

The International Safety Management Code (ISM Code)

Promulgated SG 58/27.06.1995

Text in Bulgarian: Международен кодекс за управление на безопасната експлоатация на кораби и предотвратяване на замърсяването (ISM Code)

PREAMBLE

1. The purpose of this Code is to provide an international standard for the safe management and operation of ships and for pollution prevention.
2. The Assembly adopted resolution A. 443(XI) by which it invited all Governments to take the necessary steps to safeguard the shipmaster in the proper discharge of his responsibilities with regard to maritime safety and the protection of the marine environment.
3. The Assembly also adopted resolution A. 680(17) by which it further recognized the need for appropriate organization of management to enable it to respond to the need of those on board ships to achieve and maintain high standards of safety and environmental protection.
4. Recognizing that no two shipping companies or shipowners are the same, and that ships operate under a wide range of different conditions, the Code is based on general principles and objectives.
5. The Code is expressed in broad terms so that it can have a widespread application. Clearly, different levels of management, whether shore-based or at sea, will require varying levels of knowledge and awareness of the items outlined.
6. The cornerstone of good safety management is commitment from the top. In matters of safety and pollution prevention it is the commitment, competence, attitudes and motivation of individuals at all levels that determines the end result.

GENERAL DEFINITIONS

7. "International Safety Management (ISM) Code" means the International Management Code for the Safe Operation of Ships and for Pollution Prevention as adopted by the Assembly, as may be amended by the Organization.
8. "Company" means 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 to take over all the duties and responsibility imposed by the Code.
9. "Administration" means the Government of the State whose flag the ship is entitled to fly.

Objectives

10. The objectives of the Code are to ensure safety at sea, prevention of human injury or loss of life, and avoidance of damage to the environment, in particular, to the marine environment, and to property.
11. Safety management objectives of the Company should, inter alia:
 - a) provide for safe practices in ship operation and a safe working environment;
 - b) establish safeguards against all identified risks; and
 - c) continuously improve safety management skills of personnel ashore and aboard ships, including preparing for emergencies related both to safety and environmental protection.

12. The safety and management system should ensure:

a) compliance with mandatory rules and regulations; and

b) that applicable codes, guidelines and standards recommended by the Organization, Administrations, classification societies and maritime industry organizations are taken into account.

Application

13. The requirements of this Code may be applied to all ships.

Functional requirements for a Safety Management System (SMS)

14. Every Company should develop, implement and maintain a Safety Management System (SMS) which includes the following functional requirements:

a) a safety and environmental protection policy;

b) instructions and procedures to ensure safe operation of ships and protection of the environment in compliance with relevant international and flag State legislation;

c) defined levels of authority and lines of communication between, and amongst, shore and shipboard personnel;

d) procedures for reporting accidents and non-conformities with the provisions of this Code;

e) procedures to prepare for and respond to emergency situations; and

f) procedures for internal audits and management reviews.

SAFETY AND ENVIRONMENTAL PROTECTION POLICY

15. The Company should establish a safety and environmental protection policy which describes how the objectives, given in paragraph 1. 2, will be achieved.

16. The Company should ensure that the policy is implemented and maintained at all levels of the organization both ship based as well as shore based.

COMPANY RESPONSIBILITIES AND AUTHORITY

17. If the entity who is responsible for the operation of the ship is other than the owner, the owner must report the full name and details of such entity to the Administration.

18. The Company should define and document the responsibility, authority and interrelation of all personnel who manage, perform and verify work relating to and affecting safety and pollution prevention.

19. The Company is responsible for ensuring that adequate resources and shore based support are provided to enable the designated person or persons to carry out their functions.

DESIGNATED PERSON(S)

20. 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 to ensure that adequate resources and shore based support

are applied, as required.

MASTER'S RESPONSIBILITY AND AUTHORITY

21. The Company should clearly define and document the master's responsibility with regard to:

- a) implementing the safety and environmental protection policy of the Company;
- b) motivating the crew in the observation of that policy;
- c) issuing appropriate orders and instructions in a clear and simple manner;
- d) verifying that specified requirements are observed;
- e) and reviewing the SMS and reporting its deficiencies to the shore based management.

22. The Company should ensure that the SMS operating on board the ship contains a clear 23. statement emphasizing the Master's authority. The Company should establish in the SMS that the master has the overriding authority and the responsibility to make decisions with respect to safety and pollution prevention and to request the Company's assistance as may be necessary.

RESOURCES AND PERSONNEL

23. The Company should ensure that the master is:

- a) properly qualified for command;
- b) fully conversant with the Company's SMS; and
- c) given the necessary support so that the Master's duties can be safely performed.

24. The Company should ensure that each ship is manned with qualified, certificated and medically fit seafarers in accordance with national and international requirements.

25. 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.

26. The Company should ensure that all personnel involved in the Company's SMS have an adequate understanding of relevant rules, regulations, codes and guidelines.

27. The Company should establish and maintain procedures for identifying any training which may be required in support of the SMS and ensure that such training is provided for all personnel concerned.

28. 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.

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

DEVELOPMENT OF PLANS FOR SHIPBOARD OPERATIONS

30. The Company should establish procedures for the preparation of plans and instructions for key shipboard operations concerning the safety of the ship and the prevention of pollution. The various tasks involved should be defined and assigned to qualified personnel.

EMERGENCY PREPAREDNESS

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

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

33. 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.

REPORTS AND ANALYSIS OF NON-CONFORMITIES, ACCIDENTS AND HAZARDOUS OCCURRENCES

34. The SMS should include procedures ensuring that non conformities, accidents and 44. hazardous situations are reported to the Company, investigated and analyzed with the objective of improving safety and pollution prevention.

35. The Company should establish procedures for the implementation of corrective action.

MAINTENANCE OF THE SHIP AND EQUIPMENT

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

37. In meeting these requirements the Company should ensure that:

- a) inspections are held at appropriate intervals;
- b) any non-conformity is reported with its possible cause, if known;
- c) appropriate corrective action is taken; and
- d) records of these activities are maintained.

38. The Company should establish procedures in SMS to identify equipment and technical systems the sudden operational failure of which may result in hazardous situations. The SMS should provide for specific measures aimed at promoting the reliability of such equipment or systems. These measures should include the regular testing of stand-by arrangements and equipment or technical systems that are not in continuous use.

39. The inspections mentioned in 10. 2 as well as the measures referred to 10. 3 should be integrated in the ship's operational maintenance routine.

DOCUMENTATION

40. The Company should establish and maintain procedures to control all documents and data which are relevant to the SMS.

41. The Company should ensure that:

- a) valid documents are available at all relevant locations;
- b) changes to documents are reviewed and approved by authorized personnel; and

c) obsolete documents are promptly removed.

42. The documents used to describe and implement the SMS may be referred to as the "Safety Management Manual". Documentation should be kept in a form that the Company considers most effective. Each ship should carry on board all documentation relevant to that ship.

COMPANY VERIFICATION, REVIEW AND EVALUATION

43. The Company should carry out internal safety audits to verify whether safety and pollution prevention activities comply with the SMS.

44. The Company should periodically evaluate the efficiency and when needed review the SMS in accordance with procedures established by the Company.

45. The audits and possible corrective actions should be carried out in accordance with documented procedures.

46. Personnel carrying out audits should be independent of the areas being audited unless this is impracticable due to the size and the nature of the Company.

47. The results of the audits and reviews should be brought to the attention of all personnel having responsibility in the area involved.

48. The management personnel responsible for the area involved should take timely corrective action on deficiencies found.

CERTIFICATION, VERIFICATION AND CONTROL

49. The ship should be operated by a Company which is issued a document of compliance relevant to that ship.

50. A document of compliance should be issued for every Company complying with the requirements of the ISM Code by the Administration, by an organization recognized by the Administration or by the Government of the country, acting on behalf of the Administration in which the Company has chosen to conduct its business. This document should be accepted as evidence that the Company is capable of complying with the requirements of the Code.

51. A copy of such a document should be placed on board in order that the Master, if so asked, may produce it for the verification of the Administration or organizations recognized by it.

52. A Certificate, called a Safety Management Certificate, should be issued to a ship by the Administration or organization recognized by the Administration. The Administration should, when issuing a certificate, verify that the Company and its shipboard management operate in accordance with the approved SMS.

53. The Administration or an organization recognized by the Administration should periodically verify the proper functioning of the ship's SMS as approved.