

Amendments to the ISM Code & Guidelines

Training on ISM Simulated Audit
(Lisbon 14 – 15 Jan 2014)

FOREWORD

The EU Member States agreed in November 2008 to set up an ISM expert working group under the auspices of the COSS Committee, to look at report and other make suggestions for improvement to the ISM Code and related guidelines. EU ISM expert working group took advantage of the window of opportunity within IMO to promote improvements within the operation of the ISM Code. Within this framework the EU ISM expert working group agreed on a set of submissions to IMO. These papers were discussed at STW 43 (WP.05) & STW 44 (WP.04) of which 5 have been approved at the MSC 92 Committee. The amendments to the ISM Code and guidelines and will be adopted 1 July 2014 (A.28).

The amended/new text included the footnotes have been highlighted.

This document is for training purpose only!

CONTENTS

International Safety Management (ISM) Code Resolution MSC.273(85) Including the MSC 92 amendments (A.28 – 1 July 2014 adoption).....	1
Revised guidelines on implementation of the ISM code by administrations Revokes A.1022(26) with effect from 1 July 2014.....	13
Revised guidelines for the operational implementation of the International Safety Management (ISM) code by Companies (MSC-MEPC.7/Circ.8) Revokes MSC-MEPC.7/Circ.5.....	27
Revised guidelines for a structure of an integrated system of contingency planning for shipboard emergencies Revokes A.852(20) with effect from 1 July 2014.....	33
Guidelines for the reactivation of the safety management certificate following an operational interruption of the safety management system due to Lay-up over a certain period Draft MSC-MEPC circular (STW 44/WP.4) (new guideline).....	43

International Safety Management (ISM) Code

Resolution MSC.273(85)
Including the MSC 92 amendments
(A.28 – 1 July 2014 adoption)

Preamble

- 1** The purpose of this Code is to provide an international standard for the safe management and operation of ships and for pollution prevention.
- 2** The Assembly adopted resolution A.443(XI), by which it invited all Governments to take the necessary steps to safeguard the shipmaster in the proper discharge of his responsibilities with regard to maritime safety and the protection of the marine environment.
- 3** The Assembly also adopted resolution A.680(17), by which it further recognized the need for appropriate organization of management to enable it to respond to the need of those on board ships to achieve and maintain high standards of safety and environmental protection.
- 4** Recognizing that no two shipping companies or shipowners are the same, and that ships operate under a wide range of different conditions, the Code is based on general principles and objectives.
- 5** The Code is expressed in broad terms so that it can have a widespread application. Clearly, different levels of management, whether shore-based or at sea, will require varying levels of knowledge and awareness of the items outlined.
- 6** The cornerstone of good safety management is commitment from the top. In matters of safety and pollution prevention it is the commitment, competence, attitudes and motivation of individuals at all levels that determines the end result.

PART A - IMPLEMENTATION

1 GENERAL

1.1 Definitions

The following definitions apply to parts A and B of this Code.

1.1.1 "International Safety Management (ISM) Code" means the International Management Code for the Safe Operation of Ships and for Pollution Prevention as adopted by the Assembly, as may be amended by the Organization.

1.1.2 "Company" means the owner of the ship or any other organization or person such as the manager, or the bareboat charterer, who has assumed the responsibility for operation of the ship from the shipowner and who, on assuming such responsibility, has agreed to take over all duties and responsibility imposed by the Code.

1.1.3 "Administration" means the Government of the State whose flag the ship is entitled to fly.

1.1.4 "Safety management system" means a structured and documented system enabling Company personnel to implement effectively the Company safety and environmental protection policy.

1.1.5 "Document of Compliance" means a document issued to a Company which complies with the requirements of this Code.

1.1.6 "Safety Management Certificate" means a document issued to a ship which signifies that the Company and its shipboard management operate in accordance with the approved safety management system.

1.1.7 "Objective evidence" means quantitative or qualitative information, records or statements of fact pertaining to safety or to the existence and implementation of a safety management system element, which is based on observation, measurement or test and which can be verified.

1.1.8 "Observation" means a statement of fact made during a safety management audit and substantiated by objective evidence.

1.1.9 "Non-conformity" means an observed situation where objective evidence indicates the non-fulfilment of a specified requirement.

1.1.10 "Major non-conformity" means an identifiable deviation that poses a serious threat to the safety of personnel or the ship or a serious risk to the environment that requires immediate corrective action or the lack of effective and systematic implementation of a requirement of this Code ¹.

¹ Refer to the *Procedures concerning observed ISM Code major non-conformities* (MSC/Circ.1059-MEPC/Circ.401), as may be amended.

1.1.11 "Anniversary date" means the day and month of each year that corresponds to the date of expiry of the relevant document or certificate.

1.1.12 "Convention" means the International Convention for the Safety of Life at Sea, 1974, as amended.

1.2 Objectives

1.2.1 The objectives of the Code are to ensure safety at sea, prevention of human injury or loss of life, and avoidance of damage to the environment, in particular to the marine environment and to property.

1.2.2 Safety management objectives of the Company should, inter alia:

- .1 provide for safe practices in ship operation and a safe working environment;
- .2 assess all identified risks to its ships, personnel and the environment and establish appropriate safeguards; and
- .3 continuously improve safety management skills of personnel ashore and aboard ships, including preparing for emergencies related both to safety and environmental protection.

1.2.3 The safety management system should ensure:

- .1 compliance with mandatory rules and regulations; and
- .2 that applicable codes, guidelines and standards recommended by the Organization, Administrations, classification societies and maritime industry organizations are taken into account ².

1.3 Application

The requirements of this Code may be applied to all ships.

1.4 Functional requirements for a safety management system

Every Company should develop, implement and maintain a safety management system which includes the following functional requirements:

- .1 a safety and environmental-protection policy;
- .2 instructions and procedures to ensure safe operation of ships and protection of the environment in compliance with relevant international and flag State legislation;
- .3 defined levels of authority and lines of communication between, and amongst, shore and shipboard personnel;
- .4 procedures for reporting accidents and non-conformities with the provisions of this Code;

² Refer to the *List of codes, recommendations, guidelines and other safety and security-related non-mandatory instruments* (MSC.1/Circ.1371), as amended.

- .5 procedures to prepare for and respond to emergency situations; and
- .6 procedures for internal audits and management reviews.

2 SAFETY AND ENVIRONMENTAL-PROTECTION POLICY

2.1 The Company should establish a safety and environmental-protection policy which describes how the objectives given in paragraph 1.2 will be achieved.

2.2 The Company should ensure that the policy is implemented and maintained at all levels of the organization, both ship-based and shore-based.

3 COMPANY RESPONSIBILITIES AND AUTHORITY ³

3.1 If the entity who is responsible for the operation of the ship is other than the owner, the owner must report the full name and details of such entity to the Administration.

3.2 The Company should define and document the responsibility, authority and interrelation of all personnel who manage, perform and verify work relating to and affecting safety and pollution prevention.

3.3 The Company is responsible for ensuring that adequate resources and shore-based support are provided to enable the designated person or persons to carry out their functions.

4 DESIGNATED PERSON(S) ⁴

To ensure the safe operation of each ship and to provide a link between the Company and those on board, every Company, as appropriate, should designate a person or persons ashore having direct access to the highest level of management. The responsibility and authority of the designated person or persons should include monitoring the safety and pollution-prevention aspects of the operation of each ship and ensuring that adequate resources and shore-based support are applied, as required.

5 MASTER'S RESPONSIBILITY AND AUTHORITY

5.1 The Company should clearly define and document the master's responsibility with regard to:

- .1 implementing the safety and environmental-protection policy of the Company;
- .2 motivating the crew in the observation of that policy;
- .3 issuing appropriate orders and instructions in a clear and simple manner;
- .4 verifying that specified requirements are observed; and
- .5 reviewing periodically the safety management system and reporting its deficiencies to the shore-based management.

³ Refer to the *Guidelines for the operational implementation of the International Safety Management (ISM) Code by Companies* (MSC-MEPC.7/Circ.5), as amended.

⁴ Refer to the *Guidance on the qualifications, training and experience necessary for undertaking the role of the Designated Person under the provisions of the International Safety Management (ISM) Code* (MSC-MEPC.7/Circ.6), as amended.

5.2 The Company should ensure that the safety management system operating on board the ship contains a clear statement emphasizing the master's authority. The Company should establish in the safety management system that the master has the overriding authority and the responsibility to make decisions with respect to safety and pollution prevention and to request the Company's assistance as may be necessary.

6 RESOURCES AND PERSONNEL

6.1 The Company should ensure that the master is:

- .1 properly qualified for command;
- .2 fully conversant with the Company's safety management system; and
- .3 given the necessary support so that the master's duties can be safely performed.

6.2 The Company should ensure that each ship is manned with qualified, certificated and medically fit seafarers in accordance with national and international requirements.

6.2.1 The Company should ensure that the ship is appropriately manned in order to encompass all aspects of maintaining safe operations on board ⁵.

6.3 The Company should establish procedures to ensure that new personnel and personnel transferred to new assignments related to safety and protection of the environment are given proper familiarization with their duties. Instructions which are essential to be provided prior to sailing should be identified, documented and given.

6.4 The Company should ensure that all personnel involved in the Company's safety management system have an adequate understanding of relevant rules, regulations, codes and guidelines.

6.5 The Company should establish and maintain procedures for identifying any training which may be required in support of the safety management system and ensure that such training is provided for all personnel concerned.

6.6 The Company should establish procedures by which the ship's personnel receive relevant information on the safety management system in a working language or languages understood by them.

6.7 The Company should ensure that the ship's personnel are able to communicate effectively in the execution of their duties related to the safety management system.

7 DEVELOPMENT OF PLANS FOR SHIPBOARD OPERATIONS

The Company should establish procedures, plans and instructions, including checklists as appropriate, for key shipboard operations concerning the safety of the personnel, ship and protection of the environment. The various tasks should be defined and assigned to qualified personnel.

⁵ Refer to the *Principles of minimum safe manning, adopted by the Organization by resolution A.1047(27)*."

8 EMERGENCY PREPAREDNESS ⁶

8.1 The Company should identify potential emergency shipboard situations, and establish procedures to respond to them.

8.2 The Company should establish programmes for drills and exercises to prepare for emergency actions.

8.3 The safety management system should provide for measures ensuring that the Company's organization can respond at any time to hazards, accidents and emergency situations involving its ships.

9 REPORTS AND ANALYSIS OF NON-CONFORMITIES, ACCIDENTS AND HAZARDOUS OCCURRENCES ⁷

9.1 The safety management system should include procedures ensuring that non-conformities, accidents and hazardous situations are reported to the Company, investigated and analysed with the objective of improving safety and pollution prevention.

9.2 The Company should establish procedures for the implementation of corrective action, including measures intended to prevent recurrence.

10 MAINTENANCE OF THE SHIP AND EQUIPMENT

10.1 The Company should establish procedures to ensure that the ship is maintained in conformity with the provisions of the relevant rules and regulations and with any additional requirements which may be established by the Company.

10.2 In meeting these requirements the Company should ensure that:

- .1** inspections are held at appropriate intervals;
- .2** any non-conformity is reported, with its possible cause, if known;
- .3** appropriate corrective action is taken; and
- .4** records of these activities are maintained.

10.3 The Company should identify equipment and technical systems the sudden operational failure of which may result in hazardous situations. The safety management system should provide for specific measures aimed at promoting the reliability of such equipment or systems. These measures should include the regular testing of stand-by arrangements and equipment or technical systems that are not in continuous use.

10.4 The inspections mentioned in 10.2 as well as the measures referred to in 10.3 should be integrated into the ship's operational maintenance routine.

⁶ Refer to the *Guidelines for a structure of an integrated system of contingency planning for shipboard emergencies*, adopted by the Organization by resolution A.852(20), as amended."

⁷ Refer to the *Guidance on near-miss reporting* (MSC-MEPC.7/Circ.7).

11 DOCUMENTATION⁸

11.1 The Company should establish and maintain procedures to control all documents and data which are relevant to the safety management system.

11.2 The Company should ensure that:

- .1 valid documents are available at all relevant locations;
- .2 changes to documents are reviewed and approved by authorized personnel; and
- .3 obsolete documents are promptly removed.

11.3 The documents used to describe and implement the safety management system may be referred to as the Safety Management Manual. Documentation should be kept in a form that the Company considers most effective. Each ship should carry on board all documentation relevant to that ship.

12 COMPANY VERIFICATION, REVIEW AND EVALUATION

12.1 The Company should carry out internal safety audits on board and ashore at intervals not exceeding twelve months to verify whether safety and pollution-prevention activities comply with the safety management system. In exceptional circumstances, this interval may be exceeded by not more than three months.

12.2 The Company should periodically verify whether those entities undertaking delegated ISM-related tasks are acting in conformity with the safety management system.

12.3 The Company should periodically evaluate the effectiveness of the safety management system in accordance with procedures established by the Company.

12.4 The audits and possible corrective actions should be carried out in accordance with documented procedures.

12.5 Personnel carrying out audits should be independent of the areas being audited unless this is impracticable due to the size and the nature of the Company.

12.6 The results of the audits and reviews should be brought to the attention of all personnel having responsibility in the area involved.

12.7 The management personnel responsible for the area involved should take timely corrective action on deficiencies found.

⁸ Refer to the *Revised list of certificates and documents required to be carried on board ships* (FAL.2/Circ.123, MEPC.1/Circ.769 and MSC.1/Circ.1409), as amended.

PART B - CERTIFICATION AND VERIFICATION

13 CERTIFICATION AND PERIODICAL VERIFICATION

13.1 The ship should be operated by a Company which has been issued with a Document of Compliance or with an Interim Document of Compliance in accordance with paragraph 14.1, relevant to that ship.

13.2 The Document of Compliance should be issued by the Administration, by an organization recognized by the Administration or, at the request of the Administration, by another Contracting Government to the Convention to any Company complying with the requirements of this Code for a period specified by the Administration which should not exceed five years. Such a document should be accepted as evidence that the Company is capable of complying with the requirements of this Code.

13.3 The Document of Compliance is only valid for the ship types explicitly indicated in the document. Such indication should be based on the types of ships on which the initial verification was based. Other ship types should only be added after verification of the Company's capability to comply with the requirements of this Code applicable to such ship types. In this context, ship types are those referred to in regulation IX/1 of the Convention.

13.4 The validity of a Document of Compliance should be subject to annual verification by the Administration or by an organization recognized by the Administration or, at the request of the Administration, by another Contracting Government within three months before or after the anniversary date.

13.5 The Document of Compliance should be withdrawn by the Administration or, at its request, by the Contracting Government which issued the Document when the annual verification required in paragraph 13.4 is not requested or if there is evidence of major non-conformities with this Code.

13.5.1 All associated Safety Management Certificates and/or Interim Safety Management Certificates should also be withdrawn if the Document of Compliance is withdrawn.

13.6 A copy of the Document of Compliance should be placed on board in order that the master of the ship, if so requested, may produce it for verification by the Administration or by an organization recognized by the Administration or for the purposes of the control referred to in regulation IX/6.2 of the Convention. The copy of the Document is not required to be authenticated or certified.

13.7 The Safety Management Certificate should be issued to a ship for a period which should not exceed five years by the Administration or an organization recognized by the Administration or, at the request of the Administration, by another Contracting Government. The Safety Management Certificate should be issued after verifying that the Company and its shipboard management operate in accordance with the approved safety management system. Such a Certificate should be accepted as evidence that the ship is complying with the requirements of this Code.

13.8 The validity of the Safety Management Certificate should be subject to at least one intermediate verification by the Administration or an organization recognized by the Administration or, at the request of the Administration, by another Contracting Government. If only one intermediate verification is to be carried out and the period of validity of the Safety Management Certificate is five years, it should take place between the second and third anniversary dates of the Safety Management Certificate.

13.9 In addition to the requirements of paragraph 13.5.1, the Safety Management Certificate should be withdrawn by the Administration or, at the request of the Administration, by the Contracting Government which has issued it when the intermediate verification required in paragraph 13.8 is not requested or if there is evidence of major non-conformity with this Code.

13.10 Notwithstanding the requirements of paragraphs 13.2 and 13.7, when the renewal verification is completed within three months before the expiry date of the existing Document of Compliance or Safety Management Certificate, the new Document of Compliance or the new Safety Management Certificate should be valid from the date of completion of the renewal verification for a period not exceeding five years from the date of expiry of the existing Document of Compliance or Safety Management Certificate.

13.11 When the renewal verification is completed more than three months before the expiry date of the existing Document of Compliance or Safety Management Certificate, the new Document of Compliance or the new Safety Management Certificate should be valid from the date of completion of the renewal verification for a period not exceeding five years from the date of completion of the renewal verification."

13.12 When the renewal verification is completed after the expiry date of the existing Safety Management Certificate, the new Safety Management Certificate should be valid from the date of completion of the renewal verification to a date not exceeding five years from the date of expiry of the existing Safety Management Certificate.

13.13 If a renewal verification has been completed and a new Safety Management Certificate cannot be issued or placed on board the ship before the expiry date of the existing certificate, the Administration or organization recognized by the Administration may endorse the existing certificate and such a certificate should be accepted as valid for a further period which should not exceed five months from the expiry date.

13.14 If a ship at the time when a Safety Management Certificate expires is not in a port in which it is to be verified, the Administration may extend the period of validity of the Safety Management Certificate but this extension should be granted only for the purpose of allowing the ship to complete its voyage to the port in which it is to be verified, and then only in cases where it appears proper and reasonable to do so. No Safety Management Certificate should be extended for a period of longer than three months, and the ship to which an extension is granted should not, on its arrival in the port in which it is to be verified, be entitled by virtue of such extension to leave that port without having a new Safety Management Certificate. When the renewal verification is completed, the new Safety Management Certificate should be valid to a date not exceeding five years from the expiry date of the existing Safety Management Certificate before the extension was granted.

14 INTERIM CERTIFICATION

14.1 An Interim Document of Compliance may be issued to facilitate initial implementation of this Code when:

- .1 a Company is newly established; or
- .2 new ship types are to be added to an existing Document of Compliance,

following verification that the Company has a safety management system that meets the objectives of paragraph 1.2.3 of this Code, provided the Company demonstrates plans to implement a safety management system meeting the full requirements of this Code within the period of validity of the Interim Document of Compliance. Such an Interim Document of Compliance should be issued for a period not exceeding 12 months by the Administration or by an organization recognized by the Administration or, at the request of the Administration, by another Contracting Government. A copy of the Interim Document of Compliance should be placed on board in order that the master of the ship, if so requested, may produce it for verification by the Administration or by an organization recognized by the Administration or for the purposes of the control referred to in regulation IX/6.2 of the Convention. The copy of the Document is not required to be authenticated or certified.

14.2 An Interim Safety Management Certificate may be issued:

- .1 to new ships on delivery;
- .2 when a Company takes on responsibility for the operation of a ship which is new to the Company; or
- .3 when a ship changes flag;
- .4 upon reactivation after a period out of service⁹.

Such an Interim Safety Management Certificate should be issued for a period not exceeding 6 months by the Administration or an organization recognized by the Administration or, at the request of the Administration, by another Contracting Government.

14.3 An Administration or, at the request of the Administration, another Contracting Government may, in special cases, extend the validity of an Interim Safety Management Certificate for a further period which should not exceed 6 months from the date of expiry.

⁹ Refer to the *Guidelines to be developed by the Organization (Guidelines for the reactivation of the safety management Certificate following an operational interruption of The safety management system due to Lay-up over a certain period*

14.4 An Interim Safety Management Certificate may be issued following verification that:

- .1** the Document of Compliance, or the Interim Document of Compliance, is relevant to the ship concerned;
- .2** the safety management system provided by the Company for the ship concerned includes key elements of this Code and has been assessed during the audit for issuance of the Document of Compliance or demonstrated for issuance of the Interim Document of Compliance;
- .3** the Company has planned the internal audit of the ship within three months;
- .4** the master and officers are familiar with the safety management system and the planned arrangements for its implementation;
- .5** instructions, which have been identified as being essential, are provided prior to sailing; and
- .6** relevant information on the safety management system has been given in a working language or languages understood by the ship's personnel.

15 VERIFICATION

15.1 All verifications required by the provisions of this Code should be carried out in accordance with procedures acceptable to the Administration, taking into account the guidelines developed by the Organization.

16 FORMS OF CERTIFICATES

16.1 The Document of Compliance, the Safety Management Certificate, the Interim Document of Compliance and the Interim Safety Management Certificate should be drawn up in a form corresponding to the models given in the appendix to this Code. If the language used is neither English nor French, the text should include a translation into one of these languages.

16.2 In addition to the requirements of paragraph 13.3, the ship types indicated on the Document of Compliance and the Interim Document of Compliance may be endorsed to reflect any limitations in the operations of the ships described in the safety management system.

Revised guidelines on implementation of the ISM code by administrations

Revokes A.1022(26) with effect from 1 July
2014

FOR TRAINING PURPOSES ONLY!

INTRODUCTION

The ISM Code

The *International Management Code for the Safe Operation of Ships and for Pollution Prevention* (International Safety Management (ISM) Code) was adopted by the Organization by resolution A.741(18) and became mandatory by virtue of the entry into force on 1 July 1998 of the SOLAS chapter IX on Management for the Safe Operation of Ships. The ISM Code provides an international standard for the safe management and operation of ships and for pollution prevention. The Maritime Safety Committee, at its ninety-second session (12 to 21 June 2013), adopted by resolution MSC.353(92) amendments to sections 3, 6, 12, 14, and footnotes of the ISM Code. As a result it was necessary to revise the *Guidelines on implementation of the ISM Code by Administrations (resolution A.1022(26))*, which is superseded by this Revised Guidelines. The ISM Code requires that Companies establish safety objectives as described in section 1.2 (Objectives) of the ISM Code, and in addition that the Companies develop, implement and maintain a safety management system which includes functional requirements as listed in section 1.4 (Functional requirements for a safety management system) of the ISM Code. The application of the ISM Code should *support and encourage* the development of a safety culture in shipping. Success factors for the development of a culture that promotes safety and environmental protection are, inter alia, commitment, values, beliefs and clarity of the Safety Management System.

Mandatory application of the ISM Code

The appropriate organization of management, ashore and on board, is needed to ensure adequate standards of safety and pollution prevention. A systematic approach to management by those responsible for management of ships is therefore required. The objectives of the mandatory application of the ISM Code are to ensure:

- .1 compliance with mandatory rules and regulations related to the safe operation of ships and protection of the environment; and
- .2 the effective implementation and enforcement thereof by Administrations.

Effective enforcement by Administrations must include verification that the safety management system complies with the requirements as stipulated in the ISM Code, as well as verification of compliance with mandatory rules and regulations.

The mandatory application of the ISM Code should ensure, support and encourage the taking into account of applicable codes, guidelines and standards recommended by the Organization, Administrations, classification societies and maritime industry organizations.

Verification and certification responsibilities

The Administration is responsible for verifying compliance with the requirements of the ISM Code and for issuing Documents of Compliance to Companies and Safety Management Certificates to ships.

The *Guidelines for the authorization of organizations acting on behalf of the Administration* (resolution A.739(18)) and the *Specifications on the survey and certification functions of recognized organizations acting on behalf of the Administration* (resolution A.789(19)), which have been made mandatory by virtue of SOLAS regulation XI/1, and the *Guidelines to assist flag States in the implementation of IMO instruments* (resolution A.847(20)), are applicable when Administrations authorize organizations to issue Documents of Compliance and Safety Management Certificates on their behalf.

1 SCOPE AND APPLICATION

1.1 Definitions

The terms used in these Revised Guidelines have the same meaning as those given in the ISM Code.

1.2 Scope and application

1.2.1 These Revised Guidelines establish basic principles for:

.1 verifying that the safety management system of a Company responsible for the operation of ships, or the safety management system for the ship or ships controlled by the Company, complies with the ISM Code; and

.2 carrying out the interim, initial, annual and renewal verification of the Document of Compliance and for the interim, initial, intermediate and renewal verification(s) of the Safety Management Certificate and the issuance/endorsement of corresponding documents;

.3 the scope of the Additional Verification.

2 VERIFYING COMPLIANCE WITH THE ISM CODE

2.1 General

2.1.1 To comply with the requirements of the ISM Code, Companies should develop, implement and maintain a documented safety management system to ensure that the safety and environmental protection policy of the Company is implemented.

The Company policy should include the objectives defined by the ISM Code¹

2.1.2 Administrations should verify compliance with the requirements of the ISM Code by determining:

.1 the conformity of the Company's safety management system with the requirements of the ISM Code; and

.2 that the safety management system ensures that the objectives defined in paragraph 1.2.3 of the ISM Code are met.

¹The ICS/ISF Guidelines on the application of the International Safety Management Code provide useful guidance on important individual elements of a safety management system and its development by Companies.

2.1.3 Determining the conformity or non-conformity of safety management system elements with the requirements specified by the ISM Code may demand that criteria for assessment be developed. Administrations are recommended to limit the development of criteria in the form of prescriptive management system solutions. Criteria for assessment in the form of prescriptive requirements may have the effect that safety management in shipping results in Companies implementing solutions prepared by others, and it may then be difficult for a Company to develop the solutions which best suit that particular Company, operation or ship. Therefore, particular operations should be ship specific and fully reflected in manuals, procedures and instructions.

2.1.4 Therefore, Administrations are recommended to ensure that these assessments are based on determining the effectiveness of the safety management system in meeting specified objectives, rather than conformity with detailed requirements in addition to those contained in the ISM Code, so as to reduce the need for developing criteria to facilitate assessment of the Companies' compliance with the Code.

2.2 The ability of the safety management system to meet general safety management objectives

The ISM Code identifies general safety management objectives in section 1.2.2. The verification should support and encourage Companies in achieving these objectives, which provide clear guidance to Companies for the development of safety management system elements in compliance with the ISM Code. Since, however, the ability of the safety management system to achieve these objectives cannot be determined beyond whether the safety management system complies with the requirements of the ISM Code, they should not form the basis for establishing detailed interpretations to be used for determining conformity or non-conformity with the requirements of the ISM Code.

2.3 The ability of the safety management system to meet specific requirements of safety and pollution prevention

2.3.1 The main criterion which should govern the development of interpretations needed for assessing compliance with the requirements of the ISM Code should be the ability of the safety management system to meet the specific requirements defined by the ISM Code in terms of specific standards of safety and pollution prevention.

The specific standards of safety and protection of the environment are specified in section 1.2.3 of the ISM Code.

2.3.2 All records having the potential to facilitate verification of compliance with the ISM Code should be open to scrutiny during an examination, these may include records from delegated SMS tasks. For this purpose, the Administration should ensure that the Company provides auditors with statutory and classification records relevant to the actions taken by the Company to ensure that compliance with mandatory rules and regulations is maintained. In this regard the records may be examined to substantiate their authenticity and veracity.

2.3.3 Some mandatory requirements may not be subject to statutory or classification surveys, such as:

- .1 maintaining the condition of ship and equipment between surveys; and
- .2 certain operational requirements.

Specific arrangements may be required to ensure compliance with the ISM Code and to provide for the objective evidence needed for verification in these cases, such as:

- .1 documented procedures and instructions;
- .2 documentation of the verification carried out by senior officers of day-to-day operations when relevant to ensure compliance; and
- .3 relevant records of the ships being operated by the Company, e.g. flag State, port State controls, class and accident reports.

2.3.4 The verification of compliance with mandatory rules and regulations, which is part of the ISM Code certification, neither duplicates nor substitutes surveys for other maritime certificates. The verification of compliance with the ISM Code does not relieve the Company, the master or any other entity or person involved in the management or operation of the ship of their responsibilities.

2.3.5 Administrations should ensure that the Company has:

- .1 taken into account the recommendations, as referred to in paragraph 1.2.3.2 of the ISM Code, when establishing and maintaining the safety management system; and
- .2 developed procedures to ensure that these recommendations are implemented ashore and on board.

3 THE CERTIFICATION AND VERIFICATION PROCESS

3.1 Certification and verification activities

3.1.1 The certification process relevant to a Document of Compliance for a Company and a Safety Management Certificate to a ship will normally involve the following steps:

- .1 interim verification;
- .2 initial verification;
- .3 annual or intermediate verification;
- .4 renewal verification; and
- .5 additional verification.

These verifications are carried out at the request of the Company to the Administration, or to the organization recognized by the Administration to perform certification functions under the ISM Code, or at the request of the Administration by another Contracting Government to the Convention. The verifications will include an audit of the safety management system.

3.2 Interim verification

Interim certification may be issued under certain conditions as specified by the Code and should facilitate the implementation of a safety management system.

3.2.1 The Company should apply for interim certification to the Administration

3.2.2 The process of interim Document of Compliance verification of the management system undertaken by the Administration would require an assessment at the Company's offices in accordance with paragraph 14.1 of the Code.

3.2.3 On satisfactory completion of the assessment of the shoreside safety management system, arrangements/planning may commence for the assessment of applicable Company's ships.

3.2.4 The process of interim verification of the ship should be undertaken by the Administration to ensure that the ship is provided with a safety management system, in accordance with paragraph 14.4 of the Code.

3.2.5 On satisfactory completion of the interim verification, an Interim Document of Compliance will be issued to the Company; copies should be made available by the Company to every shoreside premises and each applicable ship in the Company's fleet. As each ship is assessed and issued with an Interim Safety Management Certificate, a copy of it should also be forwarded to the Company's head office.

FOR TRAINING PURPOSES ONLY

3.3 Initial verification

3.3.1 The Company should apply for ISM Code certification to the Administration.

3.3.2 An assessment of the shoreside management system undertaken by the Administration would necessitate assessment of the offices where such management is carried out and possibly of other locations which may include delegated SMS tasks, depending on the Company's organization and the functions at the various locations.

3.3.3 On satisfactory completion of the assessment of the shoreside safety management system, arrangements/planning may commence for the assessment of the Company's ships.

3.3.4 On satisfactory completion of the assessment, a Document of Compliance will be issued to the Company, copies of which should be made available to each shoreside premises and each ship in the Company's fleet. As each ship is assessed and issued with a Safety Management Certificate, a copy of it should also be forwarded to the Company's head office.

3.3.5 In cases where certificates are issued by a recognized organization, copies of all certificates should also be sent to the Administration.

3.3.6 The safety management audit for the Company and for a ship will involve the same basic steps. The purpose is to verify that a Company or a ship complies with the requirements of the ISM Code. The audits include:

.1 the conformity of the Company's safety management system with the requirements of the ISM Code, including objective evidence demonstrating that the Company's safety management system has been in operation for at least three months and that a safety management system has been in operation on board at least one ship of each type operated by the Company for at least three months; and

.2 that the safety management system ensures that the objectives defined in paragraph 1.2.3 of the ISM Code are met. This includes verification that the Document of Compliance for the Company responsible for the operation of the ship is applicable to that particular type of ship, and assessment of the shipboard safety management system to verify that it complies with the requirements of the ISM Code, and that it is implemented. Objective evidence demonstrating that the Company's safety management system has been functioning effectively for at least three months on board the ship and ashore should be available, including, inter alia, records from the internal audit performed by the Company.

3.4 Annual verification of Document of Compliance

3.4.1 Annual safety management audits are to be carried out to maintain the validity of the Document of Compliance, and should include examining and verifying the correctness of the statutory and classification records presented for at least one ship of each type to which the Document of Compliance applies. The purpose of these audits is to verify the effective functioning of the safety management system, and that any modifications made the Safety Management System comply with the requirements of the ISM Code.

3.4.2 Annual verification is to be carried out within three months before and after each anniversary date of the Document of Compliance.

3.4.3 Where the Company has more than one shoreside premises and/or delegates SMS tasks, the annual assessments should endeavour to ensure that all sites are assessed during the period of validity of the Document of Compliance.

3.4.4 During the annual verification, administrations should verify if the Company is operating all ship types on the DOC. Appropriate action should be taken if the Company has stopped operating a particular ship type.

3.5 Intermediate verification of Safety Management Certificates

3.5.1 Intermediate safety management audits should be carried out to maintain the validity of the Safety Management Certificate. The purpose of these audits is to verify the effective functioning of the safety management system and that any modifications made to the safety management system comply with the requirements of the ISM Code. In certain cases, particularly during the initial period of operation under the safety management system, the Administration may find it necessary to increase the frequency of the intermediate verification. Additionally, the nature of non-conformities may also provide a basis for increasing the frequency of intermediate verifications.

3.5.2 If only one intermediate verification is to be carried out, it should take place between the second and third anniversary date of the issue of the Safety Management Certificate.

3.6 Renewal verification

Renewal verifications are to be performed before the validity of the Document of Compliance or the Safety Management Certificate expires. The renewal verification will address all the elements of the safety management system and the activities to which the requirements of the ISM Code apply. Renewal verification may be carried out from three months before the date of expiry of the Document of Compliance or the Safety Management Certificate, and should be completed before their date of expiry.

3.7 Additional verification

3.7.1 The Administration may, where there are clear grounds, require an additional verification to check if the safety management system still functions effectively. Additional verifications may be carried out following situations beyond normal procedures. Examples of such situations include port state control detentions, reactivation after the interruption of the operations due to a period out of service or to verify that effective corrective actions have been taken and/or properly implemented additional verifications may affect the shore-based organization and/or the shipboard management system. The Administration should determine the scope and depth of the verification, which may vary from case to case. The additional verifications should be completed within the time period agreed taking into account guidelines developed by the Organization. The Administration should follow-up on the results of the verification and take appropriate measures, as necessary.

3.7.2 On satisfactory completion of the shipboard assessment, the Safety Management Certificate should be endorsed for additional verification.

3.8 Safety management audits

The procedure for safety management audits outlined in the following paragraphs includes all steps relevant for initial verification. Safety management audits for the **interim**, annual, intermediate, additional and renewal verification should be based on the same principles even if their scope may be different.

3.9 Application for audit

3.9.1 The Company should submit a request for audit to the Administration or to the organization recognized by the Administration for issuing a Document of Compliance or a Safety Management Certificate on behalf of the Administration.

3.9.2 The Administration or the recognized organization should then nominate the lead auditor and, if relevant, the audit team.

3.10 Preliminary review (Document review)

As a basis for planning the audit, the auditor should review the safety management manual to determine the adequacy of the safety management system in meeting the requirements of the ISM Code. If this review reveals that the system is not adequate, the audit will have to be delayed until the Company undertakes corrective action.

3.11 Preparing the audit

3.11.1 The auditor should review the relevant safety performance records of the Company, and take them into consideration when preparing the audit plan, for example flag State, port State controls, class and accident reports.

3.11.2 The nominated lead auditor should liaise with the Company and produce an audit plan.

3.11.3 The auditor should provide the working documents which are to govern the execution of the audit to facilitate the assessments, investigations and examinations in accordance with the standard procedures, instructions and forms which have been established to ensure consistent auditing practices.

3.11.4 The audit team should be able to communicate effectively with auditees.

3.12 Executing the audit

3.12.1 The audit should start with an opening meeting in order to introduce the audit team to the Company's senior management, summarize the methods for conducting the audit, confirm that all agreed facilities are available, confirm time and date for a closing meeting and clarify possible unclear details relevant to the audit.

3.12.2 The audit team should assess the safety management system on the basis of the documentation presented by the Company, and objective evidence as to its effective implementation.

3.12.3 The objective evidence should be collected through interviews and examination of documents. Observation of activities and conditions may also be included when necessary to determine the effectiveness of the safety management system in meeting the specific standards of safety and protection of the environment required by the ISM Code.

3.12.4 Audit findings should be documented. After activities have been audited, the audit team should review the objective evidence collected. This should then be used to determine what is to be reported as major non-conformities, non-conformities or observations, and should be reported in terms of the general and specific provisions of the ISM Code.

3.12.5 At the end of the audit, prior to preparing the audit report, the audit team should hold a meeting with the senior management of the Company and those responsible for the functions concerned. The purpose is to present the observations in such a way as to ensure that the results of the audit are clearly understood.

3.13 Audit report

3.13.1 The audit report should be prepared under the direction of the lead auditor, who is responsible for its accuracy and completeness.

3.13.2 The audit report should include the audit plan, identification of audit team members, dates and identification of the Company, observations on any non-conformities and observations on the effectiveness of the safety management system in meeting the specified objectives.

3.13.3 The Company should receive a copy of the audit report. The Company should be advised to provide a copy of the shipboard audit reports to the ship.

3.14 Corrective action follow-up

3.14.1 The Company is responsible for determining and initiating the corrective action needed to correct a non-conformity or to correct the cause of the non-conformity. Failure to correct non-conformities with specific requirements of the ISM Code may affect the validity of the Document of Compliance and related Safety Management Certificates.

3.14.2 Corrective actions and possible subsequent audits should be completed within the time period agreed. For corrective actions this should not normally exceed three months. The Company should apply for the follow-up audits as agreed.

3.14.3 Failure to take adequate corrective actions, in compliance with the requirements of the ISM Code, including measures to prevent recurrence, may be considered as a major non-conformity.

3.15 Company responsibilities pertaining to safety management audits

3.15.1 The verification of compliance with the requirements of the ISM Code does not relieve the Company, management, those undertaking delegated SMS tasks, officers or seafarers of their obligations as to compliance with national and international legislation related to safety and protection of the environment.

3.15.2 The Company is responsible for:

- .1 informing relevant employees and those undertaking delegated SMS tasks about the objectives and scope of the ISM Code certification;
- .2 appointing responsible members of staff to accompany members of the team performing the certification;
- .3 providing the resources needed by those performing the certification to ensure an effective and efficient verification process;
- .4 providing access and evidential material as requested by those performing the certification; and
- .5 cooperating with the verification team to permit the certification objectives to be achieved.

3.15.3 Where major non-conformities are identified, Administrations and recognized organizations (ROs) should comply with the procedures stated in MSC/Circ.1059-MEPC/Circ.401.

3.16 Responsibilities of the organization performing the ISM Code certification

The organization performing the ISM Code certification is responsible for ensuring that the verification and certification process is performed according to the ISM Code and these Guidelines. This includes management control of all aspects of the certification according to the appendix to these Guidelines.

3.17 Responsibilities of the verification team

3.17.1 Whether the verifications involved with certification are performed by a team or not, one person should be in charge of the verification. The leader should be given the authority to make final decisions regarding the conduct of the verification and any observations. His responsibilities should include:

- .1 preparation of a plan for the verification; and
- .2 submission of the report of the verification.

3.17.2 Personnel participating in the verification are responsible for complying with the requirements governing the verification, ensuring confidentiality of documents pertaining to the certification and treating privileged information with discretion.

APPENDIX

STANDARDS ON ISM CODE CERTIFICATION ARRANGEMENTS**1 INTRODUCTION**

The audit team involved with ISM Code certification, and the organization under which it may be managed, should comply with the specific requirements stated in this annex.

2 STANDARD OF MANAGEMENT

2.1 Organizations managing verification of compliance with the ISM Code should have, in their own organization, competence in relation to:

- .1 ensuring compliance with the rules and regulations, including certification of seafarers, for the ships operated by the Company;
- .2 approval, survey and certification activities;
- .3 the terms of reference that must be taken into account under the safety management system as required by the ISM Code; and
- .4 practical experience of ship operation.

2.2 The Convention requires that organizations recognized by Administrations for issuing a Document of Compliance and a Safety Management Certificate at their request should comply with resolutions A.739(18) – *Guidelines for the authorization of organizations acting on behalf of the Administration* and A.789(19) – *Specifications on the survey and certification functions of recognized organizations acting on behalf of the Administration*.

2.3 Any organization performing verification of compliance with the provisions of the ISM Code should ensure that there exists independence between the personnel providing consultancy services and those involved in the certification procedure.

3 STANDARDS OF COMPETENCE**3.1 ISM Code certification scheme management**

Management of ISM Code certification schemes should be carried out by those who have practical knowledge of ISM Code certification procedures and practices.

3.2 Basic competence for performing verification

3.2.1 Personnel who are to participate in the verification of compliance with the requirements of the ISM Code should have a minimum of formal education comprising the following:

- .1 qualifications from a tertiary institution recognized by the Administration or by the recognized organization within a relevant field of engineering or physical science (minimum two years programme); or
- .2 qualifications from a marine or nautical institution and relevant seagoing experience as a certified ship officer.

3.2.2 They should have undergone training to ensure adequate competence and skills for performing verification of compliance with the requirements of the ISM Code, particularly with regard to:

- .1 knowledge and understanding of the ISM Code;
- .2 mandatory rules and regulations;
- .3 the terms of reference which the ISM Code requires that Companies should take into account;
- .4 assessment techniques of examining, questioning, evaluating and reporting;
- .5 technical or operational aspects of safety management;
- .6 basic knowledge of shipping and shipboard operations; and
- .7 participation in at least one marine-related management system audit.

3.2.3 Such competence should be demonstrated through written or oral examinations, or other acceptable means.

3.3 Competence for initial verification and renewal verification

3.3.1 In order to assess fully whether the Company or the ship complies with the requirements of the ISM Code, in addition to the basic competence stated under 3.2 above, personnel who are to perform initial verifications or renewal verifications for a Document of Compliance or a Safety Management Certificate must possess the competence to:

- .1 determine whether the safety management system elements conform or do not conform with the requirements of the ISM Code;
- .2 determine the effectiveness of the Company's safety management system, or that of the ship, to ensure compliance with rules and regulations as evidenced by the statutory and classification survey records;
- .3 assess the effectiveness of the safety management system in ensuring compliance with other rules and regulations which are not covered by statutory and classification surveys and enabling verification of compliance with these rules and regulations; and
- .4 assess whether the safe practices recommended by the Organization, Administrations, classification societies and maritime industry organizations have been taken into account.

3.3.2 This competence can be accomplished by teams which together possess the total competence required.

3.3.3 Personnel who are to be in charge of initial verification or renewal verification of compliance with the requirements of the ISM Code should have at least five years' experience in areas relevant to the technical or operational aspects of safety management, and should have participated in at least three initial verifications or renewal verifications. Participation in verification of compliance with other management standards may be considered as equivalent to participation in verification of compliance with the ISM Code.

3.4 Competence for annual, intermediate and interim verification

Personnel who are to perform annual, intermediate and interim verifications should satisfy basic requirements for personnel participating in verifications and should have participated in a minimum of two annual, renewal or initial verifications. They should have received special instructions needed to ensure that they possess the competence required to determine the effectiveness of the Company's safety management system.

4 QUALIFICATION ARRANGEMENTS

Organizations performing ISM Code certification should have implemented a documented system for qualification and continuous updating of the knowledge and competence of personnel who are to perform verification of compliance with the ISM Code. This system should comprise theoretical training courses covering all the competence requirements and the appropriate procedures connected to the certification process, as well as practical tutored training, and it should provide documented evidence of satisfactory completion of the training.

5 CERTIFICATION PROCEDURES AND INSTRUCTIONS

Organizations performing ISM Code certification should have implemented a documented system to ensure that the certification process is performed in accordance with this standard. This system should, inter alia, include procedures and instructions for the following:

- .1** contract agreements with Companies;
- .2** planning, scheduling and performing verification;
- .3** reporting results from verification;
- .4** issuance of Documents of Compliance, Safety Management Certificates and Interim Documents of Compliance and Safety Management Certificates; and
- .5** corrective action and follow-up of verifications, including actions to be taken in cases of major non-conformity.

**Revised guidelines for the operational
implementation of the International Safety
Management (ISM) code by Companies
(MSC-MEPC.7/Circ.8)**

Revokes MSC-MEPC.7/Circ.5.

1 INTRODUCTION

1.1 The ISM Code

1.1.1 The *International Management Code for the Safe Operation of Ships and for Pollution Prevention (International Safety Management (ISM) Code)* was adopted by the Organization by resolution A.741(18) and became mandatory by virtue of the entry into force on 1 July 1998 of SOLAS chapter IX on Management for the Safe Operation of Ships. The ISM Code provides an international standard for the safe management and operation of ships and for pollution prevention.

1.1.2 The Maritime Safety Committee, at its ninety-second session (12 to 21 June 2013), adopted by resolution MSC.353(92) amendments to sections 3, 6, 12, 14, and footnotes of the ISM Code. As a result it was necessary to revise the *Guidelines for the operational implementation of the International Safety Management (ISM) Code by Companies* (MSC-MEPC.7/Circ.5) which are superseded by these Revised Guidelines.

1.1.3 The ISM Code requires that Companies establish safety objectives as described in section 1.2 (Objectives) of the ISM Code, and in addition that the Companies develop, implement and maintain a safety management system which includes functional requirements as listed in section 1.4 (Functional requirements for a safety management system) of the ISM Code.

1.1.4 The application of the ISM Code should support and encourage the development of a safety culture in shipping. Success factors for the development of a culture that promotes safety and environmental protection are, inter alia, commitment, values and beliefs and clarity of the Safety Management System.

2 SCOPE AND APPLICATION

2.1 Definitions

The terms used in these Revised Guidelines have the same meaning as those given in the ISM Code.

2.2 Scope and application

2.2.1 These Revised Guidelines establish the basic principles for:

- .1 reviewing the safety management system by a Company;
- .2 the role of the Designated Person under the ISM Code;
- .3 reporting and analysing of non-conformities, accidents and hazardous occurrences (including near-misses);
- .4 performing internal audits and management reviews, and do not reduce or replace the Company's responsibilities outlined in the ISM Code.

3 DEVELOPMENT OF THE SAFETY MANAGEMENT SYSTEM

3.1 The ISM Code requires that Companies establish safety objectives as described in section 1.2 of the ISM Code, and in addition that Companies develop, implement and maintain a safety management system (SMS) which includes functional requirements as listed in section 1.4 of the ISM Code.

3.2 Given the self-regulatory principles of the ISM Code, the internal verification and review processes are key elements in the implementation of each SMS. The Company should consider the outcome of internal audits, internal SMS reviews and analysis of non-conformities, accidents and hazardous occurrences to enhance the effectiveness of operations and procedures within their SMS.

To comply with the Code, the Company should:

- .1** designate a person or persons with direct access to the highest level of management who should monitor the safe operation of each ship (section 4);
- .2** ensure that adequate resources and shore-based support are provided to enable the designated person or persons to carry out their functions (section 3.3);
- .3** define and document the master's responsibility with regard to reviewing the safety management system and reporting its deficiencies to the shore-based management (section 5.1);
- .4** establish procedures for reporting and analysis of non-conformities, accidents and hazardous occurrences (section 9.1);
- .5** periodically evaluate the effectiveness of, and when needed, review of the safety management system (section 12.2); and
- .6** perform internal audits to verify whether safety management activities comply with the requirements of the safety management system (section 12.1).

4 DESIGNATED PERSON

4.1 A key role, as identified by the ISM Code, in the effective implementation of a safety management system is that of the Designated Person. This is the person based ashore whose influence and responsibilities should significantly affect the development and implementation of a safety culture within the Company.

4.2 The designated person should verify and monitor all safety and pollution prevention activities in the operation of each ship. This monitoring should include, at least, the following internal processes:

- .1** communication and implementation of the safety and environmental protection policy;
- .2** evaluation and review of the effectiveness of the safety management system;
- .3** reporting and analysis of non-conformities, accidents and hazardous occurrences;
- .4** organizing and monitoring of internal audits including verification of independence and training of internal auditors;

.5 appropriate revisions to the SMS; and

.6 ensuring that adequate resources and shore-based support as identified in paragraph 4.3 below are provided by the Company.

4.3 To enable the designated person to carry out this role effectively, the Company should provide adequate resources and shore-based support. These include:

.1 personnel resources;

.2 material resources;

.3 any training required;

.4 clearly defined and documented responsibility and authority; and

.5 authority for reporting non-conformities and observations to the highest level of management.

4.4 Designated Person(s) should have the qualifications, training and experience as set out in MSC-MEPC.7/Circ.6, to effectively verify and monitor the implementation of the safety management system in compliance with the ISM Code.

5 REVIEW OF THE SAFETY MANAGEMENT SYSTEM

5.1 The Company should periodically review and evaluate the effectiveness of the SMS in accordance with procedures established by the Company. Further, it is one of the master's responsibilities to review periodically the safety management system and to report its deficiencies to the shore-based management.

5.2 Management reviews support Companies efforts in achieving the general safety management objectives as defined in section 1.2.2 of the ISM Code. Based upon the results of such reviews, the Company should implement measures to improve further the effectiveness of the system. The review should be performed on a periodical basis as defined by the Company or when needed, e.g. in case of serious system failures. Any deficiencies found during the management review should be provided with appropriate corrective action taking into account the Company's objectives. The results of such reviews should be brought to the attention of all personnel involved in a formal way. The management review should at least take into account the results of the internal audits, any non-conformities reported by the personnel, the master's reviews, analysis of non-conformities, accidents and hazardous occurrences and any other evidence of possible failure of the SMS, like non-conformities by external parties, PSC inspection reports, etc.

6 REPORTING AND ANALYSING OF NON-CONFORMITIES, OBSERVATIONS, ACCIDENTS AND HAZARDOUS OCCURRENCES

6.1 The SMS should contain procedures to ensure that non-conformities, observations and hazardous occurrences are reported to the responsible person of the management. The Company should have a system in place for recording, investigating, evaluating, reviewing and analysing such reports, and to take action as appropriate.

6.2 The system should ensure such reports are reviewed and evaluated by the responsible person(s) in order to determine appropriate corrective action and to ensure that recurrences are avoided. The evaluation of reports may result in:

- .1 appropriate corrective actions;
- .2 amendments to existing procedures and instructions; and
- .3 development of new procedures and instructions.

6.3 The responsible person should properly monitor the follow-up and closing-out of the non-conformities/deficiency reports. The receipt of reports should be acknowledged to those persons who have raised the reports. This should include the status of the report and any decisions made.

6.4 The Company should encourage the reporting of near-misses¹ to maintain and improve safety awareness. The reporting and analysis of such incidents are essential for an effective risk assessment by the Company, especially where accident information is not available.

7 INTERNAL AUDITS

Companies should carry out internal shore-based and shipboard audits at intervals not exceeding 12 months to verify whether shore-based and shipboard activities comply with the SMS. In exceptional circumstances as documented by the Company, this period may be exceeded by not more than three months. These internal verifications should be prepared and conducted in accordance with procedures established by the Company. The procedures should at least consider the following elements:

- .1 responsibilities;
- .2 competence and selection of auditors;
- .3 audit scheduling;
- .4 preparing and planning the audit;
- .5 executing the audit;
- .6 audit report; and
- .7 corrective action follow-up.

8 QUALIFICATIONS, TRAINING AND EXPERIENCE

The ISM Code requires the Company to ensure that all personnel involved in the Company's SMS have an adequate understanding of relevant rules, regulations, codes, guidelines. The Company should ensure that all personnel have the qualifications, training and experience that may be required in support of the SMS. All persons performing internal audits should have successfully completed a relevant auditor training course.

¹ Refer to the Guidance on near-miss reporting (MSC-MEPC.7/Circ.7).

9 THE COMPANY'S RESPONSIBILITIES

The Company which has taken over all the duties and responsibilities imposed by the Code should provide adequate resources (e.g. technical, financial and human resources) to ensure that the safety management objectives will be achieved. ISM-related tasks being carried out by the Company's branch offices or by external entities should be outlined in the SMS. The Company should verify that all those undertaking ISM-related tasks perform in accordance with established procedures.

FOR TRAINING PURPOSES ONLY!

Revised guidelines for a structure of an integrated system of contingency planning for shipboard emergencies

Revokes A.852(20) with effect from 1 July 2014

(Table of contents NOT shown)

PREFACE

These Guidelines, prepared by the Maritime Safety Committee (MSC) of the International Maritime Organization (IMO), contain guidance to assist in the preparation of an integrated system of contingency planning for shipboard emergencies. It is intended to be used for the preparation and use of a module structure of an integrated system of shipboard emergency plans.

The high number of non-harmonized shipboard contingency plans justifies the development of an integrated system and the harmonization of the structure of contingency plans.

Shipboard emergency preparedness is required under paragraphs 1.2.2.2 and 8 of the ISM Code, as amended, referred to in chapter IX of the SOLAS Convention, as amended, under chapter III, regulation 24-4 of the SOLAS Convention, as adopted at the SOLAS Conference November 1995, and under MARPOL 73/78, Annex I, regulation 26.

To implement the SOLAS and MARPOL regulations, there must be shipboard procedures and instructions. These Guidelines provide a framework for formulating procedures for the effective response to emergency situations identified by the company and shipboard personnel.

In this context, the main objectives of these Guidelines are:

- * to assist companies in translating the requirements of the regulations into action by making use of the structure of the integrated system;
- * to integrate relevant shipboard emergency situations into such a system;
- * to assist in the development of harmonized contingency plans which will enhance their acceptance by shipboard personnel and their proper use in an emergency situation;
- * to encourage Governments, in the interests of uniformity, to accept the structure of the integrated system as being in conformity with the provisions for development of shipboard contingency plans as required by various IMO instruments, and to refer to these Guidelines when preparing appropriate national legislation.

1 General remarks

1.1 The ISM Code establishes an international standard for the safe management and operation of ships by defining elements which must be taken into account for the organization of company management in relation to ship safety and pollution prevention. Since emergencies, as well as cargo spillage, cannot be entirely controlled either through design, or through normal operational procedures, emergency preparedness and pollution prevention should form part of the company's ship safety management. For this purpose, every company is required by the ISM Code to develop, implement and maintain a Safety Management System (SMS).

1.2 Within this SMS, potential emergency shipboard situations should be identified and procedures should be established to respond to them.

1.3 If the preparation of response actions for the many possible varying types of emergency situations which may occur are formulated on the basis of a complete and detailed case-by-case consideration, a great deal of duplication will result.

1.4 To avoid duplication, shipboard contingency plans must differentiate between "initial actions" and the major response effort involving "subsequent response", depending on the emergency situation and the type of ship.

1.5 A two-tier course of action provides the basis for a modular approach, which can avoid unnecessary duplication.

1.6 It is recommended that a uniform and integrated system of shipboard emergency plans should be treated as part of the International Safety Management (ISM) Code, forming a fundamental part of the company's individual Safety Management System (SMS).

1.7 An illustration of how such a structure of a uniform and integrated system of shipboard emergency plans with its different modules can be incorporated into an individual SMS is shown in appendix 1.

2 Integrated system of contingency plans for shipboard emergencies

2.1 Scope

2.1.1 The integrated system of shipboard emergency plans (hereinafter referred to as the "system") should provide a framework for the many individual contingency plans (hereinafter referred to as the "plans"), tailored for a variety of potential emergencies, for a uniform and modular designed structure.

2.1.2 Use of a modular designed structure will provide a quickly visible and logically sequenced source of information and priorities, which can reduce error and oversight during emergency situations.

2.2 Structure of the system

2.2.1 The structure of the system comprises the following six modules, the titles of which are:

- Module I: Introduction
- Module II: Provisions
- Module III: Planning, preparedness and training
- Module IV: Response actions

- Module V: Reporting procedures
- Module VI: Annex(es).

An example of the arrangement of these modules is shown in appendix 2.

2.2.2 Each module should contain concise information to provide guidance and to ensure that all appropriate and relevant factors and aspects, through the various actions and decisions during an emergency response, are taken into account.

2.3 Concept of the system

2.3.1 The system is intended as a tool for integrating the many different plans into a uniform and modular structured frame. The broad spectrum of the many required plans which may be developed by a company will result in the duplication of some elements (e.g. reporting) of these plans. Such duplication can be avoided by using the modular structure of the system referred to in 2.2.1.

2.3.2 Although the initial action taken in any emergency will depend upon the nature and extent of the incident, there are some immediate actions which should always be taken – the so-called "**initial actions**" (see appendix 4). Therefore, a distinction within the plans between "**initial actions**" and "**subsequent response**", which depends on variables like the ship's cargo, type of the ship, etc., will help to assist shipboard personnel in dealing with unexpected emergencies and will ensure that the necessary actions are taken in a priority order.

2.3.3 "**Subsequent response**" is the implementation of the procedures applicable to the emergency.

3 System modules

3.1 General principles

3.1.1 As a starting point for the preparation of the system, appendix 3 provides guidance and a quick overview concerning the kind of information which may be inserted into the individual system modules.

3.1.2 Above all, the system should be developed in a user-friendly way. This will enhance its acceptance by shipboard personnel.

3.1.3 For the system as well as the associated plans to be effective it must be carefully tailored to the individual company and ship. When doing this, differences in ship type, construction, cargo, equipment, manning and route have to be taken into account.

3.2 Details of the individual modules

3.2.1 Module I: **Introduction**

3.2.1.1 The system should contain a module entitled "Introduction".

3.2.1.2 The content of this module should provide guidance and an overview of the subject-matter.

3.2.1.3 The following is an example of an introductory text:

INTRODUCTION

1 The system is intended to prepare shipboard personnel for an effective response to an emergency at sea.

2 The prime objective of the system is to provide guidance to shipboard personnel with respect to the steps to be taken when an emergency has occurred or is likely to occur. Of equal benefit is the experience of those involved in developing the plan.

3 The purpose of the system is to integrate contingency plans for shipboard emergency situations and to avoid the development of different, non-harmonized and unstructured plans which would hamper their acceptance by shipboard personnel and their proper use in an emergency situation. Therefore, the system and its integrated plans should be structured and formatted in their layout and content in a consistent manner.

4 The aim of the system is to ensure the most timely and adequate response to emergencies of varied size and nature, and to remove any threat of serious escalation of the situation. Additionally the system provides a structure to prevent critical steps from being overlooked.

5 The system and associated plans should be seen as dynamic, and should be reviewed after implementation and improved through the sharing of experience, ideas and feedback.

6 It should be kept in mind that there could be problems in communication due to differing language or culture of the shipboard personnel. The system, as well as the integrated plans, will be documents used on board by the master, officers and relevant crew members of the ship, and they must be available in the working language of the crew. Any change in these personnel, which results in a change in the crew's working language requires plans to be issued in the new language. The module should provide information to this effect.

7 The system is to be seen as a tool for implementing the requirements of paragraphs 1.2.2.2 and 8 of the International Safety Management (ISM) Code, or similar regulations in other IMO instruments¹, in a practical manner.

3.2.2 Module II: **Provisions**

3.2.2.1 This module should contain information and explanations on how the system could be developed on the basis of suggestions for improvement made by the individual company and shipboard personnel.

3.2.2.2 The primary objective of shipboard emergency prevention, preparedness and response activities should be to develop and implement an efficient and effective system which will minimize the risks to human life, the marine environment and property, with a continuous effort towards improvement.

3.2.2.3 To achieve this objective, there is a need for coordination of, and consistency in, safety procedures between the company and its ships. Therefore, the module should require that company shorebased and shipboard contingency planning and response are consistent and appropriately linked.

¹ Reference is made to the 1974 SOLAS Convention, as amended, chapter III, regulation 29, and to MARPOL 73/78, as amended, Annex I, regulation 37.

3.2.2.4 Safety involves "top-down" and "bottom-up" commitment to active development and application of safety procedures and practices by all persons both ashore and afloat, including management.

3.2.2.5 Free and open communication when evaluating emergency procedures, taking into consideration accidents and near misses when using this system, should be pursued, with the objective of improving accident prevention, preparedness and response aboard ships. The module should take care of this recommendation by providing information for the implementation of an error reduction strategy with appropriate feedback and procedures for modification of plans.

3.2.2.6 In summary, the module should inform the system user about the most important requirements with which, at a minimum, the plans should comply. The following main elements should be addressed in the module:

- procedures to be followed when reporting an emergency;
- procedures for identifying, describing and responding to potential emergency shipboard situations;
- programmes/activities for the maintenance of the system and associated plans.

3.2.3 Module III: **Planning, preparedness and training**

3.2.3.1 This module should provide for emergency training and education of shipboard personnel with a view to developing general awareness and understanding of actions to be taken in the event of an emergency.

3.2.3.2 The system and plans will be of little value if the personnel who are to use them are not made familiar with them. Module III should therefore provide practical information which enables each key member of the shipboard personnel to know in advance what their duties and responsibilities are and to whom they are to report under the plans. Responsibility should be assigned for each emergency system, and it should be incumbent on the Company that all relevant officers and crew members should understand, be trained and should be capable of operating the emergency systems, such as fixed fire extinguishing systems, emergency generator, emergency steering, fire pumps, etc.

3.2.3.3 Successful management of an emergency or marine crisis situation depends on the ability of the shipboard personnel, the company, and external emergency coordinating authorities to muster sufficient resources in the right positions quickly.

3.2.3.4 An important goal of planning, preparedness and training programmes should be to increase awareness of safety and environmental issues.

3.2.3.5 Training should be at regular intervals and, in particular, be provided to shipboard personnel transferred to new assignments.

3.2.3.6 Records of all emergency drills and exercises conducted ashore and on board should be maintained and be available for verification. The drills and exercises should be evaluated as an aid to determining the effectiveness of documented procedures and identifying system improvements.

3.2.3.7 When developing plans for drills and exercises, a distinction should be made between full-scale drills involving all the parties that may be involved in a major incident and exercises limited to the ship and/or the company.

3.2.3.8 Feedback is essential for refining emergency response plans and emergency preparedness based on the lessons learned from previous exercises, accident investigations² or real emergencies, and provides an avenue for continuous improvement. Feedback should ensure that the company, as well as the ship, is prepared to respond to shipboard emergencies (see summarizing flow diagram in appendix 1).

3.2.3.9 In conclusion, the module should, as a minimum, provide information on the procedures, programmes or activities developed in order to:

- familiarize shipboard personnel with the provisions of the system and plans;
- provide training for shipboard personnel about the system and plans, in particular to personnel transferred to new assignments;
- schedule regular drills and exercises to prepare shipboard personnel to deal with potential shipboard emergency situations;
- coordinate the shipboard personnel and the company's actions effectively, and include and take note of the aid which could be provided by external emergency coordinating authorities;
- prepare a workable feedback system.

3.2.4 Module IV: **Response actions**

This module should provide guidance for shipboard personnel in an emergency when the ship is underway, berthed, moored, at anchor, in port or dry-dock.

3.2.4.1 In an emergency, the best course of action to protect the personnel, ship, marine environment and cargo requires careful consideration and prior planning. Standards for shipboard procedures to protect personnel, stabilize conditions, and minimize environmental damage when an incident occurs should therefore be developed.

3.2.4.2 In this context reference is made to the guidelines already developed by the Organization³, which contain information to provide a starting point and to assist personnel in the preparation of plans for individual ships.

3.2.4.3 The variety of plans to be incorporated in the system should be simple documents which outline procedures different from those used for daily routine operations. With normal operational procedures very difficult problems can be handled, but an emergency situation, whether on the ship at sea or in a port, can extend those involved beyond their normal capabilities.

3.2.4.4 In order to keep the plans held by ship and shore identical, and to reduce possible confusion in an emergency as to who is responsible for which action, plans should make clear whether the action should be taken by shipboard personnel or shoreside personnel.

² Refer to the Adoption of the Code of the International Standards and Recommended Practices for a Safety Investigation into a Marine Casualty or Marine Incident (Casualty Investigation Code) (resolutions MSC.255(84) and MSC.257(84)) and the Code for the Investigation of Marine Casualties and Incidents, as amended (resolution A.884(21)).

³ Refer to the IMO Guidelines for the development of Shipboard Oil Pollution Emergency Plans (resolution MEPC.86(44)) and the Guidelines for the development of shipboard marine pollution emergency plans for oil and/or noxious liquid substances, as amended (resolution MEPC.85(44)).

3.2.4.5 Taking these particulars into consideration, the module "Response actions" should comprise main groupings of emergency shipboard situations.

3.2.4.6 Potential emergency situations should be identified in the plans, including, but not limited to, the following main groups of emergency:

- .1 Fire
- .2 Damage to the ship
- .3 Pollution
- .4 Unlawful acts threatening the safety of the ship and the security of its passengers and crew⁴
- .5 Personnel accidents
- .6 Cargo related accidents
- .7 Emergency assistance to other ships.

In order to give the company the necessary flexibility for identifying, describing and responding to further shipboard emergency situations, more specific types of emergency should be included in the main groups.

3.2.4.7 The above-mentioned main groups can be further subdivided to cover the majority of shipboard emergencies.

The detailed response actions should be formulated so as to set in motion the necessary steps to limit the consequence of the emergency and the escalation of damage following, for example, collision or grounding.

3.2.4.8 The Company should identify all possible situations where shipboard contingency planning would be required relative to the operational requirements, ship's type, equipment and trade. The Company should consider which shipboard contingency plans should be reviewed and/or updated whenever changing trade patterns.

3.2.4.9 In all cases priority should be given to actions which protect life, the marine environment and property, in that order. This means that "**initial actions**" which are common for all ships, regardless of their type and the cargoes carried, should be fully taken into account when formulating "**subsequent response**" procedures.

3.2.4.10 The planning of subsequent response actions should include information relating to the individual ship and its cargo, and provide advice and data to assist the shipboard personnel. Examples of such information are listed below:

- .1 Information on:
 - the number of persons aboard;
 - the cargo carried (e.g. dangerous goods, etc.);

⁴ It should be noted that a number of procedures will be included in the ship security procedures, as per the International Ship and Port Facility Security Code (ISPS Code).

.2 Steps to initiate external response:

- search and rescue coordination;
- buoyancy, strength and stability calculations;
- engagement of salvors/rescue towage;
- lightering capacity;
- external clean-up resources;

.3 Ship drift characteristics

.4 General information:

- cooperation with national and port authorities;
- public relations.

3.2.4.11 Although shipboard personnel should be familiar with the plan, ease of reference is an important element in compiling and using an effective plan. Allowance must be made for quick and easy access to essential information under stressful conditions. **Appendices 3 and 4** show a detailed picture of the sequence of priorities for "**initial actions**" in an emergency situation and their link with the "**subsequent response**".

3.2.4.12 In summary, the module should guide those responsible for developing the system on what should be included in emergency plans, namely:

- coordination of response efforts;
- response procedures for the entire spectrum of possible accident scenarios, including methods that protect life, the marine environment and property;
- the person or persons identified by title or name as being in charge of all response activities;
- the communication lines⁵ used for ready contact with external response experts;
- information concerning the availability and location of response equipment; and
- reporting and communication procedures on board ship.

A 7-step approach flow chart for emergency plan(s) implementation is presented on page 13.

3.2.5 Module V: **Reporting procedures**

A ship involved in an emergency situation, or in a marine pollution incident will have to communicate with the appropriate ship interest contacts and coastal State or port contacts. Therefore the system must specify in appropriate detail the procedures for making the initial report to the parties concerned. This module should take care of the following:

⁵ Refer to the Standard Marine Communication Phrases (SMCP) (resolution A.918(22)).

3.2.5.1 Every effort should be made to assure that information regarding:

- ship interest contacts;
- coastal State contacts; and
- port contacts,

for reporting emergencies are part of the system and are regularly updated.

3.2.5.2 The establishment and maintenance of rapid and reliable 24-hour communication lines between the ship in danger and emergency control centre(s), company's main office and national authorities (RCC, points of contact), is important.

3.2.5.3 Those managing response operations on board and services assisting ashore should keep each other mutually informed of the situation.

3.2.5.4 Details such as telephone, telex and telefax numbers must be routinely updated to take account of personnel changes. Clear guidance should also be provided regarding the preferred means of communication.

3.2.5.5 In this context, reference is made to the Organization's guidelines⁶ and other national specific plans which give sufficient guidance on the following reporting activities necessary:

- .1 when to report;
- .2 how to report;
- .3 whom to contact;
- .4 what to report.

3.2.6 Module VI: **Annex(es)**

In addition to the information required to respond successfully to an emergency situation, other requirements that will enhance the ability of shipboard personnel to locate and follow-up operative part 5 of the plan may be required.

4 Example format for a procedure of a selected emergency situation

An example format for a procedure of a selected emergency situation referred to in 3.2.4 is shown on pages 14 to 18. (not attached)

⁶ Refer to the General principles for ship reporting system and ship reporting requirements, including guidelines for reporting incidents involving dangerous goods, harmful substances and/or marine pollutants (resolution A.648(16)) and the Guidelines for the development of Shipboard Oil Pollution Emergency Plans (SOPEP) (resolution MEPC.54(32), as amended by resolution MEPC.86(44) and Guidelines for the development of shipboard marine pollution emergency plans for oil and/or noxious liquid substances (resolution MEPC.85(44)).

Guidelines for the reactivation of the safety management certificate following an operational interruption of the safety management system due to Lay-up over a certain period

Draft MSC-MEPC circular (STW 44/WP.4)
(new guideline)

1 INTRODUCTION

1.1 This document provides guidelines to Companies and Administrations on the actions to be taken following a lay-up, in order to ensure that the Safety Management System (SMS) on board vessels is functional once the ship is taken back into service.

2 SCOPE AND APPLICATION

2.1 Definitions

2.1.1 The terms used in these Guidelines have the same meaning as those given in the ISM Code.

2.2 Scope and application

2.2.1 These Guidelines establish basic principles relating to the verification that the safety management system of the ship is reactivated and complies with the ISM Code.

2.2.2 These Guidelines do not reduce or replace the Company's responsibilities outlined in the ISM Code.

2.2.3 Where a Company manages a ship, which only operates seasonally, the Company should establish specific procedures for the lay-up period and reactivation, based on their commercial activities.

3 REACTIVATION REQUIREMENTS

3.1 The Company should, after interruption of the SMS on board a ship, review the SMS.

3.2 The Company should notify the Administration and port State or coastal State (if applicable) about the reactivation of the ship. This should include information about the time needed for reactivation of the vessel, any change of ownership or change of Company and the next intended destination after reactivation, e.g. normal trade, repair yard or scrap yard.

3.3 If the interruption period of the SMS on board the ship is more than three months but less than six months, then the Administration may require an additional verification. Upon satisfactory completion of the additional verification, the existing Safety Management Certificate (SMC) should be endorsed.

3.4 If the interruption period of the SMS on board the ship is more than six months, then the Company should request an interim verification.