

ANNEX 12

**RESOLUTION MSC.104(73)
(adopted on 5 December 2000)**

**ADOPTION OF AMENDMENTS TO THE INTERNATIONAL
SAFETY MANAGEMENT (ISM) CODE**

THE MARITIME SAFETY COMMITTEE,

RECALLING Article 28(b) of the Convention on the International Maritime Organization concerning the functions of the Committee,

RECALLING ALSO resolution A.741(18) by which the Assembly, at its eighteenth session adopted the International Management Code for the Safe Operation of Ships and for Pollution Prevention (International Safety Management (ISM) Code),

RECALLING FURTHER resolution A.788(19) by which the Assembly, at its nineteenth session, adopted the Guidelines on implementation of the International Safety Management (ISM) Code by Administrations (the Guidelines),

RECOGNIZING the need to incorporate in the ISM Code relevant provisions of the Guidelines relating to periods of validity of certificates, interim certificates and forms of certificates,

NOTING article VIII(b) and regulation IX/1.1 of the International Convention for the Safety of Life at Sea (SOLAS), 1974 (hereinafter referred to as "the Convention") concerning the procedure for amending the ISM Code,

HAVING CONSIDERED, at its seventy-third session, amendments to the ISM Code proposed and circulated in accordance with article VIII(b)(i) of the Convention,

1. **ADOPTS**, in accordance with article VIII(b)(iv) of the Convention, amendments to the ISM Code, the text of which is set out in the Annex to the present resolution;
2. **DETERMINES**, in accordance with article VIII(b)(vi)(2)(bb) of the Convention, that the amendments shall be deemed to have been accepted on 1 January 2002, unless, prior to that date, more than one third of the Contracting Governments to the Convention or Contracting Governments the combined merchant fleets of which constitute not less than 50% of the gross tonnage of the world's merchant fleet, have notified their objections to the amendments;
3. **INVITES** Contracting Governments to note that, in accordance with article VIII(b)(vii)(2) of the Convention, the amendments shall enter into force on 1 July 2002 upon their acceptance in accordance with paragraph 2 above;
4. **REQUESTS** the Secretary-General, in conformity with article VIII(b)(v) of the Convention, to transmit certified copies of the present resolution and the text of the amendments contained in the Annex to all Contracting Governments to the Convention;
5. **FURTHER REQUESTS** the Secretary-General to transmit copies of this resolution and its Annex to Members of the Organization, which are not Contracting Governments to the Convention.

ANNEX

**AMENDMENTS TO THE
INTERNATIONAL SAFETY MANAGEMENT (ISM) CODE**

1 A new heading "PART A - IMPLEMENTATION" is added before the heading "1 GENERAL".

1 GENERAL

1.1 Definitions

2 The following new sentence is inserted between "1.1 Definitions" and paragraph 1.1.1:

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

3 The following new definitions are added after paragraph 1.1.3:

"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 an 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 and includes the lack of effective and systematic implementation of a requirement of this Code.

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."

7 DEVELOPMENT OF PLANS FOR SHIPBOARD OPERATIONS

4 The text of existing chapter 7 is replaced by the following:

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

13 CERTIFICATION, VERIFICATION AND CONTROL

5 The title and text of existing chapter 13 is replaced by the following:

"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 date 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.”

6 A new chapter 14 is added after chapter 13 as follows:

“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.

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.

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 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."

- 7 A new chapter 15 is added after new chapter 14 as follows:

“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*.”

- 8 A new chapter 16 is added after new chapter 15 as follows:

“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.”

* Refer to the Guidelines on implementation of the International Safety Management (ISM) Code by Administrations adopted by the Organization by resolution A.788(19).

9 The following appendix is added:

"APPENDIX

**Forms of the Document of Compliance, the Safety Management Certificate,
the Interim Document of Compliance and the Interim Safety Management Certificate**

DOCUMENT OF COMPLIANCE

(Official seal)

(State)

Certificate No.

Issued under the provisions of the
INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974, as amended

Under the authority of the Government of _____

(name of the State)

by _____

(person or organization authorized)

Name and address of the Company

.....
(see paragraph 1.1.2 of the ISM Code)

THIS IS TO CERTIFY THAT the safety management system of the Company has been audited and that it complies with the requirements of the International Management Code for the Safe Operation of Ships and for Pollution Prevention (ISM Code) for the types of ships listed below (delete as appropriate):

- Passenger ship
- Passenger high-speed craft
- Cargo high-speed craft
- Bulk carrier
- Oil tanker
- Chemical tanker
- Gas carrier
- Mobile offshore drilling unit
- Other cargo ship

This Document of Compliance is valid until, subject to periodical verification.

Issued at

(place of issue of the document)

Date of issue

.....
(Signature of the duly authorized official issuing the document)

(Seal or stamp of issuing authority, as appropriate)

Certificate No.

ENDORSEMENT FOR ANNUAL VERIFICATION

THIS IS TO CERTIFY THAT, at the periodical verification in accordance with regulation IX/6.1 of the Convention and paragraph 13.4 of the ISM Code, the safety management system was found to comply with the requirements of the ISM Code.

1st ANNUAL VERIFICATION

Signed:.....
(Signature of authorized official)

Place:.....

Date:.....

2nd ANNUAL VERIFICATION

Signed:.....
(Signature of authorized official)

Place:.....

Date:.....

3rd ANNUAL VERIFICATION

Signed:.....
(Signature of authorized official)

Place:.....

Date:.....

4th ANNUAL VERIFICATION

Signed:.....
(Signature of authorized official)

Place:.....

Date:.....

SAFETY MANAGEMENT CERTIFICATE

(Official seal)

(State)

Certificate No.

Issued under the provisions of the
INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974, as amended

Under the authority of the Government of _____
(name of the State)

by _____
(person or organization authorized)

Name of ship:
Distinctive number or letters:
Port of registry:
Type of ship*
Gross tonnage:
IMO Number:
Name and address of Company:

(see paragraph 1.1.2 of the ISM Code)

THIS IS TO CERTIFY THAT the safety management system of the ship has been audited and that it complies with the requirements of the International Management Code for the Safe Operation of Ships and for Pollution Prevention (ISM Code), following verification that the Document of Compliance for the Company is applicable to this type of ship.

This Safety Management Certificate is valid until, subject to periodical verification and the Document of Compliance remaining valid.

Issued at.....
(place of issue of the document)

Date of issue

.....
(Signature of the duly authorized official issuing the certificate)

(Seal or stamp of issuing authority, as appropriate)

* Insert the type of ship from among the following: passenger ship; passenger high-speed craft; cargo high-speed craft; bulk carrier; oil tanker; chemical tanker; gas carrier; mobile offshore drilling unit; other cargo ship.

Certificate No.

**ENDORSEMENT FOR INTERMEDIATE VERIFICATION AND
ADDITIONAL VERIFICATION (IF REQUIRED)**

THIS IS TO CERTIFY THAT, at the periodical verification in accordance with regulation IX/6.1 of the Convention and paragraph 13.8 of the ISM Code, the safety management system was found to comply with the requirements of the ISM Code.

INTERMEDIATE VERIFICATION
(to be completed between the **second** and **third** anniversary date)

Signed:.....
(Signature of authorized official)

Place:.....

Date:.....

ADDITIONAL VERIFICATION*

Signed:.....
(Signature of authorized official)

Place:.....

Date:.....

ADDITIONAL VERIFICATION*

Signed:.....
(Signature of authorized official)

Place:.....

Date:.....

ADDITIONAL VERIFICATION*

Signed:.....
(Signature of authorized official)

Place:.....

Date:.....

* If applicable. Reference is made to paragraph 3.2.3 of the Guidelines on Implementation of the International Safety Management (ISM) Code by Administrations (resolution A.788(19)).

INTERIM DOCUMENT OF COMPLIANCE

(Official seal)

(State)

Certificate No.

Issued under the provisions of the
INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974, as
amended

Under the authority of the Government of _____
(name of the State)

by _____
(person or organization authorized)

Name and address of the Company

.....
(see paragraph 1.1.2 of the ISM Code)

THIS IS TO CERTIFY THAT the safety management system of the Company has been recognized as meeting the objectives of paragraph 1.2.3 of the International Management Code for the Safe Operation of Ships and for Pollution Prevention (ISM Code), for the type(s) of ships listed below (delete as appropriate):

- Passenger ship
- Passenger high-speed craft
- Cargo high-speed craft
- Bulk carrier
- Oil tanker
- Chemical tanker
- Gas carrier
- Mobile offshore drilling unit
- Other cargo ship

This Interim Document of Compliance is valid until

Issued at
(place of issue of the document)

Date of issue

.....
(Signature of the duly authorized official issuing the document)

(Seal or stamp of issuing authority, as appropriate)

INTERIM SAFETY MANAGEMENT CERTIFICATE

(Official seal)

(State)

Certificate No.

Issued under the provisions of the
INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974,
as amended

Under the authority of the Government of _____
(name of the State)
by _____
(person or organization authorized)

Name of ship:
Distinctive number or letters:
Port of registry:
Type of ship*:
Gross tonnage:
IMO Number:
Name and address of Company:
.....
(see paragraph 1.1.2 of the ISM Code)

THIS IS TO CERTIFY THAT the requirements of paragraph 14.4 of the ISM Code have been met and that the Document of Compliance / Interim Document of Compliance** of the Company is relevant to this ship.

This Interim Safety Management Certificate is valid until.....
subject to the Document of Compliance / Interim Document of Compliance** remaining valid.

Issued at
(place of issue of the document)

Date of issue

.....
(Signature of the duly authorized official issuing the certificate)

(Seal or stamp of issuing authority, as appropriate)

Certificate No.

The validity of this Interim Safety Management Certificate is extended to:

Date of extension:

.....
(Signature of the duly authorized official extending the validity)

(Seal or stamp of issuing authority, as appropriate)

* Insert the type of ship from among the following: passenger ship; passenger high-speed craft; cargo high-speed craft; bulk carrier; oil tanker; chemical tanker; gas carrier; mobile offshore drilling unit; other cargo ship.

** Delete as appropriate."
