

Circular 87 / 2014

To: Vessel Owners, Managers and Other Interested Parties

Subject: Changes to the ISM Code – requirements for manning and company verification

Date: 12 August 2014

Summary

Amendments to the International Safety Management (ISM) Code will enter into force on 1 January, 2015, introducing new requirements for manning and company verification, and new references to related IMO guidance, as follows:

Changes to manning requirements Amended paragraph 6.2 now states that:

“The Company should ensure that each ship is:

manned with qualified, certificated and medically fit seafarers in accordance with national and international requirements; and

Appropriately manned in order to encompass all aspects of maintaining safe operations on board.”

Note: this amendment means that compliance with minimum safe manning may not be sufficient when taking into account the operational requirements of the ship. It complements Regulation 2.7 of the Maritime Labour Convention, 2006, which also requires that all operational aspects are taken into account when reviewing manning levels.

New company verification requirement New paragraph 12.2 states that: “The company should periodically verify whether all those undertaking delegated ISM-related task are acting in conformity with the Company’s responsibilities under the Code.” This reinforces the requirement for companies to verify that all personnel carrying out ISM-related tasks are doing so in accordance with the requirements of the code. Companies are reminded that this applies equally to their own staff and sub-contractors.

New footnotes New footnotes detail relevant IMO circulars, guidelines and recommendations that should be reviewed. The foreword reminds companies that although these footnotes are not requirements, they should still be taken into account when developing and reviewing a Safety Management System (SMS). It is the company’s responsibility to ensure that all existing and future guidelines and recommendations are reviewed for relevance, and taken into account or adopted within the SMS. For detailed information on the amendments, see IMO Resolution MCS.353(92) attached below.

Companies are requested to review their SMS to ensure on-going compliance with the code, taking into account the amendments detailed above and the relevant guidelines and recommendations.

For further information or clarification please contact the Registrar of Ships, a Deputy Registrar or Fleet Manager at Maritime Cook Islands; alternatively you may contact Maritime Cook Islands Head Office at +682 23848 Phone, +682 23846 Fax, fleet@maritimecookislands.com

Please ensure this has been forwarded to interested parties.

ANNEX 5

**RESOLUTION MSC.353(92)
(Adopted on 21 June 2013)**

**AMENDMENTS TO THE INTERNATIONAL MANAGEMENT CODE FOR THE
SAFE OPERATION OF SHIPS AND FOR POLLUTION PREVENTION
(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,

NOTING resolution A.741(18), by which the Assembly adopted the *International Management Code for the Safe Operation of Ships and for Pollution Prevention (International Safety Management (ISM) Code)* (hereinafter referred to as "the ISM Code"), which has become mandatory under chapter IX of the International Convention for the Safety of Life at Sea (SOLAS), 1974 (hereinafter referred to as "the Convention"),

NOTING ALSO article VIII(b) and regulation IX/1.1 of the Convention concerning the procedure for amending the ISM Code,

HAVING CONSIDERED, at its ninety-second 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 July 2014 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 per cent 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 January 2015 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. ALSO 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.

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ANNEX

**AMENDMENTS TO THE INTERNATIONAL MANAGEMENT CODE
FOR THE SAFE OPERATION OF SHIPS AND FOR POLLUTION PREVENTION
(INTERNATIONAL SAFETY MANAGEMENT (ISM) CODE)**

PART A – IMPLEMENTATION

6 RESOURCES AND PERSONNEL

1 The existing text of paragraph 6.2 is replaced with the following:

"6.2 The Company should ensure that each ship is:

- .1 manned with qualified, certificated and medically fit seafarers in accordance with national and international requirements; and
- .2 appropriately manned in order to encompass all aspects of maintaining safe operations on board*.

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

12 COMPANY VERIFICATION, REVIEW AND EVALUATION

2 The following new paragraph 12.2 is inserted after existing paragraph 12.1 and the existing paragraphs 12.2 to 12.6 are renumbered as 12.3 to 12.7:

"12.2 The Company should periodically verify whether all those undertaking delegated ISM-related tasks are acting in conformity with the Company's responsibilities under the Code."

Footnotes and paragraph for foreword of the publication of the Code

1 In paragraph 1.1.10, the following footnote is added after the words "Major non-conformity":

"Refer to the *Procedures concerning observed ISM Code major non-conformities* (MSC/Circ.1059-MEPC/Circ.401)."

2 In paragraph 1.2.3.2, the following footnote is added after the word "account":

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

3 The following footnote is added at the end of the title of section 3:

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

4 The following footnote is added at the end of the title of section 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)."

