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Ref. T2-OSS/2.7.1

MSC/Circ.1144
13 December 2004

**ADDITIONAL GUIDANCE FOR THE UNIFORM APPLICATION OF RULE 1(e) OF
THE INTERNATIONAL REGULATIONS FOR PREVENTING COLLISIONS AT SEA,
1972, AS AMENDED**

1 The Maritime Safety Committee, at its seventy-ninth session (1 to 10 December 2004), noted that Rule 1(e) of the International Regulations for Preventing Collisions at Sea, 1972, as amended, allows that “whenever the Government concerned shall have determined that a vessel of special construction or purpose cannot comply fully with the provisions of any of these Rules with respect to number, position, range or arc of visibility of lights or shapes, as well as to the disposition and characteristics of sound-signalling appliances, such vessel shall comply with such other provisions in regard to number, position, range or arc of visibility of lights or shapes, as well as to the disposition on characteristics of sound-signalling appliances as her Government shall have determined to be the closest possible compliance with these Rules in respect of that vessel.”

2 The Committee also noted that reports received from mariners, indicate that difficulties have been encountered at sea at night, in determining the aspect of an approaching vessel particularly on reciprocal or near reciprocal courses when the two masthead lights of the other vessel are not positioned on the centre line of the vessel.

3 The Committee further noted that this could lead to the ship’s officer arriving at a wrong decision as to whether the risk of collision exists or not; particularly taking into account that Rule 14(b) provides that “such a situation shall be deemed to exist when a vessel sees the other ahead or nearly ahead and by night she could see the masthead lights of the other in a line or nearly in a line and/or both sidelights and by day she observes the corresponding aspect of the other vessel”.

4 This circular complements the guidance provided in MSC/Circ.473 of 18 May 1987.

5 Member Governments are invited to take into account the potential problem posed to other vessels, whenever they grant exemptions under Rule 1(e) and to do so only in very extraordinary circumstances. Financial aspects should not be a consideration for granting exemption.