

Subject

Tokyo MOU PSC Concentrated Inspection Campaign on
ISM Code

ClassNK

Technical Information

No. TEC-0705
Date 1 August 2007

To whom it may concern

Tokyo MOU is to conduct PSC Concentrated Inspection Campaign (CIC) on ISM Code.

Purpose : To verify the effective implementation of SMS on board ships.
Campaign period : From 1 September to 30 November 2007

Attached for your information a copy of the following documents ClassNK received, which we believe would be useful for you to check the effective implementation of SMS on board ships under your management.

- (1) "Sample of questionnaire" to be used during the Concentrated Inspection Campaign
- (2) "Explanatory notes to the questionnaire".
- (3) "Circular letter from Hong Kong Marine Department"

Managing company is requested to distribute this document to all Hong Kong ships and to prepare for the CIC in good time. Particular attention should be paid to the 10 deficiencies specified in the Circular that will be considered as major non-conformity. It should also be noted that other MOUs including Paris MOU and USCG may also join the campaign.

For any questions about the above, please contact:

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Attachment:

1. Memorandum of Understanding on Port State Control in the Asia-Pacific Region
Concentrate Inspection Campaign on ISM Code (Sample of Questionnaire) – (A4 x 1 sheet)
2. Explanatory notes on the questions (A4 x 6 sheets)
3. Letter from Hong Kong Marine Department (A4 x 2 sheets)

NOTES:

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Memorandum of Understanding on Port State Control in the Asia-Pacific Region
Concentrate Inspection Campaign on ISM Code 2007
(Sample of questionnaire)

Inspection Authority:
 Port of Inspection:
 Date of Inspection:

Name of ship:
 Ship type:
 Flag of ship:
 Call sign:

IMO number:
 Name of Company:
 Auditing body if not Flag State: (DOC)
 (SMC)

| <u>Part A – Before physical inspection</u> | | A | B | N/A |
|---|--|--------------------------|--------------------------|--------------------------|
| 1. | Is the Safety Management documentation on board? (Certificates, manuals) (2555) | <input type="checkbox"/> | <input type="checkbox"/> | |
| 2. | Is there evidence that the master has carried out the review of the SMS? (2525) | <input type="checkbox"/> | <input type="checkbox"/> | |
| 3. | Can senior officers identify the "designated person" responsible for the operation of the ship and the means to contact that person? (2520) | <input type="checkbox"/> | <input type="checkbox"/> | |
| 4. | Have the procedures for establishing and maintaining contact with shore management in an emergency been tested? (2540) | <input type="checkbox"/> | <input type="checkbox"/> | |
| 5. | Have the procedures to report non-conformities, accidents and hazardous occurrences been followed? (2545) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. | Does the ship's SMS have a maintenance routine which includes the testing of stand by equipment and critical equipment/systems and are records available? (2550) | <input type="checkbox"/> | <input type="checkbox"/> | |
| <u>Part B – After physical inspection/practical demonstrations</u> | | | | |
| 7. | Is relevant documentation regarding the SMS in a working language or languages understood by the ship's personnel? (2530) | <input type="checkbox"/> | <input type="checkbox"/> | |
| 8. | Are programmes for drills and exercises to prepare for emergency actions available on board and are records available? (2540) | <input type="checkbox"/> | <input type="checkbox"/> | |
| 9. | Is there evidence of an effective maintenance system? (2550) | <input type="checkbox"/> | <input type="checkbox"/> | |
| 10. | Are introduction/familiarization procedures for crew members carried out? (2530) | <input type="checkbox"/> | <input type="checkbox"/> | |
| 11. | Are the crew members able to communicate effectively in the execution of their duties related to the SMS? (2530) | <input type="checkbox"/> | <input type="checkbox"/> | |
| 12. | Is there evidence of repetitive deficiencies from previous PSC-inspections? (2545) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 13. | Is the ship detained as a result of a "B" answer to any of the above questions? | <input type="checkbox"/> | <input type="checkbox"/> | |

A = Satisfactory or Yes; B = Unsatisfactory or No; N/A = Not Applicable

Note:

If "B" is ticked on and in conjunction with reference to the information after each explanatory note of the attached guidelines the ship may be considered for detention. The detail of any detention should be appropriately entered on the PSC Report Forms.

| |
|---|
| Explanatory notes to the questions |
|---|

1) Is the Safety Management documentation on board?

(Certificates and manuals)

Certificates:Copy of Document of Compliance (DOC) and original of Safety Management Certificate (SMC).Section 13 of the ISM - Code

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.*

13.6 *A copy of the Document of Compliance should be placed onboard in order that the master, if so requested, may produce it for verification by the Administration or by an organization recognised by the Administration or for the purpose 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.*

¹ IMO document MSC 69/2/1 – Annex 1 Res. 6.1.

Recognised Organizations may issue short term certificates. These certificates cover the period between completion of the audit and the issuance of the full term certificate by the recognised organization's competent office. This period is expected to be shorter and should not exceed five months. For this reason, should "Short Term Certificate" that approach the end of its validity, indicate the need for a more careful control of all implementation of the ISM Code on board the ship.

The vessel may have a copy of an interim DOC and hold an interim SMC or hold a copy of an interim DOC and a full term SMC or a copy of a full term DOC and an interim SMC.

There is however nothing in the ISM Code or in SOLAS, as amended, which prevents an Administration from requiring ships entitled its flag to carry on board an authenticated or certified copy of the DOC. (MSC/Circ.927) Interim DOC may only be issued to:

- i Facilitate initial implementation of the Code; and
- ii implementation when a Company is newly established;
- iii or new ship types added to existing DOC.

An Interim DOC is valid for a maximum of 12 months.

The company's Safety Management System (SMS) must at least meet part 1.2.3 of the Code but will not have been able to accumulate the 3 months objective evidence of the operation of the system required for a full certificate. Existing companies of over 12 months maturity on 1 July 2002 should not have an Interim DOC issued under i. or ii. above. An example of iii. would be a company operating/managing oil tankers who take on operating responsibility for a chemical tanker.

An Interim SMC is used for:

- i. New ships on delivery; and
- ii. When the company takes on the management of a ship new to the company.
- iii. When a ship changes flag

An Interim SMC is valid for 6 months. In special cases the issuing body may extend the validity of the Interim SMC for a further six month.

Before an interim SMC is issued the following must apply and can be checked by PSCOs:

- The DOC, or the Interim DOC, shall be relevant to that type of ship.
- SMS provided by the company which address the key elements of the Code. Written procedures and/or plans should be in place.
- Master and senior officers should be familiar with the SMS and implementation plans.
- Instructions essential prior to sailing * (Section 6.3 of the ISM Code) have been given.
- Plans for a Company audit of the system within 3 months should be in place.

Relevant information should be given in a working language or languages understood by the ship's personnel.

Interim certificates may be used inappropriately by some flag States. (See page 11 – C. Follow up actions. MSC/Circ.1059 contains more information)

In addition to verifying the existence of the DOC and SMC, the PSCO's should verify that the company identified on the SMC is the same as that shown on the DOC and that the endorsements on both certificates have been made. The PSCO should note that the SMC requires a verification audit between the second and third years and the DOC requires annual verification. In this regard, the ship should hold a copy of the DOC endorsement. This does not need to be an original copy but can be a fax or email copy.

Item to be considered as a major non-conformity; ISM-certificates not on board

Manuals:

Section 1.4 of the Code Every Company should develop, implement and maintain a safety-management system (SMS) which includes the following functional requirements:

- .1 A safety and environmental-protection policy;
- .2 Instructions and procedures to ensure safe operation of ships and protection of the environment in compliance with relevant international and flag State legislation;
- .3 Defined levels of authority and lines of communication between, and amongst, shore and shipboard personnel;
- .4 Procedures for reporting accidents and non-conformities with the provisions of this Code;
- .5 Procedures to prepare for and respond the emergency situations; and
- .6 Procedures for internal audits and management reviews.

The PSCO should be able to ask for samples of the documented SMS. It should be easy accessed and could consist of manuals and/or material from a computer. Not all parts of the system have to be documented, however for practical reasons and for verification most companies will have documented all requirements of the Code.

Item to be considered as a major non-conformity; Safety Management documentation not on board

2) Is there evidence that the master has carried out the review of the SMS?

Section 5 of the Code

5.1 The Company should clearly define and document the master's responsibility with regard to: .1 implementing the safety and environmental-protection policy of the Company; .2 motivating the crew in the observation of that policy; .3 issuing appropriate orders and instructions in a clear and simple manner; .4 verifying that specified requirements are observed; and .5 reviewing the SMS and reporting its deficiencies the shore-based management.

There should be some form of records of his own review of the system and if any deficiency has been reported to the Company. The present master may not have carried out a review so a PSCO may have to accept records made by previous masters.

The PSCO should not necessarily expect to see a dedicated review report. It is common for the

review to be incorporated into other reviews and meetings onboard such as the safety committee meeting. In order to determine the process, the PSCO should request the master to provide the relevant SMS procedure that details how the review is conducted. Regardless of how the review is conducted, a record should be available. Should the physical inspection of the ship reveal significant failures in the observance of onboard procedures then this review process may be revisited to investigate further the effectiveness of it.

3) Can senior officers identify the “designated person” responsible for the operation of the ship and the means to contact that person?

Section 4 of the Code

To ensure the safe operation of each ship and to provide a link between the Company and those on board, every Company, as appropriate, should designate a person or persons ashore having direct access to the highest level of management. The responsibility and authority of the designated person or persons should include monitoring the safety and pollution-prevention aspects of the operation of each ship and ensuring that adequate resources and shore-based support are applied, as required.

The Master must know his identity and be aware of the role of the DP. Other senior officers should be aware of the identity and role of the DP. The DP does not have to be directly contactable and may not even have any role to play in an emergency. The Master should be able to explain the means of contact, including the route of non-conformities that the DP will be seeing.

Item to be considered as a major non-conformity; Senior officers unable to identify the designated person, responsible for that ship.

4) Have the procedures for establishing and maintaining contact with shore management in an emergency been tested?

Section 8.3 of the Code *The SMS should provide for measures ensuring that the Company's organization can respond at any time to hazards, accidents and emergency situations involving its ships.*

Example; A reference to the company contacts in the SOPEP could be sufficient if so stated in the SMS. PSCOs cannot expect to see a neat list posted in the radio room although many ships will have this type of list.

Records from drills and exercises may provide evidence that the means of contact has been tested. If not, the PSCO may ask for this to be demonstrated.

Item to be considered as a major non-conformity; No procedure to contact the company in emergency situations.

5) Have the procedures to report non-conformities, accidents and hazardous occurrences been followed?

Section 9 of the Code

9.1 The SMS should include procedures ensuring that non-conformities, accidents and hazardous occurrences are reported to the Company, investigated and analysed with the objective of improving safety and pollution prevention.

The PSCO may ask the crew on how to report non-conformities, accidents and hazardous situations to the Company. For example, if the onboard SMS requires it, have deficiencies from previous PSC inspections been reported. If reports have been issued the PSCO may ask for records. In this case, the PSCO may note an individual non-conformity, accident or hazardous occurrence that has been reported and note what corrective action has occurred. During the physical inspection of the ship, the PSCO could verify that the item has in fact been effectively dealt with.

A PSCO may have to accept that the need to report has not yet occurred. If this is the case it will be

recorded in the form as "N/A".

6) Does the ship's SMS have a maintenance routine which includes the testing of stand by equipment and critical equipment/systems and are records available?

Section 10.3 of the Code

The Company should establish procedures in its safety management system 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 or technical systems that are not in continuous use.

The system should include routines the testing of standby equipment and critical equipment/systems. Records of these tests should be available.

The PSCO should ask to see the SMS procedure and the records associated with it. The PSCO could then note one or two items recently recorded as tested and verify these during inspection. Such tests should be requested early to allow the ship to implement any preparations and any such testing should not unduly interfere with shipboard operations.

Item to be considered as a major non-conformity; Stand by equipment or critical equipment not in the maintenance routine or tested.

7) Is relevant documentation regarding the SMS in a working language or languages understood by the ship's personnel?

Section 6.6 of the Code

The Company should establish procedures by which the ship's personnel receive relevant information on the SMS in a working language or languages understood by them.

The documented SMS does not need to be in a particular language. It is for the company to decide on the "working language" of the ship and then provide pertinent and relevant information to the ship's personnel in a language understood by them.

It is not a requirement for the SMS to be in a language understood by the PSCO. The PSCO may ask for parts of the SMS to be explained verbally. In doubt as to the completeness of the SMS the PSCO may ask for drills to be conducted or witness the operation of machinery and systems.

Item to be considered as a major non-conformity; Relevant safety management information not in a working language or a language understood by the crew members.

8) Are programmes for drills and exercises to prepare for emergency actions available on board and are records available?

Section 8 of the Code

8.1 The Company should establish procedures to identify describe and respond to potential emergency shipboard situations.

8.2 The Company should establish programmes for drills and exercises to prepare for emergency actions.

The programme should cover statutory requirements (SOLAS, Chapter III - Regulation 19), and other emergency situations identified in the approved Safety Management System. The crew's responses to potential emergencies should be practised in drills. These drills should cover all documented responses to critical and emergency situation. Records of all emergency drills and exercises onboard should be maintained and be available for verification.

The records sighted could be verified by the PSCO during the inspection by asking relevant questions of the crew.

Item to be considered as a major non-conformity; Drills have not been carried out according to programme.

9) Is there evidence of an effective maintenance system?

Section 10.1 of the Code

The Company should establish procedures to ensure that the ship is maintained in conformity with the provisions with of the relevant rules and regulations and with any additional requirement which may be established by the Company.

To evaluate the effectiveness of the maintenance the PSCO should consider the overall condition of the ship. For example severe corrosion to the hull or structure, inoperable critical equipment, repetitive deficiencies from PSC inspections or multiple technical deficiencies will be considered as evidence that the system is not effective.

Item to be considered as a major non-conformity; All detainable deficiencies related to hull, structure or equipment.

10) Are introductions/familiarizations for crew members carried out in accordance with documented procedures?

Section 6.3 of the Code

6.3 *The Company should establish procedures to ensure that new personnel and personnel transferred to new assignments related to safety and protection of the environment are given proper familiarization with their duties. Instructions which are essential to be provided prior to sailing should be identified, documented and given.*

Crew members may be asked during the inspection of the ship if and how they were introduced to the SMS. Some of the introduction may have been carried out before coming on board. The PSCO may ask for documented records of the introduction/familiarization of some crew member.

Item to be considered as a major non-conformity; Crew members are not familiar with their duties within the SMS.

11) Are the crew members able to communicate effectively in the execution of their duties related to the SMS and does the chosen language correspond with the working language(s) understood by the crew?

Section 6.7 of the Code

The Company should ensure that the ship's personnel are able to communicate effectively in the execution of their duties related to the safety management system.

The PSCO may test the crew's ability to communicate effectively with each other during a drill or exercise. During all work relating to the SMS the crew should be able to communicate without translators (meaning other crew members).

Item to be considered as a major non-conformity; Crew members can not communicate with each other.

12) Is there evidence of repetitive deficiencies from previous PSC-inspections?

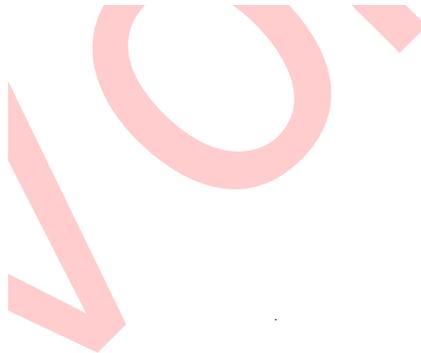
Section 9.1 of the Code

The safety management system should include procedures ensuring that non-conformities, accidents and hazardous situations are reported to the Company, investigated and analysed with the objective of improving safety and pollution prevention.

The PSCO should examine at least the last two inspection reports to identify any repeated deficiencies.

When repeated deficiencies have been identified the PSCO shall seek what corrective action has been reported to the company in accordance with the SMS and what action has been taken by the Company to avoid such a recurrence.

During the inspection the PSCO should also verify that the items have been rectified.



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date: 11 July 2007

To: Shipowners, Ship Managers, Operators and Classification Societies

Dear Sir / Madam,

Concentrated Inspection Campaign (CIC) on ISM Code 2007

The Port State Control Committee of the Tokyo MOU has decided to conduct a Concentrated Inspection Campaign (CIC) on ISM Code 2007 in the period from 1 September 2007 to 30 November 2007. USCG and other MOUs may also join this campaign. The purpose of this campaign is to verify the effective implementation of Safety Management System (SMS) on board ships. This CIC would be tougher and more demanding than the one carried out in 2002 that was to verify the set up of SMS on board ships.

2. PSCO will conduct CIC on ISM code in accordance with the CIC questionnaire and explanatory notes to the questions, copy of which attached. An unsatisfactory answer(s) in the questionnaire will not automatically be equal to a detention, but the PSCO may consider it. Your special attention is drawn to the following 10 deficiencies that will be considered as major non-conformities under this CIC:

- a) ISM-certificates not on board;
- b) Safety Management documentation not on board;
- c) Senior officers unable to identify the designated person, responsible for that ship;
- d) No procedure to contact the company in emergency situations;
- e) Stand by equipment or critical equipment not in the maintenance routine or tested;
- f) Relevant safety management information not in a working language or a language understood by the crew members;
- g) Drills have not been carried out according to programme
- h) All detainable deficiencies related to hull, structure or equipment;

- i) Crew members are not familiar with their duties within the SMS;
- j) Crewmembers cannot communicate with each other.

3. Managing company and shipboard staffs are therefore invited to take note of the following to prepare in good time for the CIC:-

- a) Managing company should distribute this circular letter to all Hong Kong ships in the company's fleet; make sure that all shipboard staffs are aware of the campaign and urge them to verify compliance with the requirements accordingly;
- b) Managing company is advised to carry out similar inspection during company's regular internal shipboard audit or ship inspection ahead of the launching of campaign, if practicable.
- c) Managing company is advised to ensure that the Master and senior officers onboard ship could communicate effectively with the PSCO, since poor communication shown to the PSCO during interview could lead to ship being detained.

4. May I reiterate that maintaining a good PSC record for the Hong Kong registered ships is an on going task for all of us. Therefore, we should work closely and in co-operation to achieve the target.

5. If you have any questions related to the CIC on ISM Code, please contact Senior Surveyor / International Safety Management at telephone or fax numbers as shown or email to <ssism@mardep.gov.hk>.

Yours faithfully



(W. H. Ho)

(Acting) Senior Surveyor /
International Safety Management
for Director of Marine

Encl. CIC Questionnaire
 Explanatory notes to the questions