

SAFEMED IV

Training course for Flag State Inspectors

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Unit B.3 “Environment and Capacity Building”

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Delegation of Authority Topics

1. Introduction
2. Main principles
3. The RO Code
4. Flag State Responsibilities

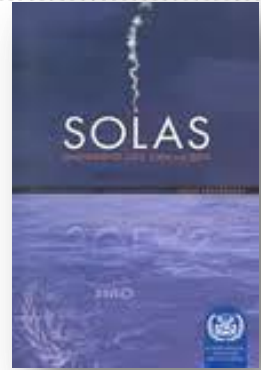


Introduction



Solas Convention

Solas I/6: Surveys and certificates



(a) The inspection and survey of ships, so far as regards the enforcement of the provisions of the present regulations and the granting of exemptions therefrom, **shall be carried out by officers of the Administration. The Administration may, however, entrust the inspections and surveys either to surveyors nominated for the purpose or to organizations recognized by it.**

...

The Administration shall notify the Organization of **the specific responsibilities and conditions of the authority delegated** to nominated surveyors or recognized organizations.

How to communicate information on the authorization of ROs

1. MSC/Circ. 1010 (10.7.2001)

Member Governments concerned are invited to **submit to the Organization information on the authorization of ROs according to SOLAS regulation I/6** in accordance with the sample form set out in the Annex

ANNEX

FORM OF INFORMATION ON THE AUTHORIZATION OF A RECOGNIZED ORGANIZATION (RO)

Submitted by

(Name of the Administration)

Form to communicate the information on the authorization of ROs

1 Particulars of the RO

Name of the RO

Address

Telephone number

Telefax number

E-mail address

Contact person

2 Functions delegated by the Administration

	Survey	Issue of certificate
Passenger ship safety Cargo ship safety construction safety equipment radio ISM Code		
Load line		
MARPOL Annex I, Annex II, Annex III, Annex V		
Tonnage measurement		
Others		

3 Number of staff of the RO (ref. section 3.3 of appendix 1 to A.739(18))




































	Headquarters	Field
Supervisory personnel		
Technical appraisal personnel		
Survey personnel		
Administrative personnel		

4 Minimum standards for the RO (ref. section 3 of appendix 1 to A.739(18))


		Confirmed
1	Are rules and regulations published and maintained?	
2	Are representatives of the Administration allowed to participate in the development of the RO's rules and regulations?	
3	Is the RO governed by the principles of ethical behaviour?	
4	Does the RO demonstrate technical, administrative and managerial competence?	
5	Does the RO provide relevant information to the Administration?	
6	Has the RO's management defined and documented its policy and objectives for quality	

Where will the information on the authorization of ROs will be published?

In GISIS (Global Integrated Shipping Information

 Marine Casualties and Incidents Data on marine casualties and incidents, as defined by circulars MSC-MEPC.3/Circ.3.	 Status of Treaties Status of ratification of IMO conventions, including global tonnage figures.
 Port State Control Information communicated under the provisions of SOLAS regulation 1/19, article 11 of MARPOL, article 21 of Load Lines, article 4(3) of STCW and the Procedures for port state control.	 URIT Data Distribution Plan Information communicated under the provisions of SOLAS regulation 9/19.1 for the Data Distribution Plan component of the URIT system.
 Condition Assessment Scheme Electronic database for the implementation of the Condition Assessment Scheme - Resolution MEPC.34 (46), as amended.	 Organizational Planning Information on the status of planned and new outputs related to the High-level Action Plan.
 Country Maritime Profile Information from Member States to enable targeted technical co-operation and measures.	 Survey and Certification Exemptions and equivalents, and specimens of certificates.
 Development of Amendments Development of amendments to the 1974 SOLAS Convention and related mandatory instruments.	 Maritime Security  Public Area Information communicated under the provisions of SOLAS regulation XI-2/13 (SOLAS chapter XI-2 and the ISPS Code).
 Contact Points  Public Area Electronic database for Contact Points.	 Recognized Organizations  Public Area Information submitted by Member States under MSC/Circ.1019-MEPC/Circ.382.
 Port Reception Facilities  Public Area Data on the available port reception facilities for the reception of ship-generated waste.	 Pollution Prevention Equipment and Anti-fouling Systems  Public Area Equipment required by MARPOL 72/78 and the BWM Convention, and anti-fouling systems compliant with the AFS Convention.
 Piracy and Armed Robbery  Public Area Reported incidents of piracy and armed robbery.	 Facilitation of International Maritime Traffic  Public Area Reports on stowaway incidents (FAL.2/Circ.36/Rev.3). Reports on unsafe practice associated with the trafficking or transport of migrants by sea (MSC/Circ.899/Rev.1).
 Inter-agency platform for information sharing on migrant smuggling by sea  Public Area	 Ballast Water Management  Public Area Information on exemptions granted to ships, designated ballast water exchange areas, additional measures and warnings concerning ballast water exchange.
 Non-mandatory Instruments  Public Area Comprehensive list of non-mandatory IMO instruments relating to safety and security.	 Simulators  Public Area Information on simulators available for use in maritime training.
 Global SAR Plan  Public Area Information on the availability of Search and Rescue (SAR) Services.	 MARPOL Annex VI  Public Area Notifications communicated under the provisions of MARPOL Annex VI (Regulations for the Prevention of Air Pollution from Ships).

IMCO INTERNATIONAL MARITIME ORGANIZATION GISIS: Recognized Organizations

 You are in the Public Area > Recognized Organizations > Authorizations by flag Administration

Browse by Flag Administration Browse by Recognized Organization

Authorizations / Italy ▼

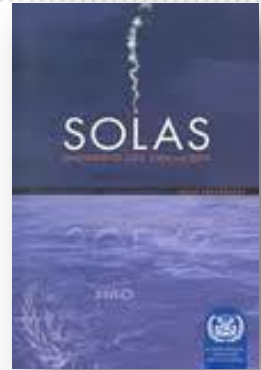
Select a Recognized Organization to view details of the authorization.

Authorized Recognized Organizations	Last updated
American Bureau of Shipping (ABS)	2017-12-12
Bureau Veritas (BV)	2017-12-12
DNV GL AS (DNVGL)	2017-12-11
RINA Services S.p.A (RINA)	2017-12-12

Solas Convention

Solas I/12 Issue or endorsement of certificates

(viii)the certificates referred to in this regulation shall be issued or endorsed either by the Administration **or by any person or organization authorized by it**, In every case, that **Administration assumes full responsibility for the certificates.**



Main principles



Main principles

1. The tasks can be delegated but not the responsibilities
2. Authorizations limited to the ROs capabilities
3. FS should ensure that the ROs delegated Authority adheres to the provisions of the RO Code



Solas Convention

Solas XI-1/1: Special measures to enhance maritime safety



The Administration shall authorize organizations, referred to in regulation I/6, including classification societies, in accordance with the Code for Recognized Organizations (RO Code), consisting of part 1 and part 2 (the provisions of which shall be treated as mandatory) and part 3 (the provisions of which shall be treated as recommendatory), as adopted by the Organization by resolution MSC.349(92)

The RO Code



RO Code resolution MSC.349 (92)

- Harmonized approach for all Administrations that intend to recognize an organization
- All minimum mandatory requirements needed for the recognition are gathered in the same document
- The recognition may be limited to some types of statutory certifications

RO Code resolution MSC.349 (92)

Structured in **three parts** and three **Appendices**:

Part 1 – General

Part 2 – Recognition and authorization requirements for
Organizations

Part 3 – Guidelines for the oversight of ROs by Flag State

App.1 – Requirements for training and qualification of RO's
technical staff

App.2 – Specification on the survey and certification functions of
ROs acting on behalf of the Flag State

App. 3 – Elements to be included in an agreement

RO Code resolution MSC.349 (92)

Structured in three parts:

Part 1 – General

Where we can find

Purpose

Scope

Contents

Delegation of
authority

Communication

References

RO Code resolution MSC.349 (92)

Part 1 – General

Purpose: an instrument containing **minimum criteria** for **recognition, authorization** and **oversight** by the Flag State



Scope: The Code establishes the mandatory requirements for

- the organizations that want to obtain the recognition,
- the RO shall fulfil when performing statutory certification and services on behalf of FS,
- a Flag State when authorizing an RO
- Guidelines for a FS to having oversight of the RO



RO Code resolution MSC.349 (92)

Part 1 – General

Communication and information: The flag State shall **communicate to**, and **deposit with**, IMO

- 1) a list of ROs for circulation to the interested parties
- 2) a notification of the **specific responsibilities** and **conditions** of the authority delegated to ROs.



RO Code resolution MSC.349 (92)

Part 1 – General

References:

- mandatory IMO instruments and IMO Guidelines and recommendations
- ISO 9000:2005, Quality Management Systems – Fundamentals and vocabulary;
- ISO 9001:2008, Quality Management Systems – Requirements;
- ISO/IEC 17020:1998, General criteria for the operation of various types of bodies performing inspection;
- ISO 19011:2002, Guidelines for quality and/or environmental management systems auditing;
- International Association of Classification Societies (IACS) Quality Management System Requirements (QMSR)
- National legislation.

RO Code resolution MSC.349 (92)

Part 2 – Recognition and authorization requirements for organizations:

Definitions: two of which are very important



1. Statutory certification and services: certificates issued, and services provided, on the authority of laws, rules and regulations set down by the Government of a sovereign State. This includes plan review, survey, and/or audit leading to the issuance of, or in support of the issuance of, a certificate by or on behalf of a flag State.

RO Code resolution MSC.349 (92)

Part 2 – Recognition and authorization requirements for organizations:



2. Vertical Contract Audit (VCA): is a contract/order specific audit of production processes, including **witnessing work during attendance at a survey**, audit or plan approval in progress and, as applicable, including relevant sub-processes.

RO Code resolution MSC.349 (92)

Part 2 – Recognition and authorization requirements
for organizations:

General requirements of recognized organizations

1. Rules and regulations
2. Independence
3. Impartiality
4. Integrity
5. Competence
6. Responsibility
7. Transparency



RO Code resolution MSC.349 (92)

Part 2 – Recognition and authorization requirements for organizations:

Management and organization

1. Quality, safety and pollution prevention policy
2. Documentation requirements
3. Quality manual
4. Control of documents
5. Control of records
6. Planning
7. Organization
8. Internal Communication, with FS and between ROs
9. Management review



RO Code resolution MSC.349 (92)

Part 2 – Recognition and authorization requirements for organizations:



Resources in general

1. Adequate in terms of technical, managerial and survey capabilities to accomplish the task
2. Documented experience in assessing the design, construction, and equipment of ships as well as performing statutory certification
3. Capacity to provide a systematic maintenance of rules and regulations with an adequate research capability

RO Code resolution MSC.349 (92)

Part 2 – Recognition and authorization requirements for organizations:



Resources in terms of personnel

1. Adequate number of personnel, well educated and trained personnel
2. Adequate geographical coverage and local representation
3. Documented system to track the qualifications of the personnel

RO Code resolution MSC.349 (92)

Part 2 – Recognition and authorization requirements for organizations:



Resources in terms of infrastructure and work environment

1. Building, workspaces and associated utilities, equipment, support services
2. Safe and effective work environment
3. Personal protective equipment

RO Code resolution MSC.349 (92)

Part 2 – Recognition and authorization requirements
for organizations:

Statutory certification and services processes

1. Plan and control of the process defining the review, verification and validation stages as well as the responsibilities and authorities
2. Design and development of inputs, outputs, verifications and control of changes
3. Full control of the outsourced part of the process
4. Documented process to address complaints and appeals

RO Code resolution MSC.349 (92)

Part 2 – Recognition and authorization requirements
for organizations:

Performance measures, analysis and improvement

1. Conformity to the service requirements,
to the QMS improving its effectiveness.
2. Internal audit, vertical contract audit,
key performance indicators
3. Control and monitoring of non conformities, preventive and
corrective actions

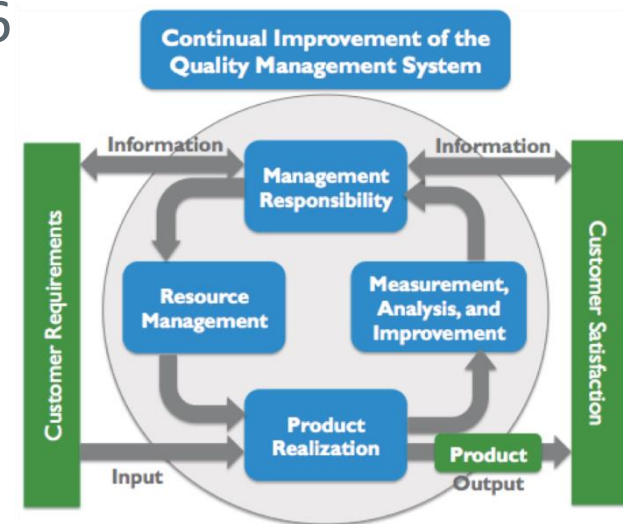


RO Code resolution MSC.349 (92)

Part 2 – Recognition and authorization requirements for organizations:

Quality management system certification

1. Not less effective than the ISO 9000 series
2. Periodically assessed and certified by a qualified body, accredited to comply with ISO 17021:2006



RO Code resolution MSC.349 (92)

Part 2 – Recognition and authorization requirements for organizations:

Authorization of ROs: The FS shall establish the legal basis under which the authorization of the statutory certification and services is administered

1. Formal written agreement
2. Acts, regulations and supplementary information
3. Interpretations
4. Deviations and equivalent solutions



RO Code resolution MSC.349 (92)

Part 2 – Recognition and authorization requirements for organizations:

Each Authorization can be defined with one or more of the following specifications:

1. Ship types and sizes
2. Conventions and other instruments, including relevant national legislation
3. Approval of drawings
4. Approval of materials and equipment
5. Surveys, audit, inspections
6. Insurance, endorsement and/or renewal of the certificates
7. Corrective actions
8. Withdrawal or cancellation of certificates
9. Reporting requirements

RO Code resolution MSC.349 (92)

Part 2 – Recognition and authorization requirements for organizations:

Instruments, instructions and records:

1. FS shall provide the RO with the access to all appropriate instruments of national law notifying to RO of any addition, deletion and revision thereto in advance
2. FS shall provide specifying instructions detailing the procedures to be followed:
 - In carrying out statutory certification and services
 - In case of a ship is found not fit to proceed to the sea
3. FS shall specify that the RO maintain records useful to provide data to the FS and assisting its in interpretation of conventions regulation

RO Code resolution MSC.349 (92)

App. 3 – Elements to be included in an agreement

A formal written agreement covering the topics:

1. Application
2. Purpose
3. General conditions
4. Functions to be executed
5. Legal basis: Interpretations, equivalent solutions
6. Reporting procedure (ship doesn't respect instructions, special authorizations etc.)
7. Development of rules: exchange of rules, language and forms

RO Code resolution MSC.349 (92)

App. 3 – Elements to be included in an agreement

A formal written agreement covering the topics:

8. Other conditions

- Remuneration
- Confidentiality
- liability

9. Specification of the Authorization to the RO

- Approval of material and equipment
- Issuance and withdrawal certificates
- Corrective actions, Flag State's supervision

RO Code resolution MSC.349 (92)

App. 1 – Requirements for training and qualifications of RO's technical staff

Various different types of personnel:

- ☐ Survey, technical and support staff, authorized to carry out audits, trainee, trainers, tutors
- ☐ Minimum educational requirements for the personnel (Part. 2 p. 4.2)

Tertiary institution within a relevant field of engineering or physical science

Marine or nautical institutions and relevant seagoing experience as a ship's officer

Proficiency in the English language commensurate with the scope of statutory certification and services

RO Code resolution MSC.349 (92)

App. 1 – Requirements for training and qualifications of RO's technical staff

Theoretical and practical training for survey, plan approval and audit staff:

- ☐ Commensurate with the complexity of the tasks
- ☐ Recorded
- ☐ Competence demonstrated through examination and test
- ☐ Maintenance of qualifications
- ☐ Monitoring by Headquarters, regional or local office

RO Code resolution MSC.349 (92)

App. 2 – Specification of the survey and certification
functions of ROs acting on behalf of Flag State

Area of interest covered by elementary modules:

- ☐ Management
- ☐ Technical appraisal
- ☐ Surveys
- ☐ Qualifications and training

RO Code resolution MSC.349 (92)

App. 2 – Specification of the survey and certification functions of ROs acting on behalf of Flag State

☐ Management functions

With competence, capability and capacity to organize, manage and control the performance of survey and certification functions

☐ Technical appraisal

Appropriate competence, capability and capacity to perform technical evaluations in all areas of the ship

☐ Surveys

☐ Qualifications and training

RO Code resolution MSC.349 (92)

Part 3 – Oversight of Recognized Organization (non mandatory)

Purpose: provide guidelines for the FS's oversight of the RO's authorized to perform statutory certification and services on its behalf.



Scope: assist FS in the development and implementation of an effective oversight programme



RO Code resolution MSC.349 (92)

Part 3 – Oversight of Recognized Organization

Establishing an oversight programme: FS shall establish or participate in an oversight in order to ensure that the international obligations are fully met by

- conducting supplementary surveys to ensure that ships which fly its flag comply with the requirements of international instruments and national requirements
- providing staff with good knowledge of the rules and regulations

RO Code resolution MSC.349 (92)

Part 3 – Oversight of Recognized Organization

Establishing an oversight programme:

Supervision of duties delegated to an RO

Documentation of RO's QMS

Access to instructions, circulars and guidelines

Access to RO's documentation relevant for the FS's fleet

Cooperation with the FS's inspection and verification work

Provision of information and statistics

Verification and monitoring: FS should establish a system to ensure the adequacy of the statutory certification and services provided

Procedure for communication with RO

Procedures for reporting to the FS major deficiencies, non conformity ISM

Reporting any dangerous occurrences, accidents, machinery breakdowns

Additional ship's inspections by FS

Oversight of the RO's QMS, systematic review of the reports conducted by the independent body

check the complaint and feedback system, corrective action and follow up

RO Code resolution MSC.349 (92)

Part 3 – Oversight of Recognized Organization

Regular audits, random audits, additional audits, participation in audits conducted by RO

Principles of auditing



- ☐ Ethical conduct
- ☐ Obligation to report truthfully and accurately
- ☐ Professional care: application of diligence and judgement
- ☐ Independence
- ☐ Evidence-based approach

RO Code resolution MSC.349 (92)

Part 3 – Oversight of Recognized Organization

Managing an oversight programme



- ☐ Objectives preordained
- ☐ Responsibilities, resources and procedures
- ☐ Monitoring of records, surveys
- ☐ Surveys of ships, additional or follow RO
- ☐ Investigation of detentions, deficiencies associate to RO, rectifications
- ☐ RO's management review and KPI result

Flag State Responsibilities



RO Code resolution MSC.349 (92)

Part 3 – Oversight of Recognized Organization

Oversight programme responsibilities



- ☐ FS should use competent personnel
- ☐ Establish objectives and procedures
- ☐ Implementation of the objectives and procedures
- ☐ Planning resources and activities
- ☐ Records, monitor and improvement
- ☐ Evaluation of the improvement of its fleet: PSC detention and deficiencies rates, FSC results, casualty statistics, loss of ships

Thank you

Any questions?

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