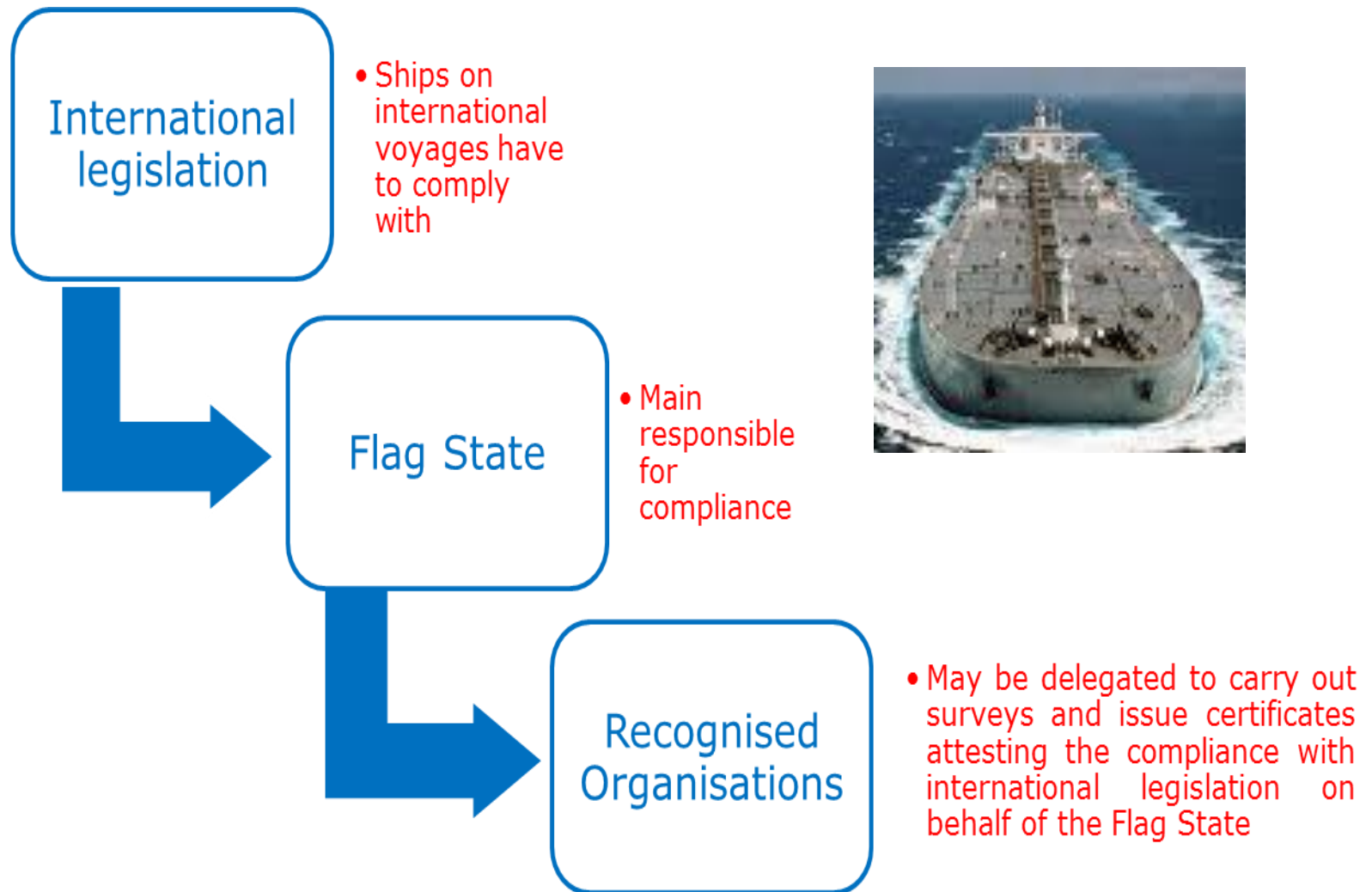


The RO Code, EU legislation on RO's

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INTERNATIONAL

IMO Resolution A.1070(28)

"IMO instruments implementation code (III Code)"

MSC.349(92) and MEPC.237(65)

"The Code for Recognized Organizations (RO Code)"

EUROPEAN

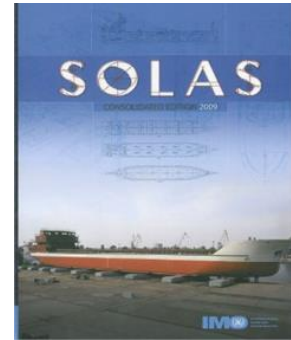
Directive 2009/15/EC on common rules and standards for ship inspection and survey organisations and for the relevant activities of the administration

Regulation EC 391/2009 on common rules and standards for ship inspection and survey organisations

SOLAS (Safety Of Life At Sea), MARPOL, Load Line & Tonnage Conventions establish:

‘Flag States

- *are responsible for the fleet under it's flag,*
- *have to carry out inspections required to verify that ships comply with relevant conventions,*
- *may delegate survey, inspections and certification functions to ROs.'*



IMO Resolution A.1020(28)

“IMO Instruments Implementation Code (III Code) ”

- ✓ **Delegation of authority in accordance with the requirements of the international mandatory instruments**
- ✓ **Determine that the recognized organization has adequate resources**
- ✓ **Formal written agreement**
- ✓ **Actions in case a ship is found unfit to proceed to sea**
- ✓ **Provide the recognized organization with national law and interpretations**
- ✓ **Require the recognized organization to maintain records**
- ✓ **Establish/participate in an oversight programme**



Code for Recognized Organizations

The RO Code:

- ✓ was adopted by Resolution MSC.349 (92) and MEPC.237(65);
- ✓ contains all applicable requirements for ROs in one single IMO mandatory instrument;
- ✓ will be the quality standard applied for audits of ROs
- ✓ provides Administrations with a standard for a harmonized and consistent assessment when delegating authorization to recognized organizations (ROs)
- ✓ assists in achieving a consistent oversight of ROs, and clarifies the responsibilities of organizations authorized as ROs, and the overall scope of that authorization.



PURPOSE

The Code serves as the international standard and consolidated instrument containing minimum criteria against which organizations are assessed towards recognition and authorization and the guidelines for the oversight by flag States.

SCOPE

The Code applies to:

- 1. all organizations being considered for recognition or that are recognized by a flag State as ROs*
- 2. all flag States that intend to recognize an organization to perform statutory certification and services as a RO.*

The Code establishes:

1. *the mandatory requirements that an organization shall fulfil to be recognized by a flag State as RO*
2. *.the mandatory requirements that an RO shall fulfil when performing statutory certification and services on behalf of its authorizing flag States*
3. *the mandatory requirements that flag States shall adhere to when authorizing an RO*
4. *guidelines for flag State oversight of ROs*

The Code consists of 3 parts:

***Part 1** contains general provisions*

***Part 2** contains mandatory provisions for the flag State and RO as already contained.*

***Part 3** contains guidelines for the oversight of ROs by flag States.*

Part 1

Delegation of authority

A flag State may delegate authority to a RO complying with this Code to on its behalf perform statutory certification and services.

The flag State should not authorise functions beyond the RO's capabilities.

Flag States should cooperate with the objective of ensuring that the delegated RO's is following this Code.

Communication of information

Flag States shall communicate to IMO a list of RO's and specific responsibilities and condition of authorization.

Part 2- Recognition and authorization requirements for organizations

General requirements for recognized organizations:

- *Rules and regulations*
- *Independence*
- *Impartiality*
- *Integrity*
- *Competence*
- *Responsibility*
- *Transparency*

Part 2- Recognition and authorization requirements for organizations

Management an organization:

- *Quality, safety and pollution prevention policy,*
- *Quality system including control of document and control of records,*
- *Quality objectives,*
- *Organization, size and experience technical knowledge,*
- *Lines of responsibilities,*
- *communication internal and with flag State,*
- *Cooperation between RO's,*
- *Management review.*

Part 2- Recognition and authorization requirements for organizations

Resources

- *Sufficient well educated and trained staff (also appendix 1)*
- *Infrastructure and work environment*

Statutory certification and services processes

- *Design and development including inputs, outputs and verifications, control of changes,*
- *Control of production and service provisions*
- *Property of clients*
- *Subcontracting and service supplier*
- *Monitoring*

Part 2- Recognition and authorization requirements for organizations

Performance measurement, Analysis and Improvement

- *Monitoring, measurement, analysis and improvement processes*
- *Internal audit*
- *Vertical contract audit*
- *Control, monitoring and measuring of non-conformities, including statutory deficiencies*
- *Corrective and preventive action*

Quality Management System Certification (*no less than ISO 9000 series*)

Authorization of Recognized Organizations

Part 3 – Oversight of Recognized Organizations *(non-mandatory guidelines)*

1. *Purpose*
2. *Scope*
3. *References*
4. *Terms and definitions*
5. *Establishing an oversight programme*
6. *Principles of auditing*
7. *Managing an oversight programme*



Part 3 – Oversight of Recognized Organizations *(non-mandatory guidelines)*

Purpose

Provide guidelines for the flag State's oversight of the RO's work and principles for the State on ship inspection, auditing and monitoring activities.

Scope

Includes flag State oversight provision and provides guidance to assist flag States in developing and implementation of an effective oversight programme of Ros.

Part 3 – Oversight of Recognized Organizations *(non-mandatory guidelines)*

Establishing an oversight programme

Oversight; exercising its authority so that ships flying its flag comply with requirements, that the ships comply with national requirements, qualified staff to carry out the oversight

Flag State's supervision of duties delegated to an RO; RO's quality management system, access to internal instructions, access to RO's documentation relevant for the flag State fleet, cooperate with flag State, provide information and statistics

Verification and monitoring; procedure for communication, procedure for reporting regarding the flag State ships

Part 3 – Oversight of Recognized Organizations *(non-mandatory guidelines)*

Managing an oversight programme

Oversight programme

- *Objectives and extent*
- *Responsibilities, resources and procedures*
- *Monitoring and reviewing*

Part 3 – Oversight of Recognized Organizations *(non-mandatory guidelines)*

Oversight of RO's, might include some of the following:

- *Surveys, additional or follow the RO*
- *Audits additional or participation in audits by RO*
- *Monitoring/review of records like PSC, surveys*
- *Meeting periodical and/or ad hoc*
- *Investigation of detentions and deficiencies*
- *RO's Management review and KPI result*

RO Code also have 3 appendixes

Appendix 1 - *Requirements for training and qualification of recognized organizations staff*

Appendix 2 - *Specifications on the survey and certification functions of recognized organizations acting on behalf of the flag State*

Appendix 3 - *Elements to be included in an agreement*

- **Directive 2009/15/EC of 23 April 2009,**

"On common rules and standards for ship inspection and survey organizations and for the relevant activities of maritime administrations"

- **Regulation (EC) No 391/2009 of 23 April 2009**

"On common rules and standards for ship inspection and survey organizations"

Regulation (EC)

No 391/2009

Article 3

- MS requests recognition, Commission recognises after assessment with that MS

Article 4

- Recognition shall be granted by the Commission in accordance with a regulatory procedure and to organisations which meet the requirements referred to in Article 3.
- Commission may limit the recognition as regards certain types of ships, ships of a certain size, certain trades, etc.
- The Commission shall draw up and regularly update a list of the organisations recognised in accordance with this Article. That list shall be published in the Official Journal of the European Union.

Article 8

- The Commission shall assess the ROs at least every two years by visits to offices, inspection of ships

Article 10

- The ROs shall consult each other periodically and mutually recognise class certificates for materials, equipment and components based on equivalent standards.
- In case of transfer of class the losing RO shall inform the gaining one of:
 - ✓ any overdue survey
 - ✓ any overdue recommendation and condition of class
 - ✓ operating conditions issued against the ship
 - ✓ operating restrictions issued against the ship

Recognized Organizations by EU (12)



American Bureau of Shipping (ABS), Bureau Veritas SA (BV), China Classification Society (CCS), Croatian Register of Shipping (CRS), DNV GL AS, KR (Korean Register), Indian Register of Shipping (IRCLASS), Lloyd's Register Group LTD (LR), Nippon Kaiji Kyokai (ClassNK), Polish Register of Shipping (PRS), RINA Services S.p.A., Russian Maritime Register of Shipping (RS)

Directive 2009/15/EC

Article 3: Member State (MS) can authorize only RO's

Article 5: 'working relationship'

- Liability provisions
- Audit by MS
- Reporting

Article 8:

- Suspension and withdrawal of authorisation - commission and other MSs to be informed, substantiated reasons to be given

Article 9: MS shall monitor RO (biennial)



Article 10: Member State (MS) shall

- Report to COM, FS and other MS when PSC finds cases of valid statutory certificates issued by a RO to vessels not fulfilling the requirements and representing a serious threat
- or in the event of any failure of a ship carrying a valid class certificate and relating to items covered by that certificate

Article 11

- Ensure that ships are constructed and maintained according to the rules of a RO
- Cooperate with ROs in development of rules and procedures

- **Assessments - at least once every two years by Commission (+MS)**
- **EMSA is inspecting, focus on two aspects:**
 - documents
 - implementation of the requirements
- **EMSA reports to the Commission**
- **Commission does the assessment**

Questions?





Thank you for the attention

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