



ISM Code

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ON JULY 1, 2010 amendments to the International Safety Management Code will come into force. At its 85th Session the Maritime Safety Committee of the International Maritime Organization adopted the changes under Resolution MSC 273(85) which sets out some important changes to sections 1, 5, 7, 8, 9, 10, 12, 13, and 14 of the ISM Code; a new Appendix is also added. Within the confines of this article it will only be possible to look at more significant amendments.

The first of the amendments is at section 1.2.2.2 (Objectives). The original wording required that the company responsible for safety management should "establish safeguards against all identifiable risks". The requirement is now that the company should "assess all risks to its ships, personnel and the environment and establish appropriate safeguards". There is now a clear expectation that the company should take a much more active approach toward risk assessment for safety management. How this is done is left to individual companies but they will in future be expected to demonstrate that steps have been taken to assess risks to ships, personnel and the environment and that appropriate safeguards are in place.

In section 7 — Shipboard Operations — the present version of the ISM Code requires that the company should "establish procedures for the preparation of plans and instructions, including checklists... for key shipboard operations". This left open whether specific plans and instructions should be prepared; specifying only there should be procedures in place for doing so. The amendment establishes the original intention of the provision and now the company should "establish procedures, plans, instructions, including checklists... for key shipboard operations concerning the safety of personnel, ship and protection of the environment".

A similar amendment applies to section 8 — Emergency Preparedness. Now the company is required to "identify potential emergency shipboard situations and establish procedures to respond them". No longer can a company merely establish procedures to identify emergency situations, it has to establish procedures to respond to them.

In section 12.1 — Company Verification, Review and Evaluation — the company will in future be required to carry out audits "on board and ashore at intervals not exceeding 12 months". In addition, any delay in carrying out an internal audit should not be exceeded by more three months except in "exceptional circumstances". The exceptional circumstances proviso means companies must be alert to the need to plan internal audits to take place within the 12-month period.

The final amendments to be looked at are in fact three additions to section 13 — Certification and Periodical Verification. Section 13.12 provides that if renewal verification is completed after the expiry date of the existing SMC, then the new SMC shall be valid from the date of completion of the verification to a date not exceeding five years from the date of expiry of the existing SMC. Say the SMC expires on August 1, 2010 but the verification survey is not carried until September 1, 2010. The new SMC will expire on August 1, 2015 and not September 1, 2015. The SMC will always have a maximum validity of five years.

Section 13.13 allows an administration to extend the validity of the SMC by up to five months from the original expiry date where the renewal verification has been completed but the new certificate cannot be placed on board the ship before the expiry of the existing certificate. Similarly, in section 13.14, where a vessel is in a port where verification cannot take place, an administration may extend the validity of the SMC by up to three months to reach a port where verification can take place.

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