

REPUBLIC



OF CYPRUS

**MINISTRY OF COMMUNICATIONS AND WORKS
DEPARTMENT OF MERCHANT SHIPPING
LEMESOS**

Circular No. 28/2006

DMS 1/5
DMS 32/6/13

8/12/2006

To all recognised Classification Societies

Subject: ***International Safety Management (ISM) Code- Instructions to Recognised Organisations***

The Department of Merchant Shipping has imposed additional requirements on the development, implementation and certification of Safety Management Systems since 1998. Attached herewith is a guidance document entitled "Instructions to Auditors on the Certification of the Safety Management Systems", which is a consolidated edition of these additional requirements based on the contents of previous Circulars and the experience gained by the implementation of the ISM Code.

The Department will be at the disposal of the Owners, of Companies and of those concerned with the matter for any explanations and clarifications they may deem necessary.

The present Circular replaces Circulars Nos 1/2001, 8/2001, 13/2002, 20/2002, 26/2002 8/2003, 2/04 and 54/2004

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Director
Department of Merchant Shipping

cc Permanent Secretary, Ministry of Communications and Works
Maritime Offices of the Department of Merchant Shipping abroad
Permanent Secretary, Ministry of Foreign Affairs
Diplomatic and Consular Missions of the Republic
Honorary Consular Officers of the Republic

Cyprus Bar Association
Cyprus Shipping Council
Cyprus Union of Ship owners

Encl.

Instructions to Auditors on the Certification of the Safety Management Systems

1 Interpretation of the Instructions

The interpretation of the present Instructions remains the exclusive prerogative of the Government. Any matter concerning these Instructions should be referred to the Department for guidance or instructions, as the case may be.

2 Changes, Alterations and Additions to the Instructions

When necessary or justified the Department, may modify or amend any of the provisions of the present Instructions, lay down new ones or make changes in their application.

3 Notification Procedure

- 3.1 The RO nominated by the Company will be authorized in writing by the Department to carry out assessment, auditing, verification and certification of the Company's or ship's safety management system on behalf of the Republic of Cyprus. As far as the Company is concerned, the authorization will be general and the type of ships to be marked on the DoC should be decided by the auditor in consultation with the Company.
- 3.2 Authorisation will be granted only in the following cases:
 - 3.2.1 Interim DoC;
 - 3.2.2 Interim SMC;
 - 3.2.3 Change of the Ro / Take over Audit.
 - 3.2.4 Relocation of a Company.
- 3.3 Authorisation will **NOT** be required in the following cases:
 - 3.3.1 Initial, Annual and Renewal Audit of a Company;
 - 3.3.2 Issuance of a DoC as a result of adding a Type of ship on the existing DoC;
 - 3.3.3 Initial, Intermediate or Renewal Audit of a Ship;
 - 3.3.4 When a Ship changes its name;
- 3.4 The RO should verify during a periodical audit that the particulars of the Company / Ship as stated in ISM Form / Revision 02 have not been amended; otherwise the RO should inform the Department of Merchant Shipping accordingly.

4 Reporting Requirements

- 4.1 The RO should forward on a monthly basis copies of the certificates issued and the relevant audit reports.
- 4.2 The RO should notify the Department of Merchant Shipping and the appropriate Consular office of the Republic for any initial or renewal shore based and initial or intermediate shipboard ISM audits planned to be carried out in the U.K., the Netherlands, Greece, Germany and Cyprus at least four working days in advance.
- 4.3 The RO should inform this Department whenever
 - 4.3.1 A Company has failed to arrange an audit (shore based or shipboard) within the appropriate time intervals;
 - 4.3.2 A major non conformity has been identified during an audit which can not be downgraded by immediate corrective action;
 - 4.3.3 A non conformity has been overdue and upgraded to a major non conformity;
 - 4.3.4 An additional shipboard audit has been requested by PSC as a result of a detention.

5 Extension of Certificates

- 5.1 An interim Safety Management Certificate can be extended provided that :
 - 5.1.1 The RO has confirmed in writing to this office that there is no available auditor in the area where the ship will be at the time of the expiration of the interim SMC
or
 - 5.1.2 The Company is not furnished with a full term DoC at the time of the expiration of the interim SMC.
- 5.2 Since there is no provision within the ISM Code for extending the Interim DoC, or the appropriate time intervals for Annual, Intermediate or Renewal verifications, this Department will not grant such extensions or postponements.

6 Language

- 6.1 Unless the Auditor has been, explicitly and in writing, authorised to do otherwise, all reports, records, correspondence and all other documents which are or may be relevant to the assessment, audit, verification and certification of a SMS on behalf of the Government should be made and kept in the Greek or English language.

7 Form of Certificates

- 7.1 The Certificates to be issued by the Authorized Organisations to Cyprus Ships should be in the bilingual form (Greek / English) which was established in 2002 and for your ease reference is attached in appendix 1.

Guidance Notes on SMS

- 7.2 When ships operate only in an EU Member State, then the RO shall either use the forms referred in appendix 1 or the form drawn up in Annex II of the Regulation (EC) No 336/2006.
- 7.3 Each of the documents or certificates and each of their certified copies (if any) should be marked with a unique number assigned and controlled by the RO.
- 7.4 The Number of the corresponding DoC is not required to be marked on the respective SMC. The RO is expected to maintain a record of all documents, certificates and certified copies thereof that the Auditor has issued and of their distribution.

8 Cyprus Additional Requirements

Appendix 2 of our Circular No 27/2006, or any future amendments to that, should be taken into account when auditing Companies managing Cyprus Ships and Ships Flying the Cyprus flag.

9 Issue and Validity of Certificates

- 9.1 Provided that the assessment of -the shore side or shipboard - safety management system has been carried out satisfactorily, the RO is empowered and authorised to issue to the Company a DoC (or Interim DoC) or to the Ship SMC (or Interim SMC)
- 9.2 Provided that the Renewal audit (shore based or shipboard) has been carried out satisfactorily, the RO is empowered and authorised to issue to the Company or the Ship a DoC or SMC, taking into account that the provisions of paragraphs 13.10 and 13.11 of the ISM Code should be applied accordingly.
- 9.3 In case the Company operates branch offices at other locations, the RO may issue additional certified copies of the Interim DoC or of the DoC, to the Company, which should be kept at these locations.
- 9.4 The RO is advised that, although the validity of the SMC is conditional upon the validity of the associated DoC, the date of expiry of the SMC need not be the same as the date of expiry of the associated DoC.
- 9.5 The RO should note that the validity of the DoC is subject to compliance with the provisions of section 3.3 of the Revised Guidelines on implementation of the ISM Code by Administrations, Resolution A.913 (22).
- 9.6 Furthermore, the RO should note that the validity of the SMC is subject to compliance with the provisions of section 3.4 of the Revised Guidelines on implementation of the ISM Code by Administrations, Resolution A.913 (22).

Forms of Certificate

The Form of Certificates listed within this Annex should be issued by all ROs certifying Companies and Vessels under the authority of the Republic of Cyprus as from 1st July 2002. The languages used are Greek and English. However Auditors may enter the Company's and vessel's particulars in the English Language only.

List of Certificates included in the Annex

1. Interim DoC
2. DoC
3. Interim SMC
4. SMC