



PORTS and MARITIME AFFAIRS

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Directive No. ISM/01

IMPLEMENTATION OF THE

INTERNATIONAL SAFETY MANAGEMENT (ISM) CODE

Issued under the enabling power of the Ministerial Resolution 20/2016

Issue Date: 8th December 2016

1 Introduction

- (1) The International Safety Management (ISM) Code is mandatory under the provisions of chapter IX of the International Convention for the Safety of Life at Sea (SOLAS), 1974, as amended, which requires each party State to implement an international standard for the safe management and operation of ships and for pollution prevention and a safety management system (SMS) to be established by the company operating certain types of ships.
- (2) The Ports and Maritime Affairs (PMA) issue this directive in line with the right and obligation drawn in the national legislations such as:
 - Ministerial resolution no. 6/2010: Implementing Regulations of law 61/2006 and
 - Ministerial resolution 20/2016: Implementation of Conventions related to marine navigation
- (3) This directive provides the Port and Maritime Affairs (PMA) requirements for compliance with the ISM Code for Companies and Bahraini vessels seeking ISM Code certification. Furthermore it stipulates PMA's policies and interpretations regarding application and implementation of the ISM Code. It should be read in conjunction with the ISM Code, Resolution A.1071(28) "revised guidelines on the Implementation of the International Safety (ISM) Code by administrations" and Resolution MSC.353(92) "amendments to the international management code for the safe operation of ships and for pollution prevention (International Safety Management (ISM) Code)"



2 Applicability

This Directive is applicable to all Bahraini registered vessels to which the ISM Code applies without exemption.

3 Background – The ISM Code

- (1) It is a Company's responsibility to:
 - (a) demonstrate that a systematic examination of their operations has been conducted;
 - (b) identify all areas where things may go wrong; and
 - (c) develop and implement adequate controls to address these risk areas. The means by which a risk assessment is achieved must be described in a Company's safety and environmental protection policies as required by ISM Code
- (2) The Amendments to the ISM Code which came into force in 10 July 2010, the Sections 7 and 8 of the ISM Code have been rephrased to clarify the requirements for:
 - (a) the established procedures, plans and instructions (including checklists) for key shipboard operations concerning the safety of personnel, ship and protection of the environment; and
 - (b) the identification of potential emergency shipboard situations and procedures to respond to them.
- (3) Another consequential amendment to ISM Code, Regulation 12.1 which requires a Company to conduct internal safety audits onboard and ashore at intervals not exceeding 12 months. This is now a regulated requirement.
- (4) Also amended is ISM Code Regulation 10.3, in which the requirement for a procedure to "identify equipment and technical systems..." is removed and replaced with a requirement for a simple identification of those systems;



- (5) Additional amendment includes ISM Code Regulation 13 in which the renewal verification requirements for the extension of validity of the Safety Management Certificate (SMC) are addressed to harmonize with those of SOLAS certificates and the International Ship Security Certificate (ISSC).
- (6) The last amendments to the International Safety Management (ISM) Code was in June 2014, as detailed in Resolution MSC.353(92), concern manning levels on vessels and a requirement for periodic confirmation that work practices on board and ashore are in accordance with and fulfill the requirements of the ISM Code. Therefore, paragraph 6.2 has been expanded to include the additional statement and a new paragraph 12.2 has been added to the ISM code text.

1. Definitions

- (1) **Oil tanker** means an oil tanker as defined in regulation II-1/2.22.
- (2) **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 in writing to take over all the duties and responsibilities imposed by the ISM Code.
- (3) **Chemical tanker** means a chemical tanker as defined in regulation VII/8.2.
- (4) **Gas carrier** means a gas carrier as defined in regulation VII/11.2.
- (5) **Bulk carrier** means a ship which is constructed generally with single deck, top-side tanks and hopper side tanks in cargo spaces, and is intended primarily to carry dry cargo in bulk, and includes such types as ore carriers and combination carriers
- (6) **High-speed craft** means a craft as defined in regulation X/1.
- (7) **Special purpose ship** means a ship as defined in the Code of Safety for Special Purpose Ships (SPS Code), IMO Resolution A.534(13) as amended



by MSC/Circ.739 and IMO Resolution MSC.183(79), irrespective of the date on which the keel of the ship was laid, engaged on international voyages;

- (8) **Mobile offshore drilling unit (MODU)** means a vessel capable of engaging in drilling operations for the exploration for or exploitation of resources beneath the sea-bed such as liquid or gaseous hydrocarbons, sulphur or salt, mechanically propelled and capable of moving on its own on and off location.
- (9) **Gross Tonnage** means the gross tonnage of the ship as determined under the provisions of the International Convention on the Tonnage Measurement of Ships, 1969 (ITC 69) and shown on the International Tonnage Certificate (1969) of the ship.

3. Compliance

- (1) Compliance with the ISM Code is being closely monitored and enforced by the PMA. Ships operated by Companies that fail to comply will be considered in violation of SOLAS and may be prevented from continuing active trading and/or operations until determined to be in compliance.
- (2) Companies should start the ISM Code compliance process at the earliest possible date prior to entering a vessel or vessels into active trading and/or operations. Depending on the complexity of the Company, the number and types of ships involved and its operations, the development, implementation and verification process could take 18 months or longer.
- (3) The PMA is responsible for effective enforcement of the provisions of the ISM Code and subscribes to the guidelines contained in IMO Resolution A.1071(28) adopted on 4 December 2013 " Revised Guidelines on implementation of the International Safety Management (ISM) Code by Administrations".
- (4) IMO Resolution A.739(18), "Guidelines for the Authorization of Recognized Organizations (RO) acting on behalf of the Administrations," as amended by IMO Resolution MSC.208(81), allows Administrations to delegate to ROs the responsibility for verifying compliance with the ISM Code and for issuing Documents of Compliance (DOC) to Companies and SMCs to ships on behalf of the PMA.



- (5) Shipowners shall take proper account of the ILO Code of Practice "Ambient factors in the workplace", 2001 as amended, when considering the exposure to hazards in the working environment. The PMA has delegated by written agreement to certain Classification Societies and entities the authority to verify compliance with the ISM Code and to issue ISM Code documents on behalf of the PMA. List of these Classification Societies is stipulated in the Ministerial Resolution No. 15 for 2016.
- (6) The PMA retains the right to conduct audits, assessments and inspection activities independent of or in concert with those of an RO in order to verify proper implementation, application, and enforcement of the provisions of the ISM Code. Such audits, assessments and inspections will be carried out by duly appointed Flag Inspectors.

4. Requirements for SMS by ISM Code

- (1) Every Company must develop, implement, and maintain a Safety Management System (SMS) in accordance with the requirements of the ISM Code. Failure to do so will be considered a violation of SOLAS Chapter IX, and the Company's ships shall be prevented from actively trading and/or operating until determined to be in compliance.
- (2) The PMA considers the International Ship and Port Security (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.

A strong environmental component of an SMS is critical. The PMA requires full compliance with international environmental regulations and encourages Companies to utilize their SMS as a tool for preventing damage to the marine environment. In the event of an accident 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".



5. Safety, Security and Environmental Protection Policy

- (1) Company Management must establish a Safety, Security and Environmental Protection Policy that:
 - (a) includes a commitment to meet the obligations of the Company under the provisions of the ISM Code;
 - (b) provides guidelines for the establishment of measurable safety management system objectives;
 - (c) commits to remain alert for ways to improve as changes occur in regulations and in the industry; and
 - (d) is communicated throughout the Company's organization, its associates and to its shipboard personnel;
- (2) The Safety, Security and Environmental Protection Policy must be approved by the Company's Chief Executive or other senior executive officer, and shall be reviewed at regular intervals to ensure that it remains likely to achieve the established measurable safety management system objectives of the ISM Code.

6. Company Responsibility and Authority

- (1) The owner of each vessel must provide the PMA, with the name, address, telephone and facsimile numbers and email address of the Company responsible for the operation of the vessel.
- (2) If the organization or person responsible for the operation of a ship is other than the owner, the owner must provide the PMA with the full name of such entity and submit details, which establish that entity as the Company to the satisfaction of the PMA.
- (3) 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.



- (4) 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.

7. Designated Person

- (1) All in accordance with the ISM Code the Company must designate a person or persons ashore who will be responsible for monitoring and verifying proper operation of the SMS within the Company and on each ship. The designated person(s) shall have the independence and authority to report deficiencies observed to the highest level of management (i.e., the final decision maker regarding shoreside management and support and vessel operation and safety). Guidance on the qualifications, training and experience necessary for undertaking the role of the designated person under the provisions of the ISM Code is contained in MSC-MEPC.7/Circ.6.
- (2) Company must provide the PMA with the full name of the designated person and information to enable direct and immediate contact at all times between the PMA and the designated person with regard to matters relating to maritime safety, security and protection of the marine environment. The PMA highly recommends that the Company also select an alternate designated person or persons to reduce the potential for single point failure.

8. Master Responsibility and Authority

- (1) Any system of operational control implemented by Company shore based management must allow for the Master's absolute authority and discretion to take whatever action he or she considers to be in the best interest of passengers, crew, cargo, the vessel and the marine environment.
- (2) The Company shall provide the Master with documentation providing the specific duties delegated to the officers under the Master's command.
- (3) The Master shall periodically review the SMS as part of the shipboard internal audit process and report any deficiencies to shore based management.



9. Resources and Personnel

- (1) Senior management shall consider the provision of human resources in the Company suitable to the task and provide all the necessary means by which to maintain an adequate and effective SMS which complies with the requirements of the ISM Code. It is essential that appropriate and sufficient manning levels be established and maintained aboard ships in accordance with IMO Resolution A.1047(27) and Bahrain Directive on Safe Manning. These human resource needs shall be continuously assessed.
- (2) Company training, hiring, manning procedures, terms of employment, personnel record keeping and reporting procedures must be consistent with the requirements of STCW and the Bahrain Regulations to ensure the use of competent qualified personnel.
- (3) Compliance with the hours of rest standard, as adopted by the PMA Directives. The PMA shall consider manning levels to be inadequate if crew members are unable to adhere to the above rest hour standard.
- (4) The Company SMS shall ensure that joining crew members have proper certification including licenses, special qualification certificates, Seafarer's Identification and Record Books and training as required by international conventions and related Codes.
- (5) The shipboard SMS shall include for on-coming officers and crew procedures for the transfer of command, documented hand-over notes, documented vessel and duties introductions, familiarization training in accordance with Regulation A-I/6 "Training and Assessment " of the STCW Code and on board documentation retention.
- (6) The ship's complement must be able to effectively coordinate their activities in an emergency situation and in performing functions vital to safety, security and the prevention or mitigation of pollution; and
- (7) At all times on board its ships, there shall be effective oral communication in accordance with Chapter V, regulation 14, paragraphs 3 and 4 of the SOLAS Convention.



10. Development of Plans for Shipboard Operations

- (1) The ship's operations documentation shall include a statement that its contents do not remove the Master's authority 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.
- (2) The ship's operations plans shall require that watch systems are so arranged that the efficiency of all watchkeeping personnel is not impaired by fatigue and that duties are organized so that the first watch at the commencement of a voyage and subsequent relieving watches are sufficiently rested and otherwise fit for duty.
- (3) The ship's operations plans shall direct the attention of masters, chief engineer officers and all watchkeeping personnel to the requirements, principles and guidance set out in the STCW Code, which shall be observed to ensure that a safe continuous watch or watches appropriate to the prevailing circumstances and conditions are maintained in all seagoing ships at all times.

11. Emergency Preparedness

- (1) The Company SMS must provide that statutory, PMA, coastal State or company required emergency preparedness plans are developed, implemented, periodically reviewed and updated.
- (2) The Company SMS must consider measures to enhance the safety and security of the ship through the implementation of a Ship Security Plan as guidelines in MSC/Circ.443 and related IMO circulars.
- (3) The Company SMS shall be used to ensure that Shipboard Oil Pollution Emergency Plans (SOPEPs) and Shipboard Marine Pollution Emergency Plans (SMPEPs) are up to date and fully adhered to, as appropriate, during emergencies.
- (4) Mobile Offshore Drilling Units (MODUs) subject to compliance shall have the Offshore Installation Manager's (OIM) duties (including his or her second in command) clearly defined in the well safety case, and the Master's duties



(including his or her second in command) defined in the SMS Emergency Procedures. The interfaces between these two documents (the Well Safety Case and SMS) shall be clearly defined in a "Bridging Document" with responsibilities for all operations, particularly emergency scenarios, prescribed in detail. The Bridging Document shall be signed by all parties noted and copies held by all parties.

- (5) The emergency towing procedures shall be developed by the Company based on the guidance contained in MSC.1/Circ.1255. The emergency towing procedures may be either incorporated in their entirety within the Safety Management System or may be in the form of a stand-alone booklet with explicit reference thereto being contained within the relevant section of the Safety Management System.

12. Reports and Analysis of Nonconformities, Accidents and Hazardous Occurrences

- (1) The Company and shipboard SMS shall contain procedures for immediately reporting to the PMA oil spills and any incidents that involve other harmful substances under MARPOL 73/78.
- (2) The Company and shipboard SMS shall contain procedures for immediately reporting to the PMA any intentional illegal discharge of waste with a request for an investigation.
- (3) The Company and shipboard SMS shall contain procedures for immediately notifying the PMA of port or coastal State action in response to the contravention of or non-compliance with international convention or code requirements
- (4) The Company SMS shall incorporate the provisions on accident prevention and appointment of a safety officer or committee.

13. Maintenance of the Ship and Equipment

- (1) The maintenance system established by the Company and documented in its SMS should include systematic plans and actions designed to address all



those items and systems covered by class and statutory survey and to ensure that the vessel's condition is satisfactorily maintained at all times.

- (2) The Company SMS shall also provide for the logging of actions or measures taken to rectify deficiencies and nonconformities noted during internal audits, external audits, surveys, and flag State safety inspections, and the giving of notification to the PMA and the designated RO of the corrective actions taken, including measures to prevent recurrence.

14. Documentation

- (1) The Company shall establish and maintain procedures to control all documents and data which are relevant to the SMS. This includes documents and data related to the formal risk assessment.
- (2) The SMS documentation should be limited to that which adequately covers the applications of the system to established operational standards for safety and environmental protection. Documents shall be easily identified, traceable, user friendly and not so voluminous as to hinder the effectiveness of the SMS. They shall be readily available for review by the RO, representatives of the PMA and port State control authorities.

15. Company Verification, Review and Evaluation

- (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 the annual, intermediate, and renewal audits carried out by the RO.
- (2) Companies shall ensure that an internal SMS audit schedule is developed and implemented. All elements of the SMS should be covered in the schedule. The purpose of the internal audit is to assess the system, not to allocate blame, and in general, should include:



- (a) an evaluation as to the suitability of safety, security and environment protection policy in achieving the objectives of the ISM Code, including both the prevention of pollution accidents and incidents of deliberate pollution;
- (b) a review of safety, security and environment protection system objectives and targets;
- (c) a review of and follow-up on findings from internal and external audits;
- (d) consideration of possible changes made necessary by legislation or regulation;
- (e) consideration of changes within the Company (e.g., fleet changes, trade and market strategies, social or environmental attitudes);
- (f) an examination of training needs;
- (g) lessons learned from accidents, hazardous occurrences and nonconformities;
- (h) a review of procedures and other instructions;
- (i) the results of surveys, Company inspections and flag State and port State inspections;
- (j) feedback from Masters, employees and other relevant stakeholders; and
- (k) findings following emergency drills and exercises.

16. Verification of Compliance and Issuance of ISM Code Documents

- (1) 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.
- (2) Document Review: The RO is to verify that the SMS and any relevant documentation comply with the requirements of the ISM Code, by reviewing the safety management manual. If this review reveals that the system is not adequate, the RO may delay auditing until the Company undertakes corrective action. Amendments made to the system documentation to correct



deficiencies identified during this review may be verified remotely or during the subsequent initial audit described in .3 below.

- (3) Company initial audit: The RO shall conduct an initial audit in order to verify the effective functioning of the SMS, including objective evidence that the Company's SMS has been in operation for at least three (3) months, and at least three (3) months on board at least one (1) ship of each type operated by the Company.
- (4) If the Company already has a valid full term DOC issued by another organization recognized by the PMA, that DOC shall be accepted as evidence of compliance with the ISM Code, unless there is objective evidence indicating otherwise.
- (5) The Company is responsible for scheduling with the RO the annual and intermediate verifications. Failure to schedule and/or conduct annual or intermediate verifications will be considered a violation of SOLAS Chapter IX, and the DOC and/or SMCs may be suspended or revoked.
- (6) The RO may conduct additional audits on the Company and/or vessels if objective evidence justifying such audits is found during the annual audit of the Company SMS, the intermediate audit of a vessel or when directed by the PMA.
- (7) Renewal verification audits are to be performed before the validity of the DOC and the SMC expires. Renewal audits may be carried out within three (3) months before the expiry date of the DOC or the SMC and shall be completed before the DOC or the SMC expires. Failure to schedule and/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.
- (8) 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 SMCs should be valid from the date of completion of the renewal verification for a period not exceeding five years from the date of expiry of the existing DOC or SMC. While While, the new DOC or the new SMCs should be valid from the date of completion of the renewal verification for a period not exceeding five years from the date of completion the renewal verification, when the renewal



verification is completed more than three months before the expiry date of the existing DOC or SMC.

- (9) 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) If a renewal verification has been completed and a new SMC cannot be issued or placed on board the ship before the expiry date of the existing certificate, the RO may endorse the existing certificate and such a certificate should be accepted as valid for a further period which should not exceed five months from the expiry date.
- (11) If a ship at the time when a SMC expires is not in a port in which it is to be verified, the validity period of the SMC may be extended, only for the purpose of allowing 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. No SMC should be extended for a period of longer than three months, and the ship to which an extension is granted should not, on its arrival in the port in which it is to be verified, be entitled by virtue of such extension to leave that port without having a new SMC. When the renewal verification is completed, the new SMC should be valid to a date not exceeding five years from the expiry date of the existing SMC before the extension was granted.
- (12) The SMC and a copy of the DOC should be placed on board in order that the master of the ship, if so requested, may produce it for the purposes of the control referred to in regulation IX/6.2 of the SOLAS Convention. The copy of the document is not required to be authenticated or certified.

17. Non conformities

- (1) Minor nonconformities are those deviations from the requirements of the ISM Code, the PMA and/or the documented SMS of a Company that pose a low level of risk to the vessel's safety, security, protection of the environment or integrity of the SMS. Minor nonconformities shall include observed situations where objective evidence indicates a minor nonfulfillment of a specified requirement that has been determined by the RO not to affect the ability of



the management of the Company nor any of its vessels from achieving the system objectives of the Company or the ISM Code.

- (2) The purpose of identifying nonconformities is to determine why the nonconformity arose so that appropriate corrective action can be taken to avoid recurrence. The identification of nonconformities via the audit process allows for continuous improvement and development of best practices.
- (3) Corrective action for nonconformities shall be completed within a time period agreed to between the RO and the Company, which shall not exceed three (3) months from the date of issuance of a nonconformity notice. The RO shall confirm that the Company and/or vessel has determined and initiated appropriate corrective action to correct the nonconformities or to correct the root causes of the nonconformities.
- (4) A major nonconformity shall mean an identifiable deviation, which poses a serious threat to personnel or vessel safety, security or serious risk to the environment and requiring immediate corrective action. In addition, major nonconformities shall include the lack of effective or systematic implementation of the requirements of the ISM Code.
- (5) Major nonconformities shall be handled in accordance with MSC/Circ.1059-MEPC/Circ.401.
- (6) Any major nonconformity found by the RO in the course of an audit shall be reported immediately in writing to the Company, the Master of the vessel involved and to the PMA. Neither the DOC nor the SMC will be issued during the initial audit until all major nonconformities are corrected by the Company or downgraded to minor nonconformities by the RO.
- (7) The RO shall determine the nature and extent of major nonconformities found during intermediate, renewal or additional audits and recommend to the PMA not to issue the DOC or SMC, or the issuance of a time specific Interim DOC or SMC to allow for the completion of corrective action, or withdrawal of an existing DOC or SMC.
- (8) A major nonconformity for a risk assessment may be downgraded by the RO on receipt of an acceptable plan of action to address the deficiency.

**18. Certificate Withdrawal and Invalidation**

- (1) Certificates may only be withdrawn by the PMA or by an RO when authorized to do so by the PMA.
- (2) DOC Withdrawal: Upon the withdrawal of the DOC, the RO shall immediately notify the Company and the PMA, when acting on its behalf. When the RO is authorized by the PMA to withdraw the DOC, the RO shall give a letter to the Company stating that the DOC is withdrawn from the date of signature of the letter, and request that the DOC be surrendered. A copy of the letter shall be immediately sent by the most expedient means to the PMA. The Company shall be required to immediately notify the appropriate ships that the DOC is invalid and proceed with the immediate withdrawal of the SMCs covered by the DOC.
- (3) SMC Withdrawal: When the RO is authorized by the PMA to withdraw the SMC, the RO shall immediately notify the Company, give a letter to the Master of the ship stating that the SMC is withdrawn from the date of signature of the letter, and request that the SMC be surrendered. A copy of the letter shall be immediately sent by the most expedient means to the PMA.
- (4) Withdrawal of the Company DOC invalidates the SMCs and/or Interim SMCs of all related vessels. Should the PMA authorize the RO to withdraw the Company DOC, the SMCs of all related vessels shall also be withdrawn by the RO
- (5) Issuance or reinstatement of a DOC and/or SMCs, as the case may be, which have been withheld or withdrawn as the result of major nonconformities shall only occur after the RO confirms to the PMA that there has been closure to the satisfaction of the RO on all outstanding major nonconformities as verified by additional audit.
- (6) In the event a Company disagrees with a determination made by the RO, the Company, through its designated person, after exhausting the RO appeals procedures, may make a direct appeal to the PMA which shall then make a final determination based upon both the substance of the appeal and the recommendations of the RO.



19. Interim Certification

- (1) An Interim DOC may be issued to facilitate initial implementation of the ISM Code when:
 - (a) a Company is newly established; or
 - (b) new ship types are to be added to an existing DOC,
- (2) Such an Interim DOC should be issued for a period not exceeding 12 months, a copy (not required to be authenticated or certified) of it should be placed on board.
- (3) An Interim SMC may be issued:
 - (a) to new ships on delivery;
 - (b) when a Company takes on responsibility for the operation of a ship which is new to the Company; or
 - (c) when a ship changes flag.
- (4) Such an Interim SMC should be issued for a period not exceeding 6 months by the RO
- (5) At the request of the PMA, in special cases, may extend the validity of an Interim SMC for a further period which should not exceed 6 months from the date of expiry.

20. Forms of Certificates

The DOC, the SMC, the Interim DOC and the Interim SMCE should be drawn up in a form corresponding to the models given in the ISM Code.

21. Revision History:

Revision No. 1 (15 December 2016) of the present Directive is the first revision.


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