

# Agreement between the Flag Administration and the Recognised Organisation (RO Code)

Ulf Birgander / Senior Assessor  
Department B.2.2: Name Classification Societies

Lisbon 2016



# The Agreements between the Flag Administration and the Recognised Organisations (RO Code)

- Why?
- Main elements of the agreement
- Examples

## SOLAS

### I/6 Inspection and Survey

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

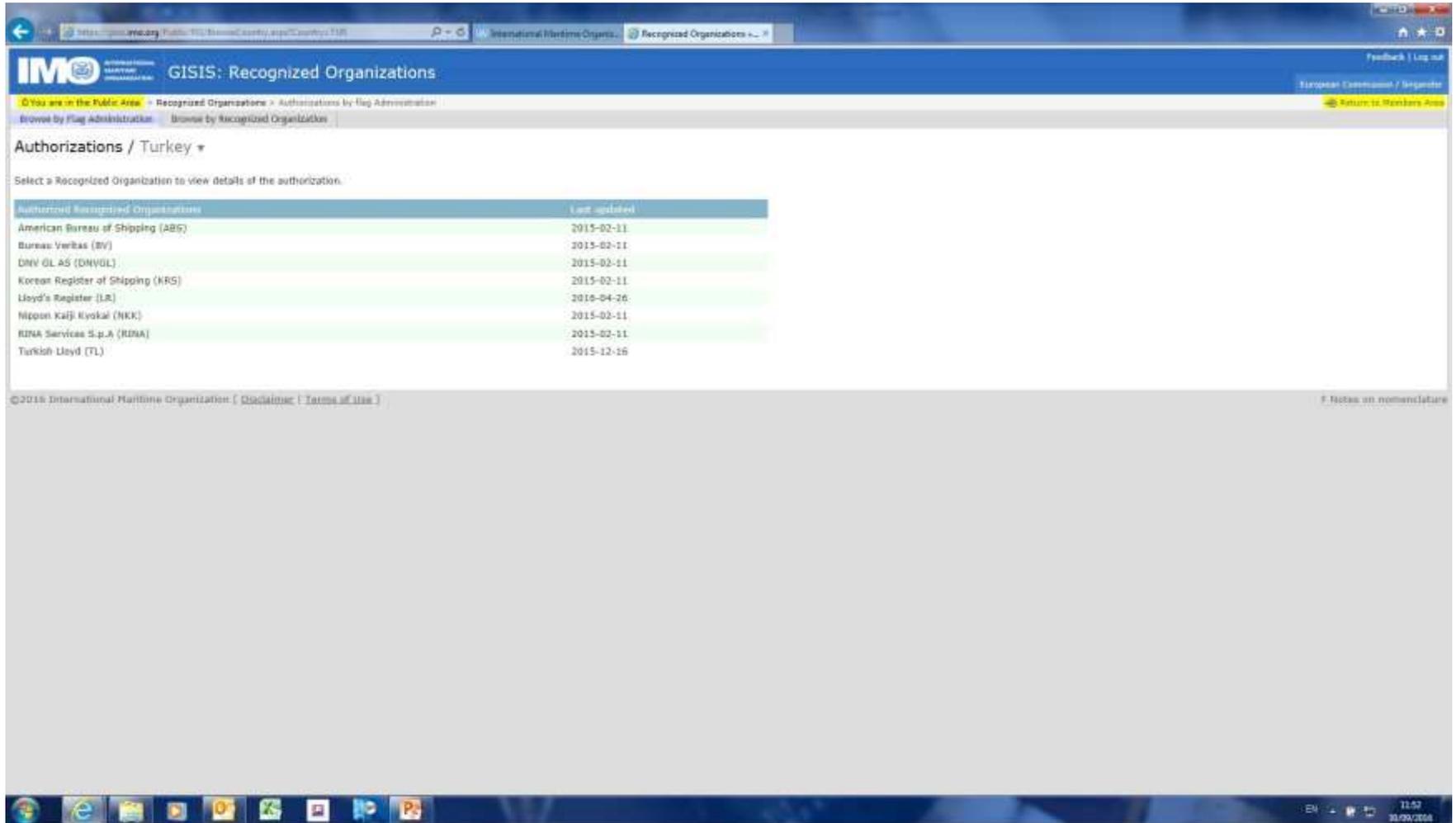
...

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

.....

**(d) In every case, the Administration shall fully guarantee the completeness and efficiency of the inspection and survey, and shall undertake to ensure the necessary arrangements to satisfy this obligation.**

# Agreement with the recognised Organisations



The screenshot shows the IMO GISIS: Recognized Organizations website. The page title is "Authorizations / Turkey". Below the title, there is a table of authorized recognized organizations. The table has two columns: "Authorized Recognized Organizations" and "Last updated".

Authorized Recognized Organizations	Last updated
American Bureau of Shipping (ABS)	2015-02-11
Bureau Veritas (BV)	2015-02-11
DNV GL AS (DNVGL)	2015-02-11
Korean Register of Shipping (KRS)	2015-02-11
Lloyd's Register (LR)	2016-04-26
Nippon Kaiji Kyokai (NKK)	2015-02-11
RINA Services S.p.A (RINA)	2015-02-11
Turkish Lloyd (TL)	2015-12-16

At the bottom of the page, there is a copyright notice: "©2016 International Maritime Organization" and a link to "Notes on nomenclature".

## SOLAS

### I/12 Issue or endorsement of certificates

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

## MSC/Circ.710

**Model Agreement for the authorization of Recognized Organisations acting on behalf of the Administration.**

**To assist the Administrations, IMO through MSC and MEPC Committees agreed on a model agreement which is annex to this circular. That model agreement meet the minimum standard for a formal written agreement.**

## Why an agreement?

- Delegation to perform a public service
- (EU legislation)
- IMO RO Code
- IMO Audit Scheme

## Resolution MSC.349(92) RO Code

- Superseded resolutions A.739(18) and A.789(19)
  
- Gather all the applicable requirements for recognized organizations in a single IMO mandatory instrument.
  
- A standard approach to assist the Administrations in meeting their responsibilities in recognizing, authorizing and monitor their recognized organizations.

## RO Code is in 3 parts

### Part 1- General

1. Purpose
2. Scope
3. Contents
4. Delegation of authority
5. Communication of information
6. References

## Part 1

**Purpose:** The Code serve as international instrument with minimum criteria to assess RO's in respect of recognition and authorization and to guide the oversight by the flag State.

**Scope:** It applies to all classification societies recognized by a flag State to on its behalf perform statutory certifications and services, and to the flag States that intend to authorize a RO to on their behalf carry out statutory certifications and services

It establishes the mandatory requirements that an organization shall fulfil to be recognized by a flag State.(part 1)

Establishes the mandatory requirements that a RO shall fulfil when performing statutory certification and services and the mandatory requirements that flag State shall adhere when authorizing and RO.(part 2)

Guidelines for flag State oversight of ROs.(part 3)

## Part 1

### Delegation of authority

- A flag State may delegate authority to a RO complying with this Code to on its behalf perform statutory certification and services.
- The flag State should not authorise functions beyond the RO's capabilities.
- Flag States should cooperate with the objective of ensuring that the delegated RO's is following this Code.

### Communication of information

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

## Part 2- Recognition and authorization requirements for organizations

### General requirements for recognized organizations:

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

## Part 2- Recognition and authorization requirements for organizations

### Management an organization:

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

## Part 2- Recognition and authorization requirements for organizations

### Resources

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

### Statutory certification and services processes

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

## Part 2- Recognition and authorization requirements for organizations

### Performance measurement, Analysis and Improvement

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

Quality Management System Certification (no less than ISO 9000 series and ISO/IEC 17021:2006)

### Authorization of Recognized Organizations

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

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

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

### Purpose

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

### Scope

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

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

### **Establishing an oversight programme**

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

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

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

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

### Managing an oversight programme

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

### Managing an oversight programme

#### Oversight programme

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

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

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

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

## RO Code also have 3 appendixes

- ❑ *Appendix 1 - Requirements for training and qualification of recognized organizations staff*
- ❑ *Appendix 2 - Specifications on the survey and certification functions of recognized organizations acting on behalf of the flag State*
- ❑ *Appendix 3 - Elements to be included in an agreement*

## RO Code

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

- Application*
- Purpose*
- General conditions*
- Functions under the authorization*
- Legal basis*
- Reporting to the flag State*
- Development of rules and/or regulations*

# RO Code

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

- ❑ *Other conditions*
  - *Confidentiality*
  - *Liability*
  - *Financial responsibility*
  - *Termination*
  - *Use of subcontractors*

# RO Code

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

- *Specification of the authorization from the flag State to the RO*
  - *Ship types and sizes*
  - *Conventions and other instruments, including relevant national legislation*
  - *Approval of drawings*
  - *Approval of materials and equipment*
  - *Surveyors*
  - *Issuance of certificates*
  - *Withdrawal of certificates*
  - *Reporting*

## RO Code

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

- The flag State's supervision of duties delegated to the RO:*
- Documentation of quality assurance system*
- Access to internal instructions, circulars and guidelines*
- Access by the flag State to the RO's documentation relevant to the flag State's fleet*
- Cooperation with flag State's inspection and verification work*
- Provision of information and statistic on, e.g. damage and casualties relevant to the flag State's fleet.*

**What more would you like to include?**

## Some agreements available:

- **UK:**
  - <http://www.dft.gov.uk/mca/>
- **Cyprus:**
  - <http://www.mcw.gov.cy/>
- **Denmark:**
  - <http://www.soefartsstyrelsen.dk/>
- **USA:**
  - <http://www.uscg.mil/hq/cg5/acp/>
- **Italy:**
  - <http://www.mit.gov.it/mit/site.php?p=cm&o=vd&id=1850>
- **France:**
  - <http://www.developpement-durable.gouv.fr/>
- **Norway:**
  - <http://www.sjofartsdir.no/en/vessels/inspection/approved-classification-societies/klasseavtalen/>

# This is the title of the section

