



REPUBLIC OF LIBERIA

Marine Notice

**BUREAU OF MARITIME
AFFAIRS**

**ISM-001
Rev. 09/2005**

**TO: ALL SHIPOWNERS, OPERATORS, MASTERS AND OFFICERS OF
MERCHANT SHIPS, LIBERIAN AUDITORS AND AUTHORIZED
CLASSIFICATION SOCIETIES**

SUBJECT: International Safety Management Code (ISM Code).

References:

- (a) **Maritime Regulation 2.35**
- (b) **International Safety Management Code IMO Resolution A.741(18)**
- (c) **IMO Resolution MSC.104(73)**
- (d) **IMO Assembly Resolution A.913(22)**
- (e) **SOLAS 74 Chapter IX, Management for the Safe Operation of Ships**
- (f) **Liberian Combined Publications Folder (RLM 300)**

Supersedes: Marine Notice ISM-001 dated 11/2002

PURPOSE:

This Notice advises and provides guidelines to owners, operators, and masters of Liberian flagships concerning the Administration's requirements for compliance with the International Safety Management Code (ISM Code). These guidelines provide the Liberian National Requirements for Companies and vessels seeking ISM Code certification. They also contain the Administration's policies and interpretations regarding application and implementation of the ISM Code.

The National Requirements are not intended to be all-inclusive or to prohibit a Company from incorporating or requiring items in its Safety Management System beyond those contained in these guidelines. Questions regarding the ISM Code should be referred to the Office of the Deputy Commissioner of Maritime Affairs, Republic of Liberia, ISM Department, Liberian International Ship & Corporate Registry, LLC, 8619 Westwood Center Drive, Suite 300, Vienna, Virginia 22182, USA; Tel +1 703 790 3434, Fax: +1 703 790 5655, E-mail: ism@liscr.com

APPLICABILITY:

This Notice is applicable to all Liberian passenger ships, including high speed craft, and all oil tankers, chemical tankers, gas carriers, bulk carriers, cargo high speed craft, self-propelled MODUs, on an international voyage, and all other cargo ships of 500 gross tons or over.

REQUIREMENTS:

1.0 Definitions

Administration - the Government of the State whose flag the ship is entitled to fly.

Anniversary date – the day and the month of each year that corresponds to the date of expiry of the relevant document or certificate.

Company - 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 responsibilities imposed by the ISM Code.

Convention – the International Convention for the Safety of Life at Sea, 1974 as amended.

Document of Compliance (DOC) - a document issued to a Company which complies with the requirements of the ISM Code.

International Safety Management (ISM) Code - the International Management Code for the Safe Operation of vessels and for Pollution Prevention as adopted by the Organization by resolution A.741 (18), as may be amended by the Organization.

Liberian Auditor (LA): A Liberian Nautical Inspector who has been trained as an ISM auditor and appointed by the Administration to conduct ISM and/or Security and/or Harmonized ISPS/ISM verifications onboard Liberian flag ships. The Liberian Auditor holds an identification card stating the Inspector is qualified to perform ISM Audits on behalf of the Administration. A list of LA can be found on LISCR website www.liscr.com.

Major non-conformity- an identifiable deviation which poses a serious threat to personnel or ship safety or serious risk to the environment and requires immediate corrective action. In addition, major non-conformity includes lack of effective and systematic implementation of a requirement of the ISM Code.

Non-conformity - an observed situation where objective evidence indicates the nonfulfillment of a specified requirement.

Objective Evidence - quantitative or qualitative information, records or statements of fact pertaining to safety or to the existence and implementation of a Safety Management System element, which is based on observation, measurement or test and which can be verified.

Observation - a statement of fact made during a Safety Management Audit and substantiated by objective evidence.

Safety Management Audit -a systematic and independent examination to determine whether the Safety Management System (SMS) activities and related results comply with planned arrangements and whether these arrangements are implemented effectively and are suitable to achieve objectives.

Safety Management Certificate (SMC) - a document issued to a ship which signifies that the Company and its shipboard management operate in accordance with the approved Safety Management System.

Safety Management System (SMS)- a structured and documented system enabling Company personnel to effectively implement the Company Safety and Environmental Protection Policy.

2.0 Compliance

2.1 Mandatory Compliance Dates

The requirements of the ISM Code became mandatory for all Liberian ships and Companies operating Liberian flagships subject to the following schedule.

2.1.1 1 July 1998 - all passenger ships, and the following ship types of 500 gross tons and over: oil tankers, chemical tankers, gas carriers, bulk carriers, and cargo high-speed craft.

2.1.2 1 July 2002 - all other cargo ships and MODUs of 500 gross tons and over.

2.2 Compliance Monitoring

Compliance with the Code is closely monitored and enforced by the Administration. Ships operated by Companies that fail to comply with the ISM Code will be considered in violation of SOLAS and may be prevented from trading.

3.0 Administration Responsibilities and Authority

3.1 Responsibility

The Administration is responsible for effective enforcement of the provisions of the ISM Code and is taking an active role in the security and safety of ships flying the Liberian Flag. The Administration has trained a cadre of Liberian nautical inspectors to serve as Liberian ISM to verify compliance with the ISM Code and issue Documents of Compliance (DOC) and Safety Management Certificates (SMC) on behalf of the Administration. This cadre of Liberian ISM auditors is also specially trained to conduct verification of compliance with the International Ship and Port Facility Security (ISPS) Code and issue International Ship Security Certificate (ISSC) and will carry out Harmonized ISPS/ISM audits on Liberian flag ships, see Marine Notice ISM-003.

3.2 Delegation

IMO Resolution A.739(18), "Guidelines for the Authorization of Recognized Organizations (RO) acting on behalf of the Administrations", allows Administrations to delegate to ROs the responsibility for verifying compliance with the ISM Code and for issuing Documents of Compliance (DOC) and Safety Management Certificates (SMC) on behalf of the Administration.

In addition to the Liberian Auditors, Liberia has delegated by written agreement to certain Classification Societies the authority to verify compliance with the ISM Code and issue ISM Code documents on behalf of the Republic of Liberia. A list of the authorized RO's for the purposes of ISM Code audits can be found on LISCR website, www.liscr.com under the "Safety" tab.

3.3 Administration Rights

The Administration 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.

4.0 Responsibility of the Recognized Organization

4.1 Separation of Functions

4.1.1 In those instances where an RO provides both consulting and auditing services for ISM Code Certifications, the RO shall ensure the independence of these two functions. Auditors must be free from bias and influences which could affect objectivity. There must be a demonstrable and proven separation between personnel providing consultancy and those providing the services to the same company.

4.1.2 An RO may provide ISM Code verification services to vessels for which the RO also provides ship statutory certification services, provided, however, that the two services are performed separately and independently of one another.

4.1.3 The criterion upon which an RO agrees to provide ISM Code verification services to a Company shall not require that the RO has classed or will be classing the vessels owned or operated by the Company.

4.2 Statutory Surveys

The verification of compliance with mandatory rules and regulations, which is part of the ISM Code certification, neither duplicates nor substitutes for other surveys. The verification of compliance with the ISM Code does not relieve the Company, the Master or any other entity or person involved in the management or operation of the ship of their responsibilities.

5.0 National Requirements for an SMS by ISM Code Element

5.1 General

The Administration's policies regarding safe management and operation of ships and protection of the environment should be incorporated into the Company and shipboard SMS. The National Requirements are supplemental to the Maritime Regulations (RLM- 108) and Marine Notices contained in the Combined Publication Folder (RLM-300). The Company and shipboard SMS should ensure compliance with the National Requirements, the Maritime Regulations, and the Marine Notices.

5.2 Safety and Environmental Protection Policy

The safety and environmental protection policies required by the ISM Code must be signed by the Company's Chief Executive or other senior executive officer, and should be reviewed at regular intervals to ensure that they remain likely to achieve the objectives of the ISM Code.

5.3 Company Responsibilities and Authority

A Company who has assumed the responsibility for operation of a ship from the Shipowner should agree in writing to take over all the duties and responsibilities imposed by the Code. The owner, even if the entity responsible for the operation of a ship is other than the owner, must provide the Office of the Deputy Commissioner, Marine Safety Division, with the name, address, telephone and FAX numbers, and E-Mail address of the Company responsible for the operation of the vessel. The form RLM-297, is to be used.

5.4 Company Rights

Companies may choose the Administration's Liberian Auditor or RO's Auditor to conduct safety management audits of the Company and its ships. Choice of a Liberian Auditor or an RO is not restricted by the nationality of the ship's owner/operator, location of a Company's offices or by the classification society that classed the ships or issued the statutory certificate. The Company is responsible for arranging the safety management audits with this Administration or an RO.

Companies choosing or interested in using the Liberian Auditors should contact the Administration at ism@liscr.com for coordination. The Document of Compliance (DOC), Safety Management Certificate (SMC) will be issued by either the Administration or the RO conducting the audit on behalf of the Administration.

5.5 Designated Person(s)

In accordance with the ISM Code the Company must designate a person or persons who will be responsible for monitoring and verifying proper operation of the Safety Management System (SMS) within the Company and on each ship. The designated person(s) should have the independence and authority to report deficiencies observed to the highest level of management.

The Company must provide the Administration with the full name of the designated person(s) and current information sufficient to enable direct and immediate contact at all times between the Administration and the Company's designated person(s) as required by the ISM Code for matters relating to the SMS, maritime safety, and the protection of the marine environment. Form RLM-297 is to be used.

5.6 Master's Responsibility and Authority

5.6.1 The Liberian Maritime Law expressly prescribes to the specific Rights and Duties of the Master. The Administration also acknowledges the importance of IMO Resolution A.443 (XI), "Decisions of the Shipmaster with regard to Maritime Safety and Marine Environment Protection". The SMS should incorporate the elements of both A.443(XI) and the National Requirements.

5.5.2 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/she considers to be in the best interest of passengers, crew, cargo, the vessel and the marine environment.

5.6.3 The Company should provide the Master with documentation of the specific duties delegated to the officers under the Master's command.

5.7 Resources and Personnel

5.7.1 Company training, hiring, manning procedures, terms of employment, personnel record keeping and reporting procedures must be consistent with the requirements of the STCW Code and Liberian Maritime Regulations to ensure the use of competent qualified personnel.

5.7.2 The Company SMS should ensure that joining crew members have proper seafarers' certification including licenses, special qualification certificates, seafarers identification and record books and training as required by international conventions, the Liberian Maritime Law, the Liberian Maritime Regulations and the specifics of the publication "Requirements for Merchant Marine Personnel Certification," RLM-118.

5.7.3 The shipboard SMS should include procedures for the transfer of command, documented hand-over notes, documented duties instructions, familiarization training in accordance with Section A-I/6 of the STCW Code, 1978, as amended, for on-coming officers and crew, and on board documentation retention.

5.8 Development of Plans for Shipboard Operations

- 5.8.1 The Company shall establish procedures for the preparation of plans and instructions including checklists as appropriate for key shipboard operations concerning the safety of the ship and the prevention of pollution. The various tasks involved shall be defined and assigned to qualified personnel.
- .1 A "Master's Port Arrival/Departure Safety Check List" should be included in the shipboard SMS incorporating pre-established Company policy guidelines for "Go, No Go" situations and reporting requirements for the Master's compliance.
 - .2 The Ship's operations documentation should 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, and the safety of the vessel and the marine environment.
 - .3 The Ship's operations plans should include procedures to ensure the required Liberian annual safety inspection is conducted on time and in accordance with the Maritime Regulations and Marine Notice INS-004.
 - .4 The Ship's operations plans should incorporate the Maritime Regulations requirement for emergency drills and weekly training sessions.

5.9 Emergency Preparedness

The Company SMS must provide that statutory, Administration, or Company required emergency preparedness plans will be periodically reviewed and updated, and if necessary, re-approved by the Administration or an RO on its behalf.

5.10 Reports and Analysis of Non-Conformities, Accidents and Hazardous Occurrences

- 5.10.1 The shipboard SMS procedures for reporting accidents and incidents should incorporate the provisions of Chapter IX of the Maritime Regulations (RLM-108) which require the immediate notice and reporting of incidents to the Administration and establishes duties and responsibilities for the Company, ship officers and crew.
- 5.10.2 The Company SMS should also incorporate the provisions of Article IV and Article X of the "Rules for Marine Investigations and Hearings" (RLM-260).
- 5.10.3 The Company SMS should incorporate the provisions of Maritime Regulation 10.296 (7) on accident prevention and appointment of a safety officer.
- 5.10.4 The Company and shipboard SMS should contain procedures for immediately reporting port state detentions to the Administration.

5.11 Maintenance of the Ship and Equipment

- 5.11.1 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 surveys and ensure that the vessel's condition is satisfactorily maintained at all times.
- 5.11.2 As part of Company initiated ship safety inspections, the shipboard SMS should include reference to the Liberian annual safety inspections required by Maritime Regulation 7.191, as more fully described in Marine Notice INS-001, and use of Form No. 338-1/00, the "Operational/Safety Checklist for SOLAS 74/78", or a similar Company developed form as addressed in Marine Notice INS-004.
- 5.11.3 The Company SMS should also provide for the logging of actions or measures taken to rectify deficiencies and non-conformities noted during surveys and annual safety inspections and the giving of notification to the Administration and the designated RO of the corrective actions taken.

5.12 Documentation

Documents should be easily identified, traceable, user friendly and not so voluminous as to hinder the effectiveness of the SMS.

5.13 Company Verification, Review and Evaluation

The Company must conduct internal audits shore side and on each ship at least annually to determine whether the various elements of the Company SMS have been fully implemented and are effective in achieving the stated objectives of the Code. The internal audits are in addition to the annual, intermediate, and renewal audits carried out by the Liberian Auditor or an RO.

6.0 Verification of Compliance and Issuance of ISM Code Documents

6.1 General

- 6.1.1 Every Company must develop, implement, and maintain an SMS in accordance with the requirements of the ISM Code. The following publications provide some guidelines:
- .1 "Guidelines on the Application of the ISM Code" produced by the International Chamber of Shipping.
 - .2 "Guidance for IACS Auditors to the ISM Code" produced by the International Society of Classification Societies (presently contained in MSC 66/INF.3 Annex 1).
 - .3 "Procedures for the Control of Operational Requirements related to the Safety of vessels and Pollution Prevention" [IMO Resolution A.787 (19), as amended].

.4 "Guidelines on the Implementation of the ISM Code by Administrations" [IMO Resolution A.913(22)], and the Appendix to those Guidelines entitled, "Standards on ISM Code Certification Arrangements".

6.1.2 The publications listed above describe items to be addressed by a Company's SMS and provide guidelines for managing and preparing for ISM Code audits. IMO publications can be obtained from IMO, Publications Section, 4 Albert Embankment, London SE1 7SR, and England (Tel: +44 (0)207 735 7611 or E-mail: publications-sales@imo.org).

6.2 Liberian National Requirements for the ISM Code

The Liberian National Requirements, discussed in Section 5.0 of this Notice, are supplemental to the ISM Code and the Maritime Regulations (RLM-108) contained in the Combined Publications Folder. The National requirements must be incorporated into the Company's SMS.

6.3 Responsibility for Initial Audit

6.3.1 After developing and implementing the SMS, the Company must contact this Administration or an RO to arrange for the initial safety management audit of the Company and its vessels. Failure to conduct the initial safety management audit will be considered a violation of SOLAS, and the Company's ships may be prevented from trading.

6.4 Annual and Intermediate Verifications

6.4.1 The Company is responsible for scheduling with this Administration or an RO the annual and intermediate verifications. Failure to schedule and/or conduct annual or intermediate verifications will be considered a violation of SOLAS and the DOC and/or SMCs may be suspended or revoked.

6.4.2 The Liberian Auditor or RO may conduct additional audits on the Company SMS 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 Administration.

6.5 Renewal Audits

Renewal safety management audits are to be performed before the validity of the DOC and the SMC expires. Renewal audits may be carried out from six months before the expiry date of the DOC or the SMC and should be completed before the DOC or the SMC expires. Failure to schedule and/or conduct the renewal safety management audit will be considered a violation of SOLAS and the Company's ships may be prevented from trading.

6.6 Document of Compliance (DOC)

6.6.1 The DOC shall be issued to a Company following a satisfactory initial safety management audit by a Liberian Auditor or an RO. The initial audit should include an assessment of the Company's SMS to verify compliance with the requirements of the ISM Code and to determine if the SMS has been effectively implemented. The Company SMS should have

been in operation for at least three months ashore and at least three months on board at least one ship of each ship type operated by the Company prior to issuance of the DOC.

- 6.6.2 The DOC will not be issued until closure of all major non-conformities unless otherwise specifically authorized by the Administration.
- 6.6.3 The DOC will be valid for a period of five years and limited to specific ship types. The limitation by ship type is based upon the types of ships the company was operating when it was audited.
- 6.6.4 The validity of the DOC is subject to annual verification by a Liberian Auditor or an RO within three months before or after the anniversary date to confirm the effective functioning of the SMS.
- 6.6.5 Re-issuance of the DOC at the end of the five-year validity period will be contingent upon satisfactory completion of a renewal safety management audit. The renewal audit should include the assessment by the Liberian Auditor or an RO of all elements of the SMS and of the effectiveness of the SMS in meeting the objectives specified by the ISM Code.
- 6.6.6 A copy of the original Document of Compliance is to be retained on board by the Master and shown to demonstrate compliance. This document need not be authenticated, certified or show the annual audit dates.

6.7 Safety Management Certificate (SMC)

- 6.7.1 An SMC shall be issued to each ship following a satisfactory safety management audit of the ship by a Liberian Auditor or an RO and verification that an applicable DOC has been issued to the Company. The initial safety management audit should include an assessment of each ship to verify compliance with the requirements of the ISM Code and that the SMS has been fully implemented on board.
- 6.7.2 The SMC will not be issued until closure of all major non-conformities unless otherwise specifically authorized by the Administration.
- 6.7.3 The SMC will be valid for a period of five years.
- 6.7.4 The validity of the SMC is subject to at least one intermediate verification by the Liberian Auditor or an RO between the second and third anniversary date of the issuance of the ship's SMC. The Company is responsible for conducting internal audits, at least annually, on each ship to assess the functioning and effectiveness of the SMS on board ship.
- 6.7.5 Re-issuance of the SMC will be contingent upon the satisfactory completion of a renewal safety management audit at the end of the five-year validity period and verification that the DOC has been reissued. The renewal audit should include an assessment by the Liberian Auditor or an RO of all elements of the SMS pertaining to the ship and the effectiveness of the SMS in meeting the objectives specified by the ISM Code.

7.0 Fleets

7.1 Multi-Class Fleets

For a Company operating a fleet with vessels individually classed by one or more recognized classification societies, a single RO may, if requested by the Company, act as sole assessor in performing the verification audit and certification of the SMS for the Company and all of its vessels. The RO does not have to be the classification society for any of the vessels in the fleet.

7.2 Multi-Flag Fleets

- 7.2.1 In order to facilitate the auditing and certification process, Companies operating multi-flag fleets should propose a plan of action and request agreements by all involved flag states regarding the joint acceptance of an RO audit prior to the commencement of the audits. The plan should clearly identify the entities involved, outline how the audit will be conducted, how each flag state's national requirements will be addressed, and who will be issuing the ISM Code documents. The Company will be issued a Liberian DOC upon satisfactory completion of the review and verification. If a Company fails to reach an agreement with the flag states the following Administration procedures in sections 7.2.3 and 7.2.4 will apply.
- 7.2.2 Companies operating multi-flag fleets desiring Liberian acceptance of ISM Code audits conducted on behalf of another flag state must propose a plan of action regarding joint acceptance of the ISM Code audits by the involved flag states. The proposed plan should clearly identify the entities involved, outline how the audit will be conducted, and how each flag state's national requirements will be addressed. The proposed plan should be submitted to all involved flag states requesting their agreement to the plan for joint acceptance of the audits in order to facilitate the auditing and certification process.
- 7.2.3 If the Company operates a multi-flag fleet and already has a DOC issued by or on the behalf of another Flag State that is recognized by this Administration, the Liberian Auditor or an RO may issue an interim DOC valid for a period of up to six months subject to the Liberian Auditor or an RO reviewing and verifying to its satisfaction that the Company SMS is in compliance with the ISM Code and National Requirements within that period of validity. The Company will be issued a Liberian DOC upon satisfactory completion of the review and verification.
- 7.2.4 Each Liberian flag vessel in the multi-flag fleet will be audited by a Liberian Auditor or an RO to verify implementation of the SMS and compliance with Liberian National Requirements. Upon satisfactory completion of the audits, a Liberian SMC will be issued to each Liberian flag vessel in the multi-flag fleet. Each Liberian flag vessel in the multi-flag fleet may be issued an interim SMC valid for a period of up to six months to facilitate implementation of the SMS.

7.3 Multi-Purpose vessels

Multi-Purpose vessels carrying bulk cargos which do not meet the following ISM definition of Bulk Carrier are listed in the Registry as general cargo vessels, wood chip carriers and cement carriers.

Bulk Carrier means a ship which is constructed generally with a single deck, topside tanks and hopper side tanks in cargo space and is intended primarily to carry dry cargos in bulk, and includes such types as ore carriers and combination carriers.

8.0 Special Transitional Arrangements

8.1 Interim Certification

Interim certificates may be issued on a case-by-case basis to meet the transitional needs of the Company. Situations not meeting the descriptions found in 8.1.1 and 8.1.2, must be approved in advance by the Administration.

8.1.1 Interim DOC

An interim DOC may be issued to facilitate initial implementation of the ISM Code where a Company is newly established, or where new ship types are added to an existing DOC, or to facilitate Administration assessment and acceptance of ISM Code documents issued by another flag state.

An interim DOC, valid for no more than twelve months, may be issued to a Company following a demonstration to the designated Liberian Auditor or an RO that:

- .1 the Company has an SMS that meets the objectives of section 1.2.3 of the ISM Code; and
- .2 plans are in place to fully implement an SMS meeting all the requirements of the ISM Code within the period of validity of the Interim DOC.

8.1.2 Interim SMC

- .1 Interim Liberian SMCs may be issued to vessels, which are:
 - .1 new ships on delivery,
 - .2 when a Company takes on responsibility for the operation of a ship which is new to the Company, or
 - .3 when a ship changes flag.
- .2 The interim SMC may only be issued after the following verifications by the Liberian

Auditor or an RO:

- .1 The DOC, including interim DOC, is relevant to the type of vessel;
- .2 The SMS provided by the Company for the vessel includes the essential elements of the ISM Code and has been assessed during the audit for issuance of the DOC or demonstrated for the issuance of the Interim DOC;
- .3 The Master and relevant senior officers must be familiar with the SMS and the planned arrangements for its implementation;
- .4 Operational instructions which the Company has identified as essential to be provided to the Master prior to the vessel's first voyage under Liberian flag have, in fact, been given to the Master;
- .5 Plans for a Company audit of the vessel within three months exists; and
- .6 The relevant information on the SMS is given in a working language or languages understood by the crew of the vessel.

8.1.3 Full Term Certificates

Prior to the expiration of the interim Certificates, the Liberian Auditor or an RO may issue full term DOC/SMCs upon evidence that the SMS is fully implemented and upon closure of all major non-conformities observed in the Company SMS and on the vessel.

8.2 vessels Entering into the Registry

- 8.2.1 A Company holding a valid Liberian DOC which assumes management responsibility for a vessel type already documented in its fleet, may have a six (6) month interim SMC issued to that Ship subject to the Ship being verified by the Liberian Auditor or an RO as in compliance with provisions of Section 8.1.2 of these guidelines. The SMS must be fully implemented on board the vessel within that period. Extensions of time up to, but not exceeding, six (6) additional months may be granted by the Administration on a case-by-case basis.
- 8.2.2 A Company holding a valid Liberian DOC which assumes management responsibility for a vessel type new to its fleet, may have a six (6) month interim SMC issued to that Ship subject to both the Company SMS being verified by the Liberian Auditor or an RO as applicable to that vessel type and the Ship being verified in compliance with the provision of Section 8.1.2 of these guidelines. The SMS must be fully implemented on board the vessel within that period. Extensions of time up to, but not exceeding, six (6) additional months may be granted by the Administration on a case-by-case basis.
- 8.2.3 Bareboat registered vessels shall be subject to the provisions of Section 8.2.1 or 8.2.2 of these guideline as applicable upon entry into the registry.
- 8.2.4 The Liberian Auditor or an RO may issue a full term SMC once the Liberian Auditor or an

RO has verified compliance with the Company SMS and only upon closure of all major ISM Code non-conformities on the vessel.

8.3 Newly Formed Liberian Company

8.3.1 Newly formed Companies and vessels may be issued Interim Certificates for a period of up to twelve (12) months subject to an initial verification audit by the Liberian Auditor or an RO within that period.

8.3.2 Interim DOCs shall only be issued following the Company's demonstration to the Liberian Auditor or an RO that its SMS at least meets the objectives of Section 1.2.3 of the ISM Code. In addition, the Company must demonstrate plans for the implementation of an SMS which meets all of the requirements of the ISM Code.

8.3.3 Interim SMCs shall only be issued following the Company's demonstration to the Liberian Auditor or an RO that its vessels at least meet the objectives of Section 8.1.2 of these guidelines.

9.0 Auditing

9.1 Audit Objectives

Audits shall be designed to achieve, but not be limited to, one or more of the following purposes:

- .1 to determine whether a Company's SMS elements conform to the ISM Code;
- .2 to determine the effectiveness of the implemented SMS toward meeting the safety and environmental objectives specified in Section 1.2 of the ISM Code;
- .3 to provide the Company with the opportunity to improve upon its SMS; and
- .4 to meet applicable National Requirements.

9.2 Audit Activities

While acting in an ethical manner at all times and objectively remaining within the audit scope, a Liberian Auditor or an RO's audit activities should consist of, among other things, the following:

- .1 complying with Liberian Auditor or an RO's applicable written auditing procedures and other appropriate directives;
- .2 planning the audit and preparing working documents;
- .3 reviewing documentation on existing SMS activities to determine their adequacy;

- .4 collecting and analyzing objective evidence that is relevant and sufficient to permit conclusions to be reached regarding the Company SMS;
- .5 remaining alert to any indications of objective evidence that can influence the audit results and possibly require more extensive auditing;
- .6 clearly reporting to the Company audit results on a timely basis; and
- .7 reporting major non-conformities immediately to the Company and promptly to the Administration.

9.3 Document Review

- 9.3.1 As a basis for planning an audit, a Liberian Auditor or an RO shall review for adequacy the Company's recorded description of its methods for meeting the SMS requirements.
- 9.3.2 No further auditing shall be conducted if the review reveals that the SMS described in the documentation by the Company is not adequate to meet the requirements of the ISM Code until such time as all non-conformities are resolved to the satisfaction of the Liberian Auditor or an RO.

9.4 Audit Plans

- 9.4.1 An audit plan shall be prepared by the Liberian Auditor or an RO in consultation with the Company.
- 9.4.2 The Liberian Auditor or an RO shall design the audit plan to be flexible in order to permit changes in emphasis based on information gathered during the audit process and to permit effective use of the Liberian Auditor or an RO's resources.
- 9.4.3 The audit plan shall include the following elements:
 - .1 the audit objectives and scope;
 - .2 identification of the individuals having significant direct responsibilities regarding the objectives and scope;
 - .3 identification of reference documents such as the applicable codes and the Company's SMS;
 - .4 identification of audit team members;
 - .5 audit team assignments;
 - .6 the language of the audit;
 - .7 dates and places where audit is to be conducted;
 - .8 identification of the organizational units of the Company to be audited;

- .9 the expected time and duration for each major audit activity; and
- .10 the schedule of meetings to be held with the Company;
- .11 confidentiality requirements, if any.

9.4.4 Upon request, the audit plan shall be provided to the Administration for its review.

10.0 Non-Conformities

10.1 Non-conformity

- .1 Non-conformities are those deviations from the requirements of the ISM Code, the Administration and/or the documented SMS of a Company that pose a low level of risk to the vessel's safety, protection of the environment or integrity of the SMS. Non-conformities shall include observed situations where objective evidence indicates a minor nonfulfillment of a specified requirement that has been determined by the Liberian Auditor or an RO not to affect the ability of the management of the Company nor any of its vessels from achieving the objectives of the ISM Code.
- .2 Corrective action for non-conformities shall be completed within a time period agreed to between the Liberian Auditor or an RO and the Company which shall not exceed three (3) months from the date of issuance of a non-conformance notice. The Liberian Auditor or an RO shall confirm that the Company and/or vessel has determined and initiated appropriate corrective action to correct the non-conformities or to correct the causes of the non-conformities.
- .3 The Liberian Auditor or an RO shall advise the Administration of corrective actions requiring more than three (3) months and obtain approval for such extended time periods, as determined by the Liberian Auditor or an RO to be required, from the Administration.

10.2 Major Non-conformity

10.2.1 A major non-conformity shall mean an identifiable deviation which poses a serious threat to personnel or vessel safety or serious risk to the environment and requiring immediate corrective action. In addition, major non-conformities shall include the lack of effective and systematic implementation of the requirements of the ISM Code. Examples of specific major non-conformities are:

- .1 Operational shortcomings that would render the ship substandard as per IMO standards.
- .2 Ship hull/machinery damage, wastage or malfunction as a consequence of systemic faults in the SMS that would warrant a recommendation to withdraw a statutory certificate or suspension of the ship from class.
- .3 Absence of required Liberian licensed officers and or certified ratings as required by the Maritime Act, Liberian Minimum Safe Manning Certification and the International Convention on Standards of Training, Certification and Watchkeeping 1978, as

amended, unless the Master is in possession of a valid exemption from the Administration.

- .4 Discovery by the Liberian Auditor or an RO that there are outstanding requirements on the statutory safety certificates which, as yet, have not been dealt with within the time permitted as a result of systemic faults in the SMS.
- .5 Observation of an obvious safety or environmental violation during an audit which has not been or is not being corrected or documented.
- .6 Observation of obvious violations of the applicable ILO Convention requirements that have not been documented as waived or exempted.
- .7 Objective evidence of flagrant violations of the Liberian Safety or Pollution Prevention Laws, Liberian Maritime Regulations and Marine Notices is found, observed or brought to the attention of the Liberian Auditor or an RO.
- .8 Discovery by the Liberian Auditor or an RO auditors that ship personnel or the Company management are not aware of or have not been instructed in the provisions of the ISM Code and the SMS as well as the importance of the DOC and SMCs.
- .9 The total absence of a required SMS element or a group of non-conformities within an element.

10.2.2 Any major non-conformities found by the Liberian Auditor or an RO in the course of an audit shall be reported in writing to the Company, the Master of the vessel involved and to the Administration. Neither the DOC nor the SMC will be issued during the initial audit until all major non-conformities are corrected.

10.2.3 The Liberian Auditor or an RO shall determine the nature and extent of major non-conformities found during intermediate, renewal or additional audits and recommend to the Administration 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 SMCs of all related vessels shall also be withdrawn by the Liberian Auditor or an RO.

10.2.4 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 non-conformities shall only occur after the Liberian Auditor or an RO confirms to the Administration that there has been closure to the satisfaction of the Liberian Auditor or an RO on all outstanding non-conformities as verified by additional audit.

11.0 Certificate Withdrawal

11.1 Withdrawing Authority

Certificates may only be withdrawn by the Administration.

11.2 Reasons for Withdrawal

- .1 failure to ask for periodic or intermediate verification audits;
- .2 failure to conduct periodic or intermediate verification audits;
- .3 the Company's failure to fully implement its SMS;
- .4 the Company's failure to maintain its SMS in substantial compliance with requirements of the ISM Code;
- .5 non-conformities that remain uncorrected beyond their due date, and
- .6 the recommendation of the Liberian Auditor or an RO based upon the existence of a major non-conformity or an ineffective SMS.

11.3 Invalidation of SMCs

Withdrawal of the Company DOC invalidates the SMCs of all related vessels and those certificates shall also be withdrawn.

12.0 Verification

All verifications required by the provisions of this code should be carried out in accordance with procedures acceptable to the Administration, taking into account the guidelines developed by the IMO (See Resolution A.913(22))

13.0 Appeals

In the event a Company disagrees with a determination made by the Liberian Auditor or an RO, the Company, through its designated person, after exhausting the Liberian Auditor or an RO appeals procedures, may make a direct appeal to the Administration which will then make a final determination based upon both the substance of the appeal and the recommendations of the Liberian Auditor or an RO.

14.0 Forms of Certificates

14.1 The Document of Compliance, the Safety Management Certificate, the Interim Document of Compliance and the Interim Safety Management Certificate should be drawn up in a form corresponding to the models given in the appendix to this code. If the language used is neither English nor French, the text shall include a translation into one of these two languages.

14.2 In addition to the requirement to limit the Document of Compliance to specific ship types, the Interim Document of Compliance may be endorsed to reflect any limitations in operations of the ships described in the Safety Management System.

Draft Amendments to the International Safety Management (ISM) Code

1. The following Appendix is added to the Code:

**APPENDIX
FORMS OF DOC, SMC AND INTERIM DOC AND SMC**

DOCUMENT OF COMPLIANCE

REPUBLIC OF LIBERIA

Certificate No.



**Issued under the provisions of the
INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974, as amended**
Under the authority of the Government of
The Republic of Liberia
By the Office of the Deputy Commissioner, Bureau of Maritime Affairs

Name and address of the Company:

(see paragraph 1.1.2 of the ISM Code)

THIS IS TO CERTIFY THAT the safety management system of the Company has been audited and that it complies with the requirements of the International Management Code for the Safe Operation of Ships and for Pollution Prevention (ISM Code)* for the types of ships listed below (delete as appropriate):

Passenger ship
Passenger high-speed craft
Cargo high-speed craft
Bulk carrier
Oil tanker
Chemical tanker
Gas carrier
Mobile offshore drilling unit
Other cargo ship

This Document of Compliance is valid until subject to periodical verification.

Issued at:

Date of issue:

.....
TARTY TEH
DEPUTY COMMISSIONER OF MARITIME
AFFAIRS OF LIBERIA

* Adopted by the Organization by resolution A.741(18).

Certificate No.

ENDORSEMENT FOR ANNUAL VERIFICATION

THIS IS TO CERTIFY THAT, at the periodical verification in accordance with regulation IX/6.1 of the Convention and paragraph 13.4 of the ISM Code, the safety management system was found to comply with the requirements of the ISM Code.

1st ANNUAL VERIFICATION

Signed:
(Signature of authorized official)

Place:

Date:

2nd ANNUAL VERIFICATION

Signed:
(Signature of authorized official)

Place:

Date:

3rd ANNUAL VERIFICATION

Signed:
(Signature of authorized official)

Place:

Date:

4th ANNUAL VERIFICATION

Signed:
(Signature of authorized official)

Place:

Date:

SAFETY MANAGEMENT CERTIFICATE

REPUBLIC OF LIBERIA

Certificate No.



Issued under the provisions of the
INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974, as amended
Under the authority of the Government of
The Republic of Liberia
By the Office of the Deputy Commissioner, Bureau of Maritime Affairs

Name of ship:

Distinctive number or letters:

Port of registry

MONROVIA, LIBERIA

Type of ship*

Gross tonnage

IMO Number

Name and address of Company

(see paragraph 1.1.2 of the ISM Code)

THIS IS TO CERTIFY THAT the safety management system of the ship has been audited and that it complies with the requirements of the International Management Code for the Safe Operation of Ships and for Pollution Prevention (ISM Code), following verification that the Document of Compliance for the Company is applicable to this type of ship.

This Safety Management Certificate is valid until _____, subject to periodical verification and the Document of Compliance remaining valid.

Issued at:

Date of issue:

.....
Tarty Teh
DEPUTY COMMISSIONER OF MARITIME
AFFAIRS OF LIBERIA

* Insert the type of ship from among the following: passenger ship; passenger high-speed craft; cargo high speed craft; bulk carrier; oil tanker; chemical tanker; gas carrier, mobile offshore drilling unit; other cargo ship.

Certificate No.

**ENDORSEMENT FOR PERIODICAL VERIFICATION AND
ADDITIONAL VERIFICATION (IF REQUIRED)**

THIS IS TO CERTIFY THAT, at the periodical verification in accordance with regulation IX/6.1 of the Convention and paragraph 13.8 of the ISM Code, the safety management system was found to comply with the requirements of the ISM Code.

INTERMEDIATE VERIFICATION

(to be completed between the second
and third anniversary date)

Signed:

(Signature of authorized official)

Place:

Date:

ADDITIONAL VERIFICATION*

Signed:

(Signature of authorized official)

Place:

Date:

ADDITIONAL VERIFICATION*

Signed:

(Signature of authorized official)

Place:

Date:

ADDITIONAL VERIFICATION*

Signed:

(Signature of authorized official)

Place:

Date:

* If applicable. Reference is made to Resolution A.788(19), Paragraph 3.2.3.

INTERIM DOCUMENT OF COMPLIANCE



REPUBLIC OF LIBERIA

Certificate No. I

Issued under the provisions of the
INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974, as amended
Under the authority of the Government of
The Republic of Liberia
By the Office of the Deputy Commissioner, Bureau of Maritime Affairs

Name and address of the Company:

(see paragraph 1.1.2 of the ISM Code)

THIS IS TO CERTIFY THAT the safety management system of the Company has been recognized as meeting the objectives of paragraph 1.2.3 of the International Management Code for the Safe Operation of Ships and for Pollution Prevention (ISM Code) for the type(s) of ships listed below (delete as appropriate):

Passenger ship
Passenger high-speed craft
Cargo high-speed craft
Bulk carrier
Oil tanker
Chemical tanker
Gas carrier
Mobile offshore drilling unit
Other cargo ship

This Interim Document of Compliance is valid until

Issued at:

Date of issue:

.....
TARTY TEH
DEPUTY COMMISSIONER OF MARITIME
AFFAIRS OF LIBERIA

INTERIM SAFETY MANAGEMENT CERTIFICATE



REPUBLIC OF LIBERIA

Certificate No. I

Issued under the provisions of the
INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974, as amended
Under the authority of the Government of
The Republic of Liberia
By the Office of the Deputy Commissioner, Bureau of Maritime Affairs

Name of ship:

Distinctive number or letters:

Port of registry

MONROVIA, LIBERIA

Type of ship*

Gross tonnage

IMO Number

Name and address of Company

(see paragraph 1.1.2 of the ISM Code)

THIS IS TO CERTIFY THAT the requirements of paragraph 14.4 of the ISM Code have been met and that the Document of Compliance/Interim Document of Compliance of the Company is relevant to the ship.

This Interim Safety Management Certificate is valid until:

Issued at:

Date of Issue:

.....
LIBERIAN AUDITOR ON BEHALF OF DEPUTY
COMMISSIONER OF MARITIME AFFAIRS OF LIBERIA

The validity of this Interim Safety Management Certificate is extended to:

Date of Extension:

.....
LIBERIAN AUDITOR ON BEHALF OF DEPUTY
COMMISSIONER OF MARITIME AFFAIRS OF LIBERIA

* Insert the type of ship from among the following: passenger ship; passenger high-speed craft; cargo high speed craft; bulk carrier; oil tanker; chemical tanker; gas carrier, mobile offshore drilling unit; other cargo ship.