

ISM Code Update

Amendments to the ISM Code MSC 85 Resolution 273(85)



Entry Into Force

- Amendments to the ISM Code adopted on 4 December 2008 vide [MSC/Resolution 273\(85\)](#)
- Under tacit acceptance criteria*, amendments were deemed as accepted on 1 January 2010
- Entry into force: 1 July 2010

* 1/3 CGs with 50% world fleet by GT



ISM Code Amendments Summary

| ISM | Amendment | ISM | Amendment |
|--------|--|--------|--|
| 1.1.10 | Definition of major non-conformity revised | 12.1 | Internal audits at intervals not exceeding 12 months |
| 1.2.2 | Introduces the need for some form of assessment of risks | 12.2 | Company to periodically review the effectiveness of SMS |
| 5.1.5 | “Periodical” review SMS by Master | 13.12 | New paragraph. Renewal audits done after certificate expiry. |
| 7 | New title “Shipboard Operations”. Clarifies the intent of the element. | 13.13 | New paragraph. SMC may be endorsed upon completion of renewal audit. |
| 8.1 | Delete words “Establish procedures to ” Clarifies the intent of the element. | 13.14 | New paragraph. Administration may extend validity of SMC to allow vessel to complete voyage. |
| 9.2 | Introduces the need for preventive action | 14.4.3 | Clarifies that “internal” audits be completed within 3 months of interim audit |
| 10.3 | Clarifies the intent to identify critical standby systems | | |



1.1: Definitions

- 1.1.10 Major non-conformity
 - 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~~ **or** the lack of effective and systematic implementation of a requirement of this Code.
 - The words **"and includes"** are replaced with "or"



1.2.2: Safety Management Objectives

- 1.2.2 Safety management objectives of the Company should, inter alia:
 - ~~establish safeguards against all identified risks; and assess all identified risks to its ships, personnel and the environment and establish appropriate safeguards;~~
- Makes explicit what was earlier implicit in the Code
- Introduces the need for some form of “assessment” of risks be carried out by the Company
- Likely to have the most impact even though the revised text stops short of a formal risk assessment requirement
- Introduces a new auditable requirement
- Company to demonstrate how it meets its obligation under 1.2.2



5: Master's Responsibility & Authority

- 5.1 The Company should clearly define and document the master's responsibility with regard to
 - 5.1.5 **periodically** reviewing the safety management system and reporting its deficiencies to the shore-based management
- The word “**periodically**” has added
- Likely impact: low or none



7: Shipboard Operations

- Title of the section “Development of plans for shipboard operations” is replaced with new title “Shipboard Operations”
- “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 personnel, ship and protection of the environment. The various tasks should be defined and assigned to qualified personnel.”
- Deleted “for the preparation of”
- Impact: low; clarifies the intent of element 7



8: Emergency Preparedness

- New text: “8.1 The Company should ~~establish procedures to~~ identify potential emergency shipboard situations and establish procedures to respond to them.”
- Delete words “establish procedures to”
- Likely impact: low or none; clarifies the intent of element 8



9: Reports & Analysis of Non-Conformities, Accidents & Hazardous Occurrences

- “9.2 The Company should establish procedures for the implementation of corrective action, **including measures intended to prevent recurrence.**”
- Preventive actions were implied earlier
- Amendment introduces the concept of **preventive action**
- Corrective actions taken by company must now clearly include measures taken to prevent recurrence
- Introduces a new auditable requirement



10: Maintenance of Ship & Equipment

- 10.3 amended to read “The Company should ~~establish procedures in its SMS to~~ 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.”
- Delete words: “establish procedures in its safety management system to”
- Likely impact: low or none



12: Company Verification, Review & Evaluation

- Revised text: “12.1 The Company should carry out internal safety audits **on board and ashore at intervals not exceeding twelve months** In exceptional circumstances, this interval may be exceeded by not more than **three months**.”
- Annual audits were required by IACS PR9. However “annual” was interpreted differently.
- By specifying interval between internal audits, puts to rest ongoing argument of what “annual” means
- Also specifies audits on board and ashore requirement



12: Company Verification, Review & Evaluation

- New text: 12.2 The Company should periodically evaluate the effectiveness ~~efficiency of and when needed review~~ of the safety management system in accordance with procedures established by the Company
- Makes explicit that management reviews are to be carried out periodically
- Company to provide evidence that the reviews evaluate the “effectiveness” of the SMS
- Procedure and agenda of management reviews may need to be revamped
- Introduces a new auditable requirement



13: Certification & Periodical Verification

- Three new paragraphs added: 13.12, 13.13 and 13.14
 - 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: Certification & Periodical Verification

- “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.”
- Likely impact: none



14: Interim Certification

- New text: “14.4.3 The Company has planned the **internal** audit of the ship within three months”
- Additional word “**internal**” added
- Clarifies what was implied earlier
- Likely impact: none



Safety Management Certificate

- New section to be added to existing format:

Endorsement for intermediate verification and additional verification (if required)

Certificate Number

Endorsement where the renewal verification has been completed and part B 13.13 of the ISM Code applies

The ship complies with the relevant provisions of part B of the ISM Code, and the Certificate should, in accordance with part B 13.13 of the ISM Code, be accepted as valid until

Signed _____

(Signature of authorized official)

Place _____

Date _____



Safety Management Certificate

- New section to be added to existing format

Endorsement for intermediate verification and additional verification (if required)

Certificate Number

Endorsement to extend the validity of the certificate until reaching the port of verification where part B 13.12 of the ISM Code applies or for a period of grace where part B 13.14 of the ISM Code applies

This Certificate should, in accordance with part B 13.12 or part B 13.14 of the ISM Code, be accepted as valid until

Signed _____

(Signature of authorized official)

Place _____

Date _____



ISM Code Amendments

- Some amendments are purely administrative
- Others simply clarify the intent of an element
- However, some introduce new auditable requirements
- These include:
 - 1.2.2 Assessment of all risks
 - 9.2 Introduces the concept of preventive action
 - 12.1 Internal audits intervals
 - 12.2 Company to review “effectiveness of SMS”





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