

ประกาศกรมเจ้าท่า

ที่ ๒๒๑/๒๕๖๗

เรื่อง ข้อแก้ไขเพิ่มเติมประมวลข้อบังคับระหว่างประเทศว่าด้วยเรือเดินเขตขั้วโลก
ตามข้อบังคับกรมเจ้าท่าว่าด้วยหลักเกณฑ์ วิธีการ เงื่อนไข และค่าธรรมเนียมการตรวจ
และการออกใบสำคัญรับรองระหว่างประเทศสำหรับเรือเดินเขตขั้วโลก

พ.ศ. ๒๕๖๖

ตามข้อบังคับกรมเจ้าท่าว่าด้วยหลักเกณฑ์ วิธีการ เงื่อนไข และค่าธรรมเนียมการตรวจ
และการออกใบสำคัญรับรองระหว่างประเทศสำหรับเรือเดินเขตขั้วโลก พ.ศ. ๒๕๖๖ กำหนดให้เรือเดินเขต
ขั้วโลกต้องปฏิบัติตามประมวลข้อบังคับระหว่างประเทศว่าด้วยเรือเดินเขตขั้วโลก (International
Code for Ships Operating in Polar Waters) ซึ่งปัจจุบันคณะกรรมการความปลอดภัยทางทะเล
(Maritime Safety Committee : MSC) ได้รับรองข้อมติที่ ๕๓๘(๑๐๗) ลงวันที่ ๘ มิถุนายน
๒๕๖๖ ให้มีการแก้ไขเพิ่มเติมประมวลข้อบังคับดังกล่าว นั้น

เพื่อให้การปฏิบัติงานเกี่ยวกับการตรวจเรือ การออก และการสลักหลังใบสำคัญรับรอง
เป็นไปอย่างมีประสิทธิภาพ และสอดคล้องกับข้อกำหนดของอนุสัญญาระหว่างประเทศ อาศัยอำนาจ
ตามความในข้อ ๗ ของข้อบังคับกรมเจ้าท่า ว่าด้วยหลักเกณฑ์ วิธีการ เงื่อนไข และค่าธรรมเนียม
การตรวจและการออกใบสำคัญรับรองระหว่างประเทศสำหรับเรือเดินเขตขั้วโลก พ.ศ. ๒๕๖๖
อธิบดีกรมเจ้าท่า จึงประกาศกำหนดไว้ ดังต่อไปนี้

๑. ประกาศนี้ให้มีผลใช้บังคับตั้งแต่วันที่ ๑ มกราคม พ.ศ. ๒๕๖๙

๒. ให้เรือเดินเขตขั้วโลกปฏิบัติตามข้อแก้ไขเพิ่มเติมของประมวลข้อบังคับระหว่างประเทศ
ว่าด้วยเรือเดินเขตขั้วโลก (International Code for Ships Operating in Polar Waters)
ที่รับรองโดยข้อมติของคณะกรรมการความปลอดภัยทางทะเล ที่ ๕๓๘(๑๐๗) (Resolution
MSC.538(107) Amendments to the International Code for Ships Operating in Polar
Waters (Polar Code)) ตามเอกสารแนบท้ายประกาศนี้เพิ่มเติม

ประกาศ ณ วันที่ ๓๐ สิงหาคม พ.ศ. ๒๕๖๗

กริชเพชร ชัยช่วย

อธิบดีกรมเจ้าท่า

ANNEX 8

**RESOLUTION MSC.538(107)
(adopted on 8 June 2023)**

**AMENDMENTS TO THE INTERNATIONAL CODE FOR
SHIPS OPERATING IN POLAR WATERS (POLAR CODE)**

THE MARITIME SAFETY COMMITTEE,

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

NOTING resolution MSC.385(94), by which it adopted the safety-related provisions of the Introduction, and the whole of parts I-A and I-B of the International Code for Ships Operating in Polar Waters ("the Polar Code") which became mandatory under chapter XIV of the International Convention for the Safety of Life at Sea, 1974 ("the Convention"),

NOTING ALSO article VIII(b) and regulation XIV/1.1.1 of the Convention concerning the procedure for amending the safety-related provisions of the introduction and part I-A of the Polar Code,

NOTING FURTHER regulation XIV/1.1.2 of the Convention concerning the procedure for amending part I-B of the Polar Code,

RECOGNIZING the need to introduce safety measures for non-SOLAS ships operating in polar waters,

HAVING CONSIDERED, at its 107th session, amendments to the Polar 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 part I-A of the Polar Code, the text of which is set out in annex 1 to the present resolution;

2 ALSO ADOPTS, in accordance with regulation XIV/1.1.2 of the Convention, amendments to part I-B of the Polar Code, the text of which is set out in annex 2 to the present resolution;

3 DETERMINES, in accordance with article VIII(b)(vi)(2)(bb) of the Convention, that the amendments to part I-A of the Polar Code shall be deemed to have been accepted on 1 July 2025, 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;

4 INVITES Contracting Governments to the Convention to note that, in accordance with article VIII(b)(vii)(2) of the Convention, said amendments shall enter into force on 1 January 2026 upon their acceptance in accordance with paragraph 3 above;

5 ALSO INVITES Contracting Governments to the Convention to note that the amendments to part I-B of the Polar Code will take effect on 1 January 2026 upon entry into force of the amendments to part I-A of the Code set out in annex 1.

6 REQUESTS the Secretary-General, for the purposes of article VIII(b)(v) of the Convention, to transmit certified copies of the present resolution and the text of the amendments contained in the annexes to all Contracting Governments to the Convention;

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

ANNEX 1

AMENDMENTS TO THE INTERNATIONAL CODE FOR SHIPS OPERATING IN POLAR WATERS (POLAR CODE)

Part I-A Safety measures

Chapter 9

Safety of navigation

- 1 The heading of chapter 9 is replaced by the following:

"Chapter 9

Safety of navigation for ships certified in accordance with SOLAS chapter I"

- 2 The following text is inserted after the heading of chapter 9:

"This chapter applies to ships certified in accordance with SOLAS chapter I."

- 3 The following new chapter is inserted after existing chapter 9:

"Chapter 9-1

Safety of navigation for fishing vessels of 24 metres in length overall and above, pleasure yachts of 300 gross tonnage and upwards not engaged in trade and cargo ships of 300 gross tonnage and upwards but below 500 gross tonnage

This chapter applies to:

- .1 fishing vessels of 24 metres in length overall and above;
- .2 pleasure yachts of 300 gross tonnage and upwards not engaged in trade; and
- .3 cargo ships of 300 gross tonnage and upwards but below 500 gross tonnage.

9-1.1 Goal

The goal of this chapter is to provide for safe navigation.

9-1.2 Functional requirements

In order to achieve the goal set out in paragraph 9-1.1 above, the following functional requirements are embodied in the regulations of this chapter.

9-1.2.1 Nautical information

Ships shall have the ability to receive up-to-date information including ice information for safe navigation.

9-1.2.2 Navigational equipment functionality

- .1 The navigational equipment and systems shall be designed, constructed and installed to retain their functionality under the expected environmental conditions in the area of operation.
- .2 Systems for providing reference headings and position fixing shall be suitable for the intended areas.

9-1.2.3 Additional navigational equipment

Ships shall have the ability to visually detect ice when operating in darkness.

9-1.3 Regulations

9-1.3.1 Nautical information

In order to comply with the functional requirement of paragraph 9-1.2.1 above, ships shall have means of receiving and displaying current information on ice conditions in the area of operation.

9-1.3.2 Navigational equipment functionality

9-1.3.2.1 In order to comply with the functional requirement of paragraph 9-1.2.2.1 above, the following applies:

- .1 ice-strengthened ships constructed on or after 1 January 2026, shall have either two independent echo-sounding devices or one echo-sounding device with two separate independent transducers. Other devices capable of depth sounding, such as fish finders, acceptable to the Administration, may be used as equivalent means of meeting this requirement;
- .2 ships shall comply with SOLAS regulation V/22.1.9.4, irrespective of the date of construction and the size, and have a clear view astern. On ships which cannot comply with these requirements, arrangements acceptable to the Administration shall be provided to achieve a level of visibility that is equivalent to these requirements;
- .3 for ships operating in areas, and during periods, where ice accretion is likely to occur, means to prevent the accumulation of ice on antennas required for navigation and communication shall be provided; and
- .4 in addition, for ice-strengthened ships, the following applies:
 - .1 where equipment required by SOLAS chapter V or this chapter have sensors that project below the hull, such sensors shall be protected against ice; and

- .2 in category A and B ships constructed on or after 1 January 2026, the bridge wings shall be enclosed or designed to protect navigational equipment and operating personnel. On ships which cannot comply with this regulation, arrangements acceptable to the Administration shall be provided to achieve a level of protection that is equivalent to this regulation.

9-1.3.2.2 In order to comply with the functional requirement of paragraph 9-1.2.2.2 above, the following applies:

- .1 ships of 500 gross tonnage and upwards shall have two non-magnetic means to determine and display their heading. Both means shall be independent and shall be connected to the ship's main and emergency source of power; and
- .2 ships proceeding to latitudes over 80 degrees shall be fitted with at least one GNSS compass or equivalent, which shall be connected to the ship's main and emergency source of power.

9-1.3.3 Additional navigational equipment

In order to comply with the functional requirement of paragraph 9-1.2.3, ships, with the exception of those solely operating in areas with 24 hours daylight, shall be equipped with two means of illumination to aid visual detection of ice."

Chapter 11

Voyage planning

- 4 The heading of chapter 11 is replaced by the following:

"Chapter 11

Voyage planning for ships certified in accordance with chapter I"

- 5 The following text is inserted after the heading of chapter 11:

"This chapter applies to ships certified in accordance with SOLAS chapter I."

- 6 The following new chapter is inserted after existing chapter 11, together with the associated footnotes:

"Chapter 11-1

Voyage planning for fishing vessels of 24 metres in length overall and above, pleasure yachts of 300 gross tonnage and upwards not engaged in trade and cargo ships of 300 gross tonnage and upwards but below 500 gross tonnage

This chapter applies to the following ships operating in polar waters:

- .1 fishing vessels of 24 metres in length overall and above;
- .2 pleasure yachts of 300 gross tonnage and upwards not engaged in trade; and
- .3 cargo ships of 300 gross tonnage and upwards but below 500 gross tonnage.

11-1.1 Goal

The goal of this chapter is to ensure that the company, master and crew are provided with sufficient information to enable operations to be conducted with due consideration to safety of ship and persons on board and, as appropriate, environmental protection.

11-1.2 Functional requirement

In order to achieve the goal set out in paragraph 11-1.1 above, the voyage plan shall take into account the potential hazards of the intended voyage.

11-1.3 Requirements

In order to comply with the functional requirement of paragraph 11-1.2 above, the master shall consider a route through polar waters, taking into account the following:

- .1 the procedures required by the safety management system on board; if no safety management system is implemented there shall be a documented procedure for operation in polar waters;
- .2 any limitations of the hydrographic information and aids to navigation available;
- .3 current information on the extent and type of ice and icebergs in the vicinity of the intended route;
- .4 statistical information on ice and temperatures from former years;
- .5 places of refuge;
- .6 current information and measures to be taken when marine mammals are encountered relating to known areas with densities of marine mammals, including seasonal migration areas;¹
- .7 current information on relevant ships' routing systems, speed recommendations and vessel traffic services relating to known areas with densities of marine mammals, including seasonal migration areas;¹
- .8 national and international designated protected areas along the route; and
- .9 operation in areas remote from search and rescue (SAR) capabilities.²

¹ Refer to MEPC/Circ.674 on *Guidance document for minimizing the risk of ship strikes with cetaceans*.

² Refer to MSC.1/Circ.1184 on *Enhanced contingency planning guidance for passenger ships operating in areas remote from SAR facilities* and resolution A.999(25) on *Guidelines on voyage planning for passenger ships operating in remote areas*."

ANNEX 2

**AMENDMENTS TO THE INTERNATIONAL CODE FOR
SHIPS OPERATING IN POLAR WATERS (POLAR CODE)**

Part I-B

Additional guidance regarding the provisions of the Introduction and Part I-A

**10 Additional guidance to chapter 9
(Safety of navigation)**

7 The heading of section 10 is replaced by the following:

"10 Additional guidance to chapters 9 and 9-1"

**12 Additional guidance to chapter 11
(Voyage planning)**

8 The heading of section 12 is replaced by the following:

"12 Additional guidance to chapters 11 and 11-1"
