

Note 9 of 2003 -Instruction to ship owners/ companies & auditors on the certification of safety management system to the ISM code (Superseded by M.S.Notice 28 of 2003) (Superseded by M.S.Notice 09 of 2014)

M.S. Notice 09 of 2003

F.No.7-NT(13)/2002

Dated: January 6, 2003

Sub: Instruction to Ship Owners/Companies and Auditors on the Certification of Safety Management System to the ISM Code.

[M.S. Notice 9 of 2003 is superseded by M.S. Notice 28 of 2003](#)

This Notice is brought out for those concerned with the development, implementation, maintenance, assessment and certification of Safety Management System (SMS).

The entry into force of Chapter IX of SOLAS made the ISM Code mandatory, as from 1st July, 2002 for the Phase-II vessels, i.e., Other Cargo Ships and Mobile Offshore Drilling Units (MODU's) of 500 Gross Tonnage and upwards.

All Indian flag vessels have complied with the ISM Code for the phase - I vessels by 1st July 1998. Considering the request of ship owners operating phase - II vessels exclusively only in Indian Coast (mostly tugs, offshore supply vessels, MODU's and other small vessels of Other Cargo Ship type), the Director General of Shipping has extended the compliance of ISM Code for such vessels till 1st July 2003. Since the deadline is nearing, the Owners and Managers are urged to take all appropriate actions for the assessment and certification and obtain Document of Compliance (DoC) and Safety Management Certificate (SMC) for their each vessel to avoid unnecessary detentions for their ships.

Following procedure to be adopted by all concerned for the ISM Code implementation and certification:

1. Ship Owner / Manager's Responsibility: -

- A. The enclosed form ISM-01 (joint declaration from the Owners and the Company) and ISM-02 to be submitted in original duly certified by the concerned Registrar of Ships.

In case the company is already in possession of a DoC issued by the D.G.Shipping for the type of vessel in question, then they need to submit the form ISM-01 in original on receipt of this Notice. In case of changes of the Management of vessel, each party (i.e., the owner and the company) is obliged to promptly advise the ISM Cell on the changes by completing the appropriate form.

A Management company wishes to be assessed and certified before entering in to an agreement with the Owner of an Indian Flag Ship, for the Management of such a ship, should fill form ISM-02 without mentioning the name of the vessel.

- B. After complying with above stated declaration, company shall submit to the D.G.Shipping their Safety Management System (SMS) Manual addressing all clauses of the ISM Code for verification. On satisfactory completion of the verification of the company's SMS Manual, the request for Audit of their office(s) towards DoC to be made. On obtaining DoC, the company shall present their vessels for Audit towards SMC. The Indian Register of Shipping, Mumbai is authorised to carryout SMC Audit of the Indian Vessels on behalf of the D.G.Shipping. For those shipping companies, operating more than 10 ships, the D.G.Shipping may pick up one vessel of each ship type and carryout the Audit towards interim / initial SMC as a Sample ship Audit. Also if required, the D.G.Shipping may carryout Sample ship SMC Audit for those companies operating less than 10 ships. Nevertheless, the ship owners / companies are requested to mark copy of their SMC Audit request to Indian Register of shipping, Mumbai and also to the D.G.Shipping and concerned MMD's.
- C. The owner / company must apply for the Audit giving sufficient time (minimum 30 days notice) for DoC / SMC Audit of company / ship. Application for the Audit request to be accompanied with the Audit fees (Audit request form ISM - 03). The ship owner shall remain accountable and responsible for the settlement of all fees, dues or other charges due to the D.G.Shipping by the company or of any other cost which the D.G.Shipping

may incur in connection with any matter attributed, associated, related or resulting from the work of the company.

- D. The owner / company must not pay any fees concerning the ISM certification to any party other than its authorised Classification Society, i.e., Indian Register of Shipping, Mumbai for the SMC Audits and to the D.G.Shipping for DoC / SMC Audits as required.
- E. The owner and the company have the right and obligation to refer any issues, which arise at any stage during the Audit, Verification and Certification process and at any stage thereafter to the Chief Surveyor with the Govt. of India, D.G.Shipping for consideration and advice. Also in case the owner / company have a different opinion or view from the views of the Auditor, the matter should be immediately referred to the Chief Surveyor with the Govt. of India, D.G.Shipping for consideration and instructions to the Auditor or to the company, as the case may be.
- F. The owner / company must not establish any contact with any Auditor or request any particular Auditor for the purpose of Auditing of their Safety Management System prior receiving Auditor nomination from the Directorate.
- G. The owner / company must ensure that their authorised representatives are associated with ISM related jobs. No Agents to be empowered to liaise with the Directorate. For those owners / company not having office in Mumbai are required to liaise with the Directorate by post, Fax, etc. and only in exceptional genuine cases the authorised company's agent may be accepted.

2. Auditors Responsibility: -

- A. Authorised Auditor shall carryout the assessment, auditing, verification and certification of the shore based part or the ship based part of the SMS on behalf of the D.G.Shipping only upon receipt of the nomination from the ISM Cell of the Directorate.
- B. Auditor after completion of Audit must write a clear recommendation indicating the validity period of the certificate and shall handover the original assessment report to the company / vessel. Auditor must ensure that on completion of Audit, report is compiled and sent to the ISM Cell of the Directorate immediately. The report must include at least the copies of the followings: -
 - i. Assessment Summary Report
 - ii. Assessment Report
 - iii. Audit Schedule, Auditors Log (original log to be maintained by the Auditor)
 - iv. NC Reports indicating ISM Code Sub-Clause number.
 - v. Certificate of Registry / Class Certificate / Crew List / Ships particulars in case of SMC Audit.
 - vi. Document Review.
- C. Only D.G.Shipping nominated Auditor shall conduct the DOC Audit. In case of absence of any of the nominated Auditors on the date of Audit, the Team Leader may start the Audit on obtaining approval from ISM Cell of the Directorate (either on fax / telephone / e-mail, etc). In the case of absence of Team Leader, the Audit Team Members must obtain prior approval from the Chief Surveyor with the Govt. of India and only after getting such approval the Audit should commence.
- D. Overtime fees not to be claimed from the company either by the Auditor(s) or by the allied offices of the D.G.Shipping.
- E. Auditors carrying out Interim DoC and Interim SMC Audit to comply with the following requirements

For interim DoC Audit the verification is to be made to see that the company has plans to implement the safety management system meeting the full requirements of the ISM Code within the period of validity of interim DoC.

For interim SMC Audit the verification is to be made for the followings

- i. The DoC, or the interim DoC , is relevant to the ship concerned
- ii. The safety management system provided by the company for the ship concerned includes key elements of the ISM Code and has been assessed during the audit for issuance of the Document of Compliance or demonstrated for issuance of the interim DoC
- iii. The company has planned the audit of the ship within three months
- iv. The master and officers are familiar with the safety management system and the planned arrangements for its implementation
- v. Instructions, which have been identified as being essential, are provided prior to sailing; and
- vi. Relevant information on the safety management system has been given in a working language or languages understood by the ship's personnel.

The deficiencies noticed with the SMS during such Audit must be brought out as non-conformity, if applicable.

- F. Auditors must not liaise with owner / company prior to their nomination for the SMS Audit.
- G. Auditor(s) must not change the Audit dates without the consent of the ISM Cell of the Directorate.

- H. Auditor(s) must not refuse to carryout the Audit once their name(s) are nominated. The Auditor(s) change may be considered at the Directorate only in exceptional cases provided the Auditor(s) submit the written request for the change immediately after receiving the nomination.
- I. ISM cell shall endeavour to avoid repeat of nominating of same Team Leader for the Audit of the same company / ship. In case the Team Leader notices that he has already done the immediate preceding Audit of the company / ship as a Team Leader, he must inform the Directorate forthwith for a change if practicable.

3. Conclusion: -

- i. The above instructions and the enclosed applications form to be complied by all concerned with immediate effect till such time they are not amended by D.G.Shipping.
- ii. For any clarifications, the owners / companies may contact ISM Cell of the Directorate between 1400 to 1500 hrs on working days.

[S.Chakrabarty]

Dy. Chief Surveyor with Govt. of India

D.G. SHIPPING

Declaration FORM: ISM - 01

(To be completed by authorised representatives of the owner / bareboat charterer and the company on first notification and when reporting any changes thereafter)

1. VESSEL

Name of the Vessel:	Type of Vessel:
Official No. / Call Sign:	IMO Number:

2. OWNER / BAREBOAT CHARTERER

Registered Name:		
(Enclose certificate of Incorporation)		
Registered Address:	Tel. No.:	
	Fax No.:	
	E-mail:	

3. DECLARATION OF PARTICULARS OF THE COMPANY (ISM Code Ref.: 1.1.2)

Registered Name:	
(Enclose certificate of Incorporation)	
Registered Address:	Operation Office Address:
Tel. No:	Tel. No:
Fax.No.:	Fax. No.:
Telex No.:	Telex No.:
E-mail:	E-mail:

I, the undersigned, hereby declare and state for and on behalf of the company that the above information is true and correct and I am duly authorised by the company to provide the aforesaid information.

Name:		Place&Date:	
Signature:		Stamp:	

I, the undersigned, hereby declare and state for and on behalf of the owner / bareboat charterer that the above information is true and correct and I am duly authorised by the owner / bareboat charterer to provide the aforesaid information.

Name:		Place & Date:	
Signature:		Stamp:	

D.G SHIPPING

Annex to Form ISM 01

(To be completed by authorised representatives of the owner / bareboat charterer and the company on first notification and when reporting any changes thereafter)

ISM Code Ref.: 3.0

For and on behalf of the Owner / Bareboat Charterer :	For and on behalf of the Company:
I, the undersigned, hereby declare and state as below:	I, the undersigned, hereby declare and state as below:
1) The owner / bareboat charterer has agreement with the company for the operations of the vessel and to discharge of all duties, responsibilities and obligations of the owner / bareboat charterer, which fall within the scope of Chapter IX of the SOLAS, 1974 as amended and the ISM Code from the date of the present declaration.	1)The company has accepted the agreement with the owner / bareboat charterer and undertake to carryout all aspects of the operation of the vessel and discharge all duties, responsibilities and obligations of the owner / bareboat charterer, which fall within the scope of Chapter IX of SOLAS-1974 as amended and the ISM Code from the date of present declaration.
2) The owner / bareboat charterer has read and understood the ISM Code and the requirement of the D.G.Shipping on the development, implementation and certification of SMS issued by the D.G.Shipping.	2) The company has received from the owner / bareboat charterer sufficient instructions, guidance, means and resources to the entire satisfaction of the company and arrangements have been made which enable and will enable the company to carryout and fulfil the duties, responsibilities and obligations which is hereby accepting and undertaking.
3) The owner / bareboat charterer accepts, agrees and undertakes to be responsible for the company (named overleaf).	3) The company accepts, agrees and undertakes to be bound, as far as the operation of the vessel and for any matter related thereto, by the applicable rules and regulations of the D.G.Shipping.
4) The above information is true and I am duly authorised to make this declaration for and on behalf of the owner / bareboat charterer.	4) The company has read and understood the ISM Code and the requirements of the D.G.Shipping on the development, implementation and certification of SMS issued by the D.G.Shipping.
	5) The above information is true and correct and I am duly authorised to make this declaration for and on behalf of the company.
For and on behalf of the Owner / Bareboat Charterer :	For and on behalf of the Company:
Name:	Name:
Signature:	Signature:
Place & Date:	Place & Date:
Stamp:	Stamp:

D.G. SHIPPING

Declaration FORM : ISM - 02

(To be completed by authorised representatives of the company and also for reporting changes)

1. VESSEL

Name of the Vessel:	Type of Vessel:
Official No. / Call Sign:	IMO Number:

2. PARTICULARS OF THE COMPANY (ISM Code Ref.: 1.1.2)

Registered Name: (Enclose certificate of Incorporation)	
Registered Address:	Operation Office Address:
Tel. No:	Tel. No:
Fax. No.:	Fax. No.:
Telex No.:	Telex No.:
E-mail:	E-mail:

3. DESIGNATED PERSON (ISM Code Ref.: 4.0)

Designated Person:	Alternate Designated Person:
Name:	Name:
Position:	Position:
Identity Document:	Identity Document:
Office Address: (Place of work)	Office Address: (Place of work)
Tel. No:	Tel. No:
Fax. No.:	Fax. No.:
Telex No.:	Telex No.:
E-mail:	E-mail:
Mobile No.:	Mobile No.:
AOH Tel / Fax Nos.:	AOH Tel / Fax Nos.:

4. IDENTIFICATION OF HIGHEST LEVEL OF MANAGEMENT (HLM)

Highest Level of Management:	Alternate to HLM:
Name:	Name:
Position:	Position:
Identity Document:	Identity Document:
Tel. No:	Tel. No:
Fax. No.:	Fax. No.:
Telex No.:	Telex No.:
E-mail:	E-mail:
Mobile No.:	Mobile No.:
AOH Tel/Fax Nos.:	AOH Tel/Fax Nos.:

5. BRANCH OFFICE (S)

Registered Name: (Enclose certificate of Incorporation)	
Registered Address	Operation Office Address:
Tel. No:	Tel. No:
Fax. No.:	Fax. No.:
Telex No.:	Telex No.:
E-mail:	E-mail:

I, the undersigned, hereby declare and state and on behalf of the company that the company has been incorporated and exists under the laws of the state and the officers of the company are those as indicated in the enclosed list / below, the company does operate branch offices as mentioned below / does not operate branch offices (strike if not applicable).

The above information is true and correct and I am duly authorised by the company and the aforesaid persons to provide the aforesaid information.

(To be completed if a counter signature is required)

Name:	Name:
Signature:	Signature:
Place & Date:	Place & Date:

D.G. SHIPPING

Audit Request FORM: ISM - 03

We request the Directorate General of Shipping to instruct its Auditors to assess our Safety Management System (SMS) to ISM Code on or around...

(Minimum 30 days notice)

The scope of assessment of Audit

(Interim / Initial / Annual / Intermediate / Renewal / Additional DoC / SMC Audit)

We agree to provide D.G. Shipping with all the documents, information and facilities to carryout the activities.

We enclose the Audit Fees Rs. ... in favour of Directorate General of Shipping, Mumbai towards carrying out the.. Audit.

We also agree to pay any other expenses as applicable for Audit and issue of Certificate.

For DOC Audit

Particulars of Company:	
No. of Branch Offices:	
Branch office(s) Address (es)	
Total No. of Indian Flag Ships: (Mention in Ship Type wise)	

For SMC Audit

Name of the Vessel:	Type of Vessel:
Location of Audit:	IMO Number:
Official No. / Call Sign:	Gross Tonnage

Signature

Name & Designation.....

Name of Company.....

Address.....

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