

**REPUBLIC OF
THE MARSHALL ISLANDS**



International Safety Management (ISM) Code

MARITIME ADMINISTRATOR

Sep/2020

MN-2-011-13

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**REPUBLIC OF
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MARITIME ADMINISTRATOR

Marine Notice

No. 2-011-13

Rev. Sep/2020

TO: ALL SHIPOWNERS, OPERATORS, MASTERS AND OFFICERS OF MERCHANT SHIPS, AND RECOGNIZED ORGANIZATIONS

SUBJECT: International Safety Management (ISM) Code

- References:**
- (a) **SOLAS**, *International Convention for the Safety of Life at Sea (SOLAS), Consolidated Edition 20*
 - (b) **ISM Code**, *International Safety Management Code*, 2018 Edition, as amended
 - (c) **IMO Assembly Resolution [A.1118\(30\) and Corrigendum](#)**, *Revised Guidelines on the Implementation of the International Safety Management (ISM) Code by Administrations*, adopted on 06 December 2017
 - (d) **IMO Resolution [MSC.349\(92\)](#)**, *Code for Recognized Organizations (RO Code)*, adopted 21 June 2013
 - (e) **IMO Resolution [MSC.428\(98\)](#)**, *Maritime Cyber Risk Management in Safety Management Systems*, adopted 16 June 2017
 - (f) **IMO Circular [MSC.1/Circ.1045](#)**, *Guidelines for Maintenance and Monitoring of On-board Materials Containing Asbestos*, dated 28 May 2002
 - (g) **IMO Circular [MSC/Circ.1059-MEPC/Circ.401](#)**, *Procedures Concerning Observed ISM Code Major Non-conformities*, issued 16 December 2002
 - (h) **IMO Circular [MSC.1/Circ.1426/Rev.1](#)**, *Unified Interpretation of SOLAS Regulation II-1/3-5*, dated 24 November 2016
 - (i) **IMO Circular [MSC-MEPC.7/Circ.6](#)**, *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*, issued 19 October 2007
 - (j) **IMO Circular [MSC-MEPC.7/Circ.8](#)**, *Revised Guidelines for the Operational Implementation of the International Safety Management (ISM) Code by Companies*, issued 28 June 2013
 - (k) **RMI Maritime Act 1990 ([MI-107](#))**
 - (l) **RMI Maritime Regulations ([MI-108](#))**
 - (m) **RMI Marine Guideline, [MG 2-11-18](#)**, *Reference List to Aid in International Safety Management Code Compliance*

PURPOSE

This Notice provides the Republic of the Marshall Islands (RMI) Maritime Administrator's (the "Administrator") requirements, policies, and interpretations for Company and vessel compliance with the International Safety Management (ISM) Code.

This Notice supersedes Rev. Jul/2019. Section 2.0 has been amended to clarify the forms that must be submitted.

This Marine Notice must be read in conjunction with Marine Guideline [2-11-18](#), which contains an extended list of references necessary for compliance.

APPLICABILITY

Administrator's Application

The ISM Code is mandatory under the *International Convention for the Safety of Life at Sea (SOLAS)* Chapter IX.¹ The Administrator applies the ISM Code to:

- passenger ships, including Passenger Yachts, and passenger high-speed craft, regardless of tonnage;
- oil tankers, chemical tankers, gas carriers, bulk carriers, passengers and cargo high-speed craft, special purpose ships, commercial yachts and other cargo ships of 500 gross tonnage and upwards; and
- self-propelled Mobile Offshore Units (MOUs) and Dynamically Positioned (DP) MOUs of 500 gross tonnage and over engaged on international voyages.

Floating Production Storage and Operations Units and Similar Units

A Floating Production Storage and Operations Unit (FPSO), Floating Storage and Offloading Unit (FSO), Floating Production Unit (FPU), Floating Storage Unit (FSU), Mobile Offshore Storage Unit (MOSU), and similar units are exempt from ISM Code compliance:

- if the propulsion system is removed or disabled; or
- if the propulsion system functions, the unit is on a fixed station for an extended period and the propulsion equipment will only be used in an emergency or to reposition or service the unit under a "single voyage exemption" with no cargo on board.

¹ SOLAS Chapter IX does not apply to: cargo ships of less than 500 gross tonnage as measured by the ITC 69; ships not propelled by mechanical means; private pleasure yachts not ordinarily engaged in trade and fishing vessels.

Non-Self-Propelled Mobile Offshore Units

As decided by the IMO Maritime Safety Committee, MODUs not propelled by mechanical means need not comply with the requirements of the ISM Code.² However, the Administrator requires that these vessels and other MOUs (vessels covered by a MODU safety certificate) to establish and maintain a Safety and Environmental Management System (SEMS). The SEMS must address coastal State “Well Safety Case” requirements. See the International Association of Drilling Contractors’ (IADC) publication [Health, Safety and Environmental \(HSE\) Case Guidelines for MODUs](#), 1 January 2015, which must be considered when developing the SEMS.

Dynamically Positioned Mobile Offshore Units

A SEMS must be established and maintained for DP MOUs. It must address any coastal State “Well Safety Case” requirements and take into consideration the IADC HSE Guidelines. A SEMS is subject to ISM Code verification and certification.

DEFINITIONS

This Marine Notice uses the terminology defined in the ISM Code, SOLAS and the MI-108. The following definitions are highlighted.

Company is the owner of the ship or any other organization or person such as the manager, or the bareboat charterer who has assumed the responsibility for operation of the ship from the Shipowner and who, on assuming such responsibility, has agreed in writing to take over all the duties and responsibilities imposed by the ISM Code.

Designated Person or Designated Person Ashore (DPA) is the person ashore appointed by the Company under its Safety Management System, having direct access to the highest level of management with whom direct communications may be had at any time. The responsibility and authority of the DPA must include, but is not limited to, monitoring the safety, security, and pollution prevention aspects of each vessel’s operation under their control and ensuring that adequate resources and shore-based support are provided. See RMI [MI-108](#) §1.07.3 on the requirement for a DPA and IMO Circular [MSC-MEPC.7/Circ.6](#) for the qualifications, training and experience necessary for undertaking that role.

Major nonconformity is an identifiable deviation which poses a serious threat to personnel or vessel safety, security or serious risk to the environment requiring immediate corrective action. It includes ineffective or non-systematic implementation of ISM Code requirements.

² See *Report of the Maritime Safety Committee on its Sixty-Sixth Session* ([MSC 66/24](#)), paragraph 19.12.

Nonconformity means an observed situation where objective evidence indicates the non-fulfilment of a specified requirement.

Safety Management System (SMS) is a structured and documented system enabling Company personnel to implement effectively the Company safety and environmental protection policy.

REQUIREMENTS

1.0 Compliance

1.1 ISM Code Compliance

The Company must ensure that the vessel's SMS is reviewed by an Administrator-Recognized Organization (RO) and applied on the vessel according to the ISM Code and RMI law and regulations. See §8.0 of this Notice for more information on selecting an RO.

Failure to develop, implement, and maintain an SMS according to the ISM Code and Administrator requirements is considered a SOLAS Chapter IX violation. This will result in the Company's RMI-registered vessels being prevented from actively trading until determined compliant.

There are many regulations and guidelines, both internationally-adopted and industry-initiated, that must be considered by a Company in developing, managing, and implementing an SMS to comply with the RMI requirements. These are listed in [MG 2-11-18](#). In complying with the ISM Code, IMO Circular [MSC-MEPC.7/Circ.8](#), must be considered fully as it provides the guidelines for operational implementation.

1.2 Safety Management System (SMS)

The requirements in this Notice are not exhaustive. A Company may incorporate additional items in its SMS based on other national, regional, or coastal State rules, provided they are consistent with international and RMI National requirements.

International Ship and Port Security (ISPS) Code: The Administrator considers the ISPS Code to be an extension of the ISM Code under "Emergency Preparedness." As such, emergency preparedness planning for matters of security must be linked to the SMS for both the Company and ship.

Maritime Labour Convention of 2006 ([MLC, 2006](#)): Several RMI regulations implementing the MLC, 2006, are considered essential by the Administrator for an effective SMS and thus an extension of several elements of the ISM Code. See §2.4 of this Notice.

Environmental component: A strong environmental component of an SMS is critical. The Administrator requires full compliance with international and RMI

National environmental regulations and encourages Companies to utilize their SMS as a tool for preventing damage to the marine environment. In the event of a marine casualty or pollution incident, the extent to which IMO and industry guidance have been considered in an SMS may play an important role in determining whether a Company has exercised “due diligence.”

Cyber Risk Management: Companies must ensure that cyber risks are addressed in the SMS no later than the first annual verification of the Company's Document of Compliance after 01 January 2021. See IMO Resolution [MSC.428\(98\)](#), *Maritime Cyber Risk Management in Safety Management Systems* and RMI Marine Guideline [2-11-16](#), *Maritime Cyber Risk Management*.

Risk assessment: Company and shipboard SMS operational procedures must be based on formal risk assessment, and evidence of this must be demonstrated through documentation. The Administrator has not published separate guidelines on risk assessments as there are many methods of and approaches to conducting these.

1.3 RMI National Requirements

The RMI's National policies on safe and secure ship management and operations and environmental protection must be incorporated into the Company and shipboard SMS. These National requirements, with which compliance must be ensured, are supplemental to the ISM Code. They are contained in the RMI Maritime Act 1990 ([MI-107](#)), RMI Maritime Regulations ([MI-108](#)), and RMI Requirements for Seafarer Certification ([MI-118](#)), as well as various [Marine Notices](#) and [Marine Guidelines](#) on the Administrator's [website](#).

1.4 Voluntary Compliance

Vessels not subject to mandatory compliance may do so on a voluntary basis. Such compliance must meet all international and RMI National requirements when this choice is made.

2.0 **Responsibilities and Authority**

2.1 Declaration of Company

The owner of each vessel must provide the particulars of the Company responsible for the operation of the vessel during the registration process using Form MI-101 Series, *Application for Registration*. Thereafter, Form [MI-297A](#), *Declaration of Company*, must be used to notify the Administrator at: vesdoc@register-iri.com whenever there is a change in the Company.

2.2 Designated Person

The Company must provide the Designated Person's particulars during the registration process using Form MI-101 Series, *Application for Registration*. Thereafter, [Form MI-297B](#), *Combined Declaration Form*, must be used to notify the Administrator at: vesdoc@register-iri.com whenever there is a change in the DPA. It is advisable to appoint an Alternate Designated Person(s) to reduce the potential for single point failure.

2.3 Master's Responsibility and Authority

In defining the Master's responsibilities and authority, the Company must incorporate the following into the SMS:

- .1 RMI Maritime Act 1990 ([MI-107](#)), §811 (Duties of the Master);
- .2 RMI Maritime Regulations ([MI-108](#)), §7.41.1 *Master's Duties and Responsibilities*;
- .3 IMO Assembly Resolution [A.443\(XI\)](#), *Decisions of the Shipmaster with regard to Maritime Safety and Marine Environment Protection*; and where applicable; and
- .4 RMI Mobile Offshore Unit Standards ([MI-293](#)), including a "Bridging Document" (see §3.9 of this Notice).

2.4 Maritime Labour Convention, 2006

Companies must ensure full implementation and compliance as part of their SMS where [MLC, 2006](#) requirements overlap with those of the ISM Code. These provisions include medical certification, training and qualifications, hours of work and rest, manning levels and medical care on board and ashore.

2.4.1 Company training, hiring, manning procedures, terms of employment, personnel record keeping, and reporting procedures must be consistent with all relevant requirements to ensure the use of competent qualified personnel. This includes the requirement for companies to have a shipboard drug and alcohol abuse policy according to STCW requirements. Relevant requirements include those of STCW, MLC 2006, MI-108, RMI Marine Notice [7-038-2](#), *Minimum Safe Manning Requirements for Vessels* and RMI Marine Notice [7-038-4](#) *Principles of Watchkeeping*.

2.4.2 Compliance with the hours of rest standard, as adopted by the Administrator in RMI Marine Notice [7-051-2](#), *Minimum Hours of Rest*, is required and must be monitored as part of the SMS. The Administrator will consider manning levels to be inadequate if crew members are unable to adhere to the rest hours standard.

2.4.3 Where contracted crewing agencies are used, Companies must issue them a copy of the relevant provisions of the SMS with instructions on their use before selected personnel are appointed. Recruitment and Placement Services must be used according to RMI Marine Notice [7-045-1](#), *Demonstrating Compliance of Seafarer Recruitment and Placement Services*.

2.5 Seafarer Certification

2.5.1 The Company SMS must ensure that joining crew members have proper RMI seafarers' certification including licenses, special qualification certificates, seafarer's identification and record books, training, and/or re-certifications as required by international conventions and related Codes, the MI-107, MI-108, and the specifics of RMI Seafarer Certification Requirements ([MI-118](#)).

2.5.2 Companies must ensure that their STCW Regulation 1/14 responsibilities are met. This includes making certain that seafarers assigned to their ships have received refresher and updated training.

2.6 Asbestos Control

2.6.1 The Company must make provisions, including the nomination of a responsible person, to control a maintenance and monitoring program for asbestos in their SMS, taking into account IMO Circular [MSC.1/Circ.1045](#).

2.6.2 To ensure proper implementation of SOLAS Regulation II-1/3-5, documentation pertaining to asbestos-free declarations are subject to verification by the ROs as provided in IMO Circular [MSC.1/Circ.1426/Rev.1](#).

3.0 Plans for Shipboard Operations

3.1 Safety Check Lists

In accordance with [MI-108](#) §7.41.14, a "Master's Port Arrival/Departure Safety Check List" must be included in the shipboard SMS incorporating pre-established Company policy guidelines for "Go, No-Go" situations and reporting requirements for the Master's compliance.

3.2 Master's Authority

The ship's operations documentation must include a statement that its contents do not remove the Master's authority and responsibility to take such steps and issue any orders, whether or not they are in accordance with the contents of the documentation, which the Master considers to be necessary for the preservation of life; the safety and security of the vessel, crew and cargo and the protection of the marine environment.

3.3 Ship's Operation Plans

3.3.1 The ship's operations plans must ensure the required RMI annual safety inspections (ASIs) are conducted according to [MI-108](#) and RMI Marine Notice [5-034-1](#), *Safety Inspection Program*.

3.3.2 They must also ensure that a safe, continuous watch or watches appropriate to the prevailing circumstances and conditions are maintained and that:

- .1 the requirements, principles and guidance in the STCW Code and RMI Marine Notices [7-038-2](#), *Minimum Safe Manning Requirements for Vessels* and [7-038-4](#), *Principles of Watchkeeping* are observed by Masters, Chief Engineer officers and all watchkeeping personnel; and
- .2 watch systems are arranged to prevent watchkeeping personnel from becoming fatigued and ensure that all watches (first and relieving) are sufficiently rested and fit for duty.

3.4 Ship Energy Efficiency Management Plan

A Ship Energy Efficiency Management Plan (SEEMP) may form part of the ship's SMS. For details on implementing the SEEMP requirements under Regulation 22 of Annex VI of the International Convention for the Prevention of Pollution from Ships (MARPOL) refer to RMI Marine Notice [2-013-12](#), *Regulations on Energy Efficiency for Ships and Fuel Oil Consumption Data Collection*.

3.5 Emergency Preparedness

3.5.1 The Company SMS must provide that statutory, Administrator, coastal State, or Company-required emergency preparedness plans are developed, implemented, periodically reviewed, and updated, and if necessary, re-approved by the Administrator or an RO on its behalf. See [A.1072\(28\)](#) and [Corrigendum](#), *Revised Guidelines for a Structure of an Integrated System of Contingency Planning for Shipboard Emergencies*.

3.5.2 The Company must establish programs for drills and exercises to prepare for emergency actions. In doing so, the applicable sub-paragraphs of [MI-108](#) §7.41 on drills and training must be incorporated.

3.6 Ship Security Plan (SSP)

The Company SMS must consider measures to enhance ship security by implementing an SSP as set out in:

- .1 IMO Circular [MSC/Circ.443](#), *Measures to Prevent Unlawful Acts Against Passengers and Crews On Board Ships*;
- .2 RMI Marine Notice [2-011-16](#), *International Ship and Port Facility (ISPS) Code*; and

.3 RMI Marine Notice [2-011-39](#), *Piracy, Armed Robbery, and the Use of Armed Security*.

3.7 Emergency Plans for Shipboard Oil Pollution and Marine Pollution

The Company SMS must be used to ensure that Shipboard Oil Pollution Emergency Plans (SOPEPs) and Marine Pollution Emergency Plans (SMPEPs) are up to date and fully adhered to, as appropriate, during emergencies. See RMI Marine Notice [2-013-4](#), *Approval for Shipboard Marine Pollution Emergency Plans for Oil and/or Noxious Liquid Substances for Republic of the Marshall Islands Ships*.

3.8 Recovery of Persons from the Water

The shipboard SMS must include plans and procedures for the recovery of persons from the water as required by RMI Marine Notice [2-011-47](#), *Plans and Procedures to Recover Persons from the Water*.

3.9 Bridging Document for MOUs

MOUs subject to compliance must have the Offshore Installation Manager's (OIM) duties and those of their second-in-command clearly defined in the unit's "Well Safety Case" document, and the Master's duties and those of their second-in-command defined in the SMS Emergency Procedures. The interfaces between these two documents (Well Safety Case and SMS Emergency Procedures) must be clearly defined in a "Bridging Document." The responsibilities for all operations, particularly emergency scenarios, must be prescribed in detail. The Bridging Document must be signed, and copies held by all parties noted in this subsection.

4.0 **Reporting Nonconformities, Accidents, and Hazardous Occurrences**

4.1 The shipboard SMS procedures for reporting near accidents, accidents and incidents must incorporate the provisions on notification and reporting to the Administrator, including using RMI Form [MI-109](#) in filing reports, and the duties and responsibilities for the Company, ship officers, and crew contained in RMI Maritime Regulations ([MI-108](#)), Chapter 6. See also RMI Marine Guideline [6-36-2](#), *Notification and Reporting of Marine Casualties, Marine Incidents, Occurrences and Offenses*.

4.2 SMS procedures must take into consideration guidance on investigating near-misses contained in IMO Circular [MSC-MEPC.7/Circ.7](#).

4.3 The SMS must contain procedures for immediately reporting to the Administrator:

- .1 oil spills and any incidents that involve other harmful substances under MARPOL as they are occurring;
- .2 any intentional illegal discharge of waste with a request for an investigation by the Administrator under RMI Rules for Marine Investigations ([MI-260](#)); and

.3 port or coastal State action in response to the contravention of or non-compliance with international convention or code requirements in accordance with [MI-108](#) §6.36.

4.4 The SMS must incorporate RMI Maritime Regulation ([MI-108](#)), §7.41.13 on accident prevention and appointment of a safety officer or committee.

5.0 Ship and Equipment Maintenance

5.1 The maintenance system established by the Company and documented in its SMS must include systematic plans and actions to address the items and systems covered by class and statutory surveys and to ensure that the vessel's condition is always satisfactorily maintained.

5.2 The shipboard SMS must include, as part of the Company internal audit, RMI Annual Safety Inspections required by MI-108 §5.34.

5.3 The Company SMS must include a means for documenting corrective actions taken to rectify deficiencies and nonconformities identified during internal audits, external audits, surveys and PSC and flag State inspections. Notification given to the designated RO on the corrective actions taken and measures to prevent their recurrence must also be documented.

6.0 Documentation

6.1 The Company must establish and maintain procedures to control all documents and data relevant to the SMS, including those related to the formal risk assessments and as required by ISM Code §11.

6.2 Documents must be easily identified, traceable, user-friendly and not so voluminous as to hinder the effectiveness of the SMS.

6.3 Documentation must be current and readily available for review by the Administrator, its representatives and PSC authorities. Expired documentation will not be accepted.

7.0 Company Verification, Review and Evaluation

7.1 The Company must conduct internal audits shoreside and on each ship at intervals not exceeding 12 months to determine whether the various elements of the Company SMS have been fully implemented and are effective in achieving the stated system objectives of Company policy and the ISM Code. The internal audits are in addition to those carried out by the RO.

7.2 Internal audits must be governed by a written procedure developed by the Company. All SMS elements must be covered and the procedures must consider, at a minimum, the elements provided in IMO Circular [MSC-MEPC.7/Circ.8](#).

7.4 In exceptional circumstances, the 12-month interval for shipboard internal audits may be allowed to be exceeded, but not by more than three months. The acceptability of any exceptional circumstances will be considered by the Administrator on a case-by-case basis prior to the postponement of an internal audit. All requests for an extension of the 12-month interval must be presented to the Administrator well in advance accompanied by documentation explaining why the internal audit cannot be conducted within the required timeframe. This documentation and the Administrator's authorization for postponement must be presented to the RO for verification at the annual Company audit and relevant shipboard audits. In all cases, there must not be less than five internal audits of the Company or any ship during the five-year certification validity.

8.0 Selecting an RO

8.1 Company Choice

Companies may choose any of the RMI-authorized ROs³, as provided in [MG 2-11-15](#), to conduct safety management audits of the Company and its ships. The choice of an RO is not restricted by the nationality of the ship's owner or operator, location of a Company's offices, or by the Classification Society that classes the ships or issues the other statutory certificates.

8.2 Multi-Class Fleets

For a Company operating a fleet with vessels individually classed by one or more recognized Classification Societies, a single RO may, if requested by the Company, act as sole assessor in performing the verification audit and certification of the SMS for the Company and all its vessels. The RO does not have to be the Classification Society for any of the vessels in the fleet.

8.3 Multi-Flag Fleets

Companies operating multi-flag fleets must propose a plan of action and request agreements by all involved flag States regarding the joint acceptance of an RO audit prior to the commencement of the audits. The plan must:

- .1 identify the entities involved;
- .2 outline how the audits will be conducted;
- .3 describe how each flag State's National requirements will be addressed; and
- .4 explain who will be issuing the ISM Code certificates.

³ The Administrator has by written agreement delegated to certain Classification Societies and entities, the authority to verify compliance with the ISM Code and to issue ISM Code documents (Documents of Compliance for Companies and Safety Management Certificates for Ships) on the RMI's behalf.

Where different ROs are involved with a ship or ships, they must communicate with each other on the DOC audit and SMC audit results. See IMO Circulars [MSC/Circ.762-MEPC/Circ.312](#), *Guidance to Companies Operating Multi-Flagged Fleets and Supplementary Guidelines to Administrations*.

8.4 RO Services

The Administrator's criteria for ROs to provide ISM Code verification services does not require that the same RO has classed or will be classing the vessels owned or operated by a Company. An RO is not prohibited from establishing its own requirements for services in relation to classification and statutory certification, provided there are no negative effects upon compliance with the ISM Code.

9.0 Verification of Compliance and Issuance of ISM Code Documents

9.1 Application for Certification

After developing and implementing the SMS, the Company must contact an RO to arrange for an initial verification audit and certification of the Company and its vessels. The Company's application for certification to the RO, and the relevant information, must include the size and total number of each ship type covered by the SMS and any other documentation considered necessary. Ships carrying dry cargo in bulk, but which do not meet the IMO Resolution [MSC.277\(85\)](#) definition for a "Bulk Carrier" are to be designated as "Other Cargo Ships." The requirements in §8.3 of this Notice apply to Companies operating multi-flag fleets.

9.2 Initial Verification Audits

9.2.1 Company DOC

The initial verification for issuing a DOC to a Company should follow the steps outlined in §4.2 of IMO Assembly Resolution [A.1118\(30\)](#), as amended.

9.2.2 Ship SMC

The initial verification for issuing an SMC to a ship consists of:

- .1 verifying that the Company DOC is valid and relevant to that ship type, and that the other provisions of §10.3.3 below are complied with. Only after onboard confirmation of the existence of a valid Full-Term DOC can the verification proceed; and
- .2 verifying the effective functioning of the SMS, including objective evidence that the SMS has been in operation on board the ship for at least three months. The objective evidence must include records from the internal audits performed by the Company.

9.2.3 If the Company already has a valid Full-Term DOC issued by another organization recognized by the Administrator, that DOC must be accepted as evidence of compliance with the ISM Code, unless there is objective evidence indicating otherwise.

9.3 Annual and Intermediate Verification Audits

9.3.1 The Company is responsible for scheduling with the RO the annual and intermediate verifications. Failure to schedule or conduct annual or intermediate verifications will be considered a violation of SOLAS Chapter IX, and the DOC or SMCs may be suspended or revoked.

9.3.2 The RO may conduct additional audits on the Company or vessels, if objective evidence justifying such audits is found during the Company's annual SMS audit, the intermediate vessel audit, or when directed by the Administrator. Additional audits also may be required because of:

- .1 a poor PSC or flag State inspection or detention; or
- .2 before reactivating a Safety Management Certificate following an operational interruption due to a vessel's lay-up.

9.4 Renewal Verification Audits

Renewal verification audits must be performed before the validity of the DOC and the SMC expires.⁴ They may be carried out within three months before the expiry date of the DOC or the SMC. Failure to schedule or conduct the renewal verification audit will be considered a violation of SOLAS Chapter IX and the Company's ships may be prevented from trading.

9.5 Notification of Audit Results

ROs must notify the Administrator by email (technical@register-iri.com) when an audit is complete. The audit report results must be available for review by the Administrator from the RO's website.

10.0 DOC and SMC Issue and Validity

10.1 Interim DOC

For a change of flag State or Company, special transitional arrangements must be made as follows:

- .1 An Interim DOC may be issued to facilitate initial ISM Code implementation where

⁴ The renewal verification requirements for extending the validity of the SMC have been harmonized with those of SOLAS certificates and the ISSC.

compliance with it is a new requirement or where changes to the Company's organization or its operations have rendered the existing certification inappropriate⁵. Upon issuance, the RO must forward a copy to the Administrator at: vesdoc@register-iri.com.

- .2 An Interim DOC, valid for no more than 12 months, may be issued to a Company following a demonstration, at the Company's premises, that it has a documented SMS which addresses all ISM Code elements, and that plans exist for its implementation throughout the organization and its fleet within the period of validity of the Interim DOC. The progress this implementation may be reviewed and verified at intervals during the Interim DOC's validity.
- .3 If the Company operates a multi-flag fleet and already has a Full-Term DOC for the same ship type issued on behalf of another flag State by the RO, an Interim DOC valid for up to six months may be issued without an audit. The RO must review and verify to its satisfaction that the Company SMS complies with RMI National requirements within the period of validity of the Interim DOC. The Company will be issued an RMI Full-Term DOC upon satisfactory completion of this review and audit.
- .4 A copy of the Interim DOC is not required to be authenticated or certified but must be placed on board so that the Master, if requested, may produce it for verification by the Administrator or RO or for the purpose of the control referred to in SOLAS Regulation IX/6.2.

10.2 Full-Term DOC

- 10.2.1 A Full-Term DOC must be issued to a Company following an initial verification of compliance with the requirements of the ISM Code and RMI National requirements prior to the expiry of the interim period of certification. A copy must be emailed to the Administrator by the RO immediately upon issuance to vesdoc@register-iri.com.
- 10.2.2 The Company must make available copies of the Full-Term DOC to each office location covered by the SMS and to each ship. The copies of the DOC are not required to be authenticated or certified but must be placed on board so that the Master, if so requested, may produce it for verification by the Administrator or by an organization recognized by the Administrator or for the purpose of control referred to in SOLAS Regulation IX/6.2.
- 10.2.3 The validity of a Full-Term DOC must not exceed five years. This is subject to annual verification carried out within three months before or after the anniversary date.
- 10.2.4 If the Company operates a multi-flag fleet and already has a Full-Term DOC for the same ship type issued on behalf of another flag State by the RO, the RO may issue a Full-Term

⁵ An example of this is where a Company is newly established or where new ship types are added to an existing DOC.

DOC with the same validity as the existing DOC following an audit verifying the successful implementation of the RMI National requirements into the Company SMS. Should the RMI National requirements not be incorporated into the Company SMS, an interim DOC may be issued in accordance with §10.1.3.

10.2.5 A Full-Term DOC is valid for the ship types on which the initial verification was based. The list of ship types must be indicated in the DOC. The scope of a DOC may be amended to cover an additional ship type after the verification of the Company's capability to comply with the requirements of the ISM Code for that ship type.

10.2.6 A Full-Term Certificate issued for a Company that is complying voluntarily must be marked "Voluntary" on the certificate.

10.3 Interim SMC

10.3.1 Issuance

Interim RMI SMCs may be issued to new vessels on delivery, on the Company's assumption of responsibility for the operation of a vessel which is new to the Company, or when a vessel changes flag subject to the following verifications by the RO:

- .1 the DOC, including Interim DOC, of the Company is relevant to the type of vessel;
- .2 the SMS established by the Company includes the essential elements of the ISM Code and has been assessed as relevant to the vessel type during the audit for issuance of the relevant DOC;
- .3 the Master and relevant senior officers are familiar with the SMS and the planned arrangements for its implementation;
- .4 operational instructions, which the Company has identified as essential to be provided to the Master prior to the vessel's first voyage under the RMI flag, have, in fact, been given to the Master;
- .5 there are plans for an internal vessel audit by the Company within three months of issuing the Interim SMC; and
- .6 the relevant information on the SMS is given in working language(s) understood by the vessel's crew.

10.3.2 Multi-Flag Fleets

Each RMI-flagged vessel in the multi-flag fleet may be issued an Interim SMC valid for up to six months to facilitate SMS implementation, subject to the provisions of §10.3.3 and §10.3.4 below. Each RMI-flagged vessel in the multi-flag fleet must be audited by the RO to verify implementation of the SMS and compliance with RMI National requirements. Upon satisfactory completion of the audits, an RMI Full-Term SMC must be issued to each RMI-flagged vessel in the multi-flag fleet.

10.3.3 Documented Vessel Types

A Company holding a valid RMI DOC, which assumes management responsibility for a vessel type already documented in its fleet, may have a six-month Interim SMC issued to that ship subject to the ship being verified by the RO as to compliance with the provisions of §10.3.1 above. The SMS must be fully implemented on board the vessel within that period. Time extensions up to, but not exceeding, six additional months may be granted by the Administrator on a case-by-case basis.

10.3.4 Undocumented Vessel Types

A Company holding a valid RMI DOC which assumes management responsibility for a vessel type new to its fleet, may have a 12-month Interim DOC and six-month interim SMC issued to that Company and ship respectively, provided the RO verifies that the Company's revised SMS is applicable to that vessel type and the Company and ship is verified in compliance with the provision of §10.3.1 above. The SMS must be fully implemented in the Company and on board the vessel within that period. Extensions of time up to, but not exceeding, six additional months may be granted by the Administrator on a case-by-case basis for the vessel.

10.3.5 Bareboat Charter Registered Vessels

Bareboat Charter-registered vessels are subject to §10.3.3 or §10.3.4 above, as applicable, on entry into the RMI Maritime Registry.

10.3.6 Administrator Copies

Interim SMCs must be forwarded via email to the Administrator by the RO immediately upon issuance to vesdoc@register-iri.com.

10.4 Full-Term SMC

10.4.1 A SMC is to be issued to a ship following an initial verification (§9.2.2, above) and prior to the interim certification's expiry. Issuance is conditional upon:

- .1 the existence of a Full-Term DOC (not Interim), valid for that type of ship;
- .2 maintaining compliance with the requirements of a Classification Society meeting the RO Code as provided in SOLAS II-1/Part A-1/ Regulation 3-1; and
- .3 maintaining valid statutory certificates, including a Full-Term International Ship Security Certificate (ISSC).

10.4.2 An SMC's validity must not exceed five years and is subject to at least one intermediate verification. In certain cases, particularly during the initial period of operation under the

SMS, it may be necessary to increase the frequency of the intermediate verifications. If only one intermediate verification is carried out, it is to take place between the second and third anniversary date of the issuance of the SMC.

10.4.3 A Certificate issued for a vessel that is complying voluntarily must be marked “Voluntary” on the certificate.

10.4.4 Upon issuing the SMC, the RO must immediately forward a copy by email to the Administrator at: vesdoc@register-iri.com. A copy must also be available at the Company’s head office.

10.5 Short-Term Certificates

10.5.1 ROs may issue a Short-Term DOC or SMC at the closing of a satisfactory ISM Code audit to provide for the time needed to administratively process and issue a Full-Term certificate, provided:

- .1 no major nonconformities exist, and the RO auditor formally recommends certification of the Company or vessel; and
- .2 the validity for the Short-Term certificate does not exceed five months from the date of the ISM Code audit.

10.5.2 A DOC or SMC, as appropriate, must be issued prior to the Short-Term Certificate expiring.

10.5.3 On issuing a Certificate, the RO must provide a copy immediately to the Administrator via email at: vesdoc@register-iri.com.

10.6 Change of Flag Only

10.6.1 The RO may issue a Full-Term SMC to a vessel changing flag after an additional shipboard verification, with a validity for the period remaining on the SMC that is being replaced, when the following conditions at least exist:

- .1 the vessel is changing flag within a Company-managed fleet;
- .2 the Company remains the same and holds a valid RMI Full-Term DOC for the ship type;
- .3 the vessel has a valid SMC, with no major nonconformities open or outstanding nonconformities for which corrective action has not been accepted by the RO;
- .4 the vessel has valid RMI statutory certificates;
- .5 the vessel has valid Flag certificates;

- .6 a completed CSR Amendment Form is available onboard and the Index of Amendments reflects the change of flag;
- .7 the RMI national requirements have been incorporated in the ship's SMS;
- .8 the RO remains the same for the vessel;
- .9 the crew is in possession of RMI certification and is familiar with the SMS; and
- .10 a periodical external audit aboard the vessel has been satisfactorily completed by the RO within the last six months or an annual shipboard internal audit has been reviewed with satisfaction by the RO at the most recent annual Company DOC audit made within that same period.

10.6.2 If any of the conditions mentioned above have changed or do not apply with the change of flag, then the vessel must be treated as a new vessel entering the RMI Maritime Registry and be issued an Interim Certificate in accordance with §10.0 and §10.3 above.

10.7 Renewal Verification Certification

10.7.1 When the renewal verification is completed within three months before the expiry date of the existing DOC or SMC, the new DOC or the new SMC should be valid from the date of renewal verification completion for not over five years from the expiry of the existing DOC or SMC.

10.7.2 When the renewal verification is completed more than three months before the expiry date of the existing DOC or SMC, the new DOC or the new SMC should be valid from the date of completion of the renewal verification for not over five years from the date of completion of the renewal verification.

10.7.3 When the renewal verification is completed after the expiry date of the existing SMC, the new SMC 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 SMC.

10.7.4 The Administrator, or an RO on its behalf, may endorse an existing SMC if a renewal verification has been completed and a new SMC cannot be issued or placed onboard the ship before the expiry date of the existing certificate. This existing endorsed certificate may remain valid for a further period not exceeding five months from its expiry date.

10.7.5 If a ship at the time when an SMC expires is not in a port in which it is to be verified, the Administrator may extend the period of validity of the SMC, but this extension will be granted only to allow 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.

10.7.6 No SMC should be extended for longer than three months.

10.7.7 A ship granted an extension, on arrival in the port for a verification inspection, must not leave there without having a new SMC. When the renewal verification is completed, the new SMC should be valid for not over five years from the expiry of the existing SMC before the extension was granted.

11.0 Safety Management System Auditing

ROs must conduct a systematic and independent examination to determine whether the SMS activities and related results of a Company comply with planned arrangements and whether these arrangements are implemented effectively and are suitable to achieve stated system objectives.

11.1 Guidelines

The IACS [*Procedural Requirements for ISM Code Certification*](#) (PR 9), as amended, must form the basis for developing and implementing audit plans.

11.2 Objective Evidence

Objective evidence must consist of quantitative or qualitative information, records or statements of fact pertaining to safety or to the existence and implementation of an SMS element, which is based on observation, measurements or tests, and which can be verified.

11.3 Document Review

As a basis for planning an audit, an RO must review for adequacy the Company's recorded description of its methods for meeting the SMS requirements. If the review reveals that the SMS described in the documentation by the Company is inadequate for meeting the ISM Code requirements, auditing must cease. Further auditing may be conducted only when all nonconformities are resolved to the satisfaction of the RO.

11.4 Nonconformities

Corrective action for nonconformities must be completed within a period agreed between the RO and the Company. This must not exceed three months from the date the nonconformity notice was issued. Where a corrective action requires more than three months, the RO must advise the Administrator and obtain approval for extending the time period.

11.5 Major Nonconformity

The RO must advise the Administrator in writing of:

- .1 major nonconformities (nature and extent) identified during an audit;
- .2 agreed corrective action plan to downgrade these nonconformities;

- .3 status of certificates; and
- .4 recommendations on issuing a DOC or SMC, a time specific (Short-Term) DOC or SMC to allow for the completion of corrective action, or withdrawal of an existing DOC or SMC.

Major nonconformities must be handled according to IMO Circular [MSC/Circ.1059-MEPC/Circ.401](#).

12.0 Certificate Withdrawal and Invalidation

12.1 Authority

Certificates may be withdrawn by the Administrator or the RO when authorized to do so by the Administrator.

12.2 Reasons for Withdrawal

Certificates may be withdrawn for the following reasons, but are not limited only these:

- .1 the failure to conduct internal, periodic, or intermediate verification audits;
- .2 the Company's failure to fully implement its SMS;
- .3 the Company's failure to maintain its SMS in substantial compliance with the requirements of the ISM Code;
- .4 the Company's failure to maintain its SMS in substantial compliance with the requirements of the ISPS Code;
- .5 nonconformities that remain uncorrected beyond their due date; and
- .6 the recommendation of the RO-based upon objective evidence of the existence of a major nonconformity or an ineffective SMS.

12.3 DOC Withdrawal

Withdrawing the Company DOC invalidates the SMCs of all related vessels. Should the Administrator authorize the RO to withdraw the Company DOC, the SMCs of all related vessels must also be withdrawn by the RO. In such cases, the RO must without delay provide a letter to the Company stating that:

- .1 the DOC is withdrawn from the signature date of the letter;
- .2 the Company must notify the appropriate ships that the DOC is invalid and proceed with withdrawing the SMCs covered by the DOC; and
- .3 the Company must take the requested actions immediately and surrender its DOC and the SMCs covered by the DOC.

The RO must immediately send a copy of the letter to the Administrator at: vesdoc@register-iri.com and technical@register-iri.com. The Administrator will advise other ROs, which have issued SMCs, on the basis for the DOC withdrawal and the need to withdraw those SMCs.

12.4 SMC Withdrawal

When the RO is authorized by the Administrator to withdraw the SMC, the RO must without delay:

- .1 notify the Company;
- .2 provide a letter to the ship's Master stating that the SMC is withdrawn from the date of signature of the letter and request that the SMC is surrendered; and
- .3 send a copy of the letter to the Administrator at: vesdoc@register-iri.com.

12.5 Certificate Issuance or Reinstatement

A DOC or SMC that has been withheld or withdrawn due to major nonconformities may be reissued or reinstated only after there has been closure on all outstanding nonconformities to the satisfaction of the RO, as verified by additional audit, and this has been confirmed to the Administrator.

12.6 Appeals

In the event a Company disagrees with the RO's determination, a direct appeal to the Administrator may be made through the Company's designated person only after exhausting the RO appeals procedures. The Administrator will make a final determination based upon the appeal's substance and the RO's recommendations.

13.0 **Contact Information**

Questions regarding the ISM Code should be referred to the Administrator at: technical@register-iri.com.