II-1/3-10 and to bring it to the attention of all parties concerned.

ANNEX

UNIFIED INTERPRETATION OF SOLAS REGULATION II-1/3-10 CONCERNING THE TERM "UNFORESEEN DELAY IN DELIVERY OF SHIPS"

1 For the purpose of defining the category of a ship under SOLAS regulation II-1/3-10, a ship for which the building contract (or keel laying) occurred, and scheduled delivery date was, before the dates specified in this regulation, but where the delivery has been subject to delay beyond the specific date due to unforeseen circumstances beyond the control of the builder and the owner, may be accepted by the Administration as a ship delivered before the date of delivery specified in this regulation. The treatment of such ships should be considered by the Administration on a case-by-case basis, bearing in mind the particular circumstances.

2 It is important that ships accepted by the Administration under the provisions of paragraph 1 above should also be accepted as such by port States. In order to ensure this, the following practice is recommended to Administrations when considering an application for such a ship:

- .1 the Administration should thoroughly consider applications on a case-by-case basis, bearing in mind the particular circumstances. In doing so in the case of a ship built in a foreign country, the Administration may require a formal report from the authorities of the country in which the ship was built, stating that the delay was due to unforeseen circumstances beyond the control of the builder and the owner;
- .2 when a ship is accepted by the Administration under the provisions of paragraph 1 above, the delivery date annotated on the Cargo Ship Safety Construction Certificate or Cargo Ship Safety Certificate should be footnoted to indicate that the ship is accepted by the Administration under the unforeseen delay in delivery provisions of this interpretation; and
- .3 the Administration should report to the Organization the identity of the ship and the grounds on which the ship has been accepted under the unforeseen delay in delivery provisions of this interpretation.