



THE ISM CODE - ITS DEVELOPMENT & IMPLEMENTATION

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Synopsis

No other development at IMO will have such a universal impact as the International Safety Management Code (ISM Code). Its scope encompasses every ship to which the SOLAS Convention applies, together with Mobil Offshore Drilling Units.

This Bulletin deals with its conception and development up to its completion at the 65th session of the Maritime Safety Committee in May 1995.

The success of the Code will depend largely on the approach adopted in its assessment and its acceptance as a tool to assist in achieving compliance with IMO Conventions rather than an end in itself.

In preparing this Bulletin the author has drawn heavily from his paper entitled "Concept of the ISM Code" presented in London at the IMAS 95 Conference organized and sponsored by the Institute of Marine Engineers.

Background

The governmental origins of the International Safety Management Code (ISM) Code may be traced to the United Kingdom Department of Transport Merchant Shipping Notice M1188 issued in July 1986 following a report of the Court of Formal Investigation into a UK casualty. In emphasizing the need for good management both at sea and ashore, the Department stated that "Direct operational responsibility lies with the Master and it is proper for owners to delegate many management and technical activities to him and his crew; but nonetheless the overall responsibility of the shipping company requires the need for close involvement by management ashore." Significantly it recommended that "every company operating ships should designate a person ashore with responsibility for monitoring the technical and safety aspects of its ships and for providing appropriate shore-based back-up".

Notice M1188 also referred to the Court's emphasis on: the importance of the interview between the owners and a new Master; clear instructions and adequate standing orders to the Master and complementary standing orders from the Master to his crew; close cooperation and regular and efficient communication, in both directions, between ship and shore; and regular monitoring to ensure that the management policy was being implemented.

This "M" notice was considered to give "very sound advice" by the April/June 1987 Court of Formal Investigation into the "Herald of Free Enterprise" disaster (which occurred on 6th March 1987) and the United Kingdom took steps to introduce mandatory management requirements in respect of passenger ro-ro ferries only. The limitation to such ferries was based on perceived differences between the operation of ro-ro ferries (strict schedules, rapid turn around, multiple crews) and deep sea vessels. These proposals seemed reasonable and practicable and did not involve third-party auditing or verifications. Basically, the UK legislation requires the owners of UK registered passenger ro-ro ships engaged on short voyages to provide an operations book which, inter alia, includes the name of the designated person ashore having the duties described above (M1188). The designated person must: have direct access to the Board of Directors; be provided with sufficient knowledge and resources; and have appropriate knowledge and sufficient experience of ships at sea and in port to fulfill the stated duties. The operations book is required to provide instructions and information on almost all aspects of ship operation under four principal headings: General;

office. In cases where the certificates are issued by a recognized organization, copies of all certificates should be sent to the Administration.

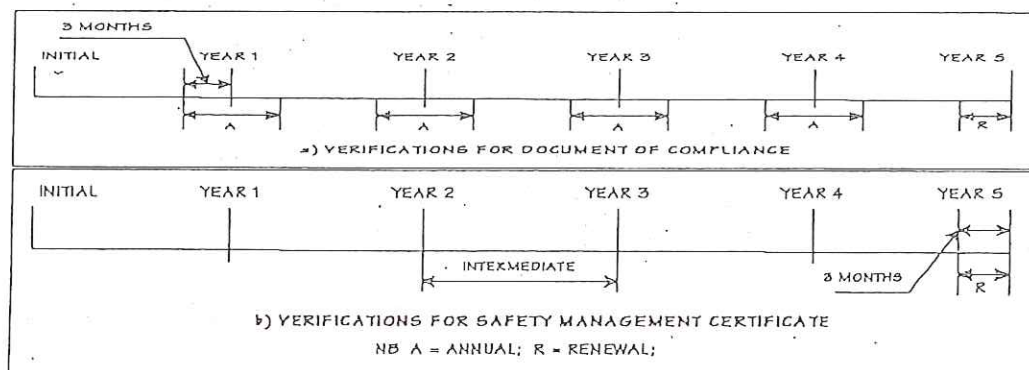
Periodical Safety Management Audits, to verify effective functioning of the ISM Code and maintain the validity of the DOC, are to be carried out. The periodical verification is to be carried out within three months. A schedule, not exceeding three months, is to be agreed for completion of any necessary corrective actions. Where the Company has more than one shore-side location, each of which may not have been visited at the initial assessment, the periodical assessments should endeavor to ensure that all sites are visited during the validity of the DOC.

Similarly, audits to maintain the validity of SMCs are required.

If only one intermediate verification is to be carried out, it should take place between the second and third anniversary date of the issue of the SMC.

Renewal Verifications are to be performed before the validity of the DOC or the SMC expires. The renewal verification will address all the elements of the SMS and the activities to which the requirements of the ISM Code apply. Renewal verification may be carried out from six months before the expiry date of the DOC or the SMS and should be completed before their expiry date. Figure 1 shows the schedules for verification of the DOC and SMC.

FIGURE 1 - VERIFICATION FOR DOCUMENTATION OF COMPLIANCE AND SAFETY MANAGEMENT CERTIFICATE



The procedure for Safety Management Audits is similar to that described in "Quality systems auditing" (BS 7229: Part 1: 1991, ISO 10011-1 1991) and prescribes the formal procedures for: application for audit; preliminary review; preparing and executing the audit; audit report; corrective action; Company responsibilities; and the responsibilities of the recognized organization and the verification team.

Annex 1:
Standards on
ISM Code
Certification
Arrangements

As previously mentioned, organizations recognized for issuing DOCs and SMCs must meet the mandatory standards prescribed in IMO Assembly resolution A739(18). Annex 1 superimposes requirements relating to knowledge of ISM Code Certification Schemes; formal education in relevant science or engineering fields or nautical experience and qualifications; knowledge and understanding of the ISM Code and mandatory rules and regulations; assessment techniques, Safety Management; knowledge of shipping and shipboard operations; participation in at least one marine related safety audit. Such competence should be demonstrated through written or oral examinations or other acceptable means.

The competence required for those involved in each type of verification and assessors in charge are specified.

Organizations performing ISM Code certification should have implemented a documented system for qualification and continuous updating of the knowledge and competence of personnel who are to perform verification of compliance with the ISM Code. This system should comprise theoretical training courses covering all the competence requirements and the appropriate procedures connected to the certification process, as well as practical tutored training, and it should provide documented evidence of satisfactory completion of the training. In addition, such organizations should have implemented a documented system to ensure that the certification process is performed in accordance with this standard. This system should, *inter alia*, include procedures and instructions for the following:

1. contract agreements with companies;
2. planning, scheduling and performing verification;
3. reporting results from verification;
4. issuance of DOC, SMC and Interim Certificates;
5. corrective action and follow-up of verifications, including actions to be taken in cases of major non-conformity.

The requirements are formidable and it must be observed that in no other area of survey and certification are the qualifications of the personnel involved so tightly prescribed.

ICS/ISF Guidelines on the Application of the ISM Code

The ISM Code requires that each Company should establish a safety and environmental protection policy which includes the objectives of the ISM Code. The above ICS/ISF Guidelines complement the IMO Guidelines for Administrations by providing useful guidance on important individual elements of a SMS and its development by Companies. This important booklet, presented at the eighteenth session of the IMO Assembly should encourage a common approach to the preparation for certification and uniformity in the application of the Code. The ICS/ISF Guidelines contain a reproduction of sections of the Code, boxed and shaded, followed by relevant guidance notes on, *inter alia*, how account might be taken of its requirements. In addition, Appendices provide a number of suggested key questions and procedures for the consideration of Companies developing a SMS; methods of familiarizing seafarers with their responsibilities under the Code; major conventions and recommendations; subject matter for operations documentation; a list of publications providing assistance in preparing shipboard operation and emergency plans; and a possible structure for SMS documentation.

Concluding Comments

The change in attitude by member countries at IMO over the past seven years is remarkable. In 1987, following the "Herald of Free Enterprise" disaster, the UK proposals for the carriage of an operations book on ro-ro passenger ferries was not accepted. As late as October 1989, the majority of countries could not accept the inclusion of a designated person ashore responsible for safe operation within the non-mandatory resolution A647(16) dealing with Management for the Safe Operation of Ships.

However, attitudes changed following the fire on board the "Scandinavian Star" in April 1990 and the investigation committee's comments about management shortcomings, and its limited recommendation that Resolution A647(16) be made mandatory for owners of passenger ships. The scope and application of the mandatory requirements has widened from the initial proposal which involved passenger ships and other ships over 5000 gt to include all other ships and mobile offshore drilling units over 500 gt.

The nature of the mandatory code has changed from the initial proposal based on ISO 9000 quality assurance principles to that of a true safety management code. The distinction is important as it is not intended that non-conformance will be given because goods are purchased from non-approved suppliers and instances of similar nature. Successful implementation will depend both on the commitment of the Companies and the attitude of the auditors. Implementation must not impose an undue burden on the ship's personnel but there

is always the possibility that more will be read into the wording of the Code than was intended by those who developed the documentation and that the Code is seen as an end in itself. It is written that "verification of compliance neither duplicates nor substitutes surveys for other certificates" but this will require a good measure of self-discipline particularly in respect of examination of records and log books otherwise another tier of inspectors will be imposed on ship's personnel.

The Code is a good document and much conscientious and sustained effort has been put into its development. If the same spirit of cooperation is present in its implementation, the Code will make a significant contribution to maritime safety and pollution prevention.

It is hoped that the outline of the events leading to the development of the ISM Code, related legislation and Guidelines will be helpful to those who may be involved with it.

The views expressed in this Bulletin are those of the author and not necessarily those of any other person or organization.

Author's Biography

Dr. Cowley was Surveyor General in the Department of Transport from August 1981 to May 1988 when he retired from Government Service. He is currently Chairman of Maersk Co (IOM) Ltd. where he has been involved with the company's quality assurance certification for several years. Following a traditional engineering apprenticeship, he served as an Engineer Officer in the Merchant Navy, obtained an Extra First Class Certificate of Competency and joined the Marine Survey Service as an Engineer and Ship Surveyor in 1952. He served in various positions including those of Chief Examiner of Engineers and Engineer Surveyor-in-Chief.

At the International Maritime Organization, Dr. Cowley served as the Department of Trade Chief Adviser at the 1978 Conference on Tanker Safety and Pollution Prevention and has led the UK delegation at the Fire Protection Subcommittee meetings. From 1981, he led the delegation at the Maritime Safety Committee and the Marine Environment Protection Committee until he was elected Chairman (1984-1989).

Dr. Cowley now represents the Republic of Vanuatu at IMO where he has been involved with the development of the ISM Code. Dr. Cowley was awarded the IMO International Maritime Prize in 1988.

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