



EU regulation 336/2006

On the implementation of the International Safety Management (ISM) Code

Alexander Van Hoeylandt / Senior Project Officer
Safety and Standard / Unit: Ship Safety

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- Herald of Free Enterprise (1987)
- Scandinavian Star (1990)
- Estonia (1994)

*The "Human factor" is the most common reason for accidents with ships.
However, without Human interaction ships would not function (until now).*

History

Council Regulation (EC) No 3051/95 of 8 December 1995 on the safety management of roll-on/roll-off passenger ferries (ro-ro ferries).

ISM Code mandatory at Community level with effect from 1 July 1996 for all ro-ro passenger ferries operating on a regular service to and from ports of the Member States, on both domestic and international voyages and regardless of their flag.

Regulation (EC) No 336/2006 (15 February 2006) on the implementation of the ISM Code within the Community repealing Regulation (EC) No 3051/95.

Scope

Article 2(1)

The ISM code in its up-to-date version = MSC.353(92) latest amendment.

Article 3.1 Scope

- a) Cargo ships and passenger ships, flying the flag of Member State, engaged on international voyages;
- b) Cargo ship and passenger ships engaged exclusively on domestic voyages, regardless of their flag;
- c) Cargo ship and passenger ships operating to or from ports of the Member States, on a regular service, regardless of their flag;
- d) MoDU operating under the authority of a Member State.

Scope



Outside the scope

Article 3.2 Outside the scope

- a) Ships of war and troopships and other ships owned or operated by a Member State and used only on government non-commercial service;
- b) Ships not propelled by mechanical means, wooden ships of primitive build, pleasure yachts and pleasure craft, unless they are or will be crewed and carrying more than 12 passengers for commercial purposes;
- c) Fishing vessels;
- d) Cargo ships and mobile offshore drilling units of less than 500 gross tonnage;
- e) Passenger ships, other than ro-ro passenger ferries, in sea areas of Class C and D as defined in Article 4 of Directive 98/18/EC.

Extra Ship type on the DOC = ro-ro passenger ferries

Directive 98/18/EC

'Class A'	means a passenger ship engaged on domestic voyages other than voyages covered by Classes B, C and D.
'Class B'	means a passenger ship engaged on domestic voyages in the course of which it is at no time more than 20 miles from the line of coast , where shipwrecked persons can land, corresponding to the medium tide height.
'Class C'	means a passenger ship engaged on domestic voyages in sea areas where the probability of exceeding 2,5 metres significant wave height is smaller than 10 % over a one year period for all-year-round operation, or over a specific restricted period of the year for operation exclusively in such period (e.g. summer period operation), in the course of which it is at no time more than 15 miles from a place of refuge, nor more than 5 miles from the line of coast , where shipwrecked persons can land, corresponding to the medium tide height.
'Class D'	means a passenger ship engaged on domestic voyages in sea areas where the probability of exceeding 1,5 metres significant wave height is smaller than 10 % over a one year period for all-year-round operation, or over a specific restricted period of the year for operation exclusively in such period (e.g. summer period operation), in the course of which it is at no time more than 6 miles from a place of refuge, nor more than 3 miles from the line of coast , where shipwrecked persons can land, corresponding to the medium tide height.

EMSA's tasks Reg. 336/2006

Article 10(1) The EU Member States are required to report every two years to the Commission on the implementation of the ISM Code.

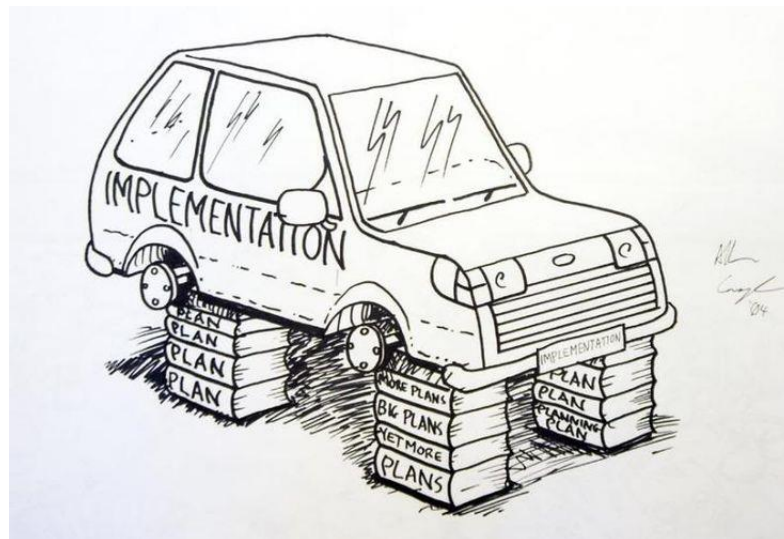
Article 10(3) EMSA's task is collect these reports and draw-up a consolidated report. To assess the effectiveness of the measures in place and evaluate the Member States proposals on the improvements of the ISM code and guidelines (*ISM expert working*).

The report provides insight into the certification and verification carried out by and on behalf of the flag states (*ROs and other administrations*).

Considerations

Quality management?

The ISM code is a legally binding instrument that promotes a safety culture and may show that a management system is available, but there is no indication of the quality and content of the system and its effective implementation.



It requires other tools to measure the quality of the safety management system!!

Integrated Management Systems

At present, a considerable sector of shipping companies combine the practical implementation of the Code with observing the requirements of other voluntary Management Systems (QMS).

There are many common or interfacing requirements, therefore any combination of these systems with the ISM code leads to a more efficient way of managing safety, quality, environmental issues.



Self assessment

Self assessment may complement the ISM system by encouraging self-regulation and continuous self-improvement.

While SA is a proactive approach towards safety, it is not to be considered as replacement of the ISM Code, SA builds on it and provides a systematic approach that encourages ship operators to move beyond the so-called minimum compliance culture.

Examples of Self Assessments that complement the ISM code are the Tanker Management Self Assessment (TMSA) and the Domestic Passenger Ships code developed by MCA (MGN 536).



Questions



Thank you for your attention!

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European Maritime Safety Agency