

GUIDELINES

ON CERTIFICATION OF THE SAFETY MANAGEMENT SYSTEMS FOR COMPLIANCE WITH THE REQUIREMENTS OF THE ISM CODE AND OF THE SHIPS FOR COMPLIANCE WITH THE REQUIREMENTS OF THE ISPS CODE AND MLC

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**GUIDELINES ON CERTIFICATION OF THE SAFETY MANAGEMENT SYSTEMS
FOR COMPLIANCE WITH THE REQUIREMENTS OF THE ISM CODE
AND OF THE SHIPS FOR COMPLIANCE WITH THE REQUIREMENTS
OF THE ISPS CODE AND MLC**

The present version of the Guidelines on Certification of the Safety Management Systems for Compliance with the Requirements of the ISM Code and of the Ships for Compliance with the Requirements of the ISPS Code and MLC of Russian Maritime Register of Shipping (RS, the Register) has been approved in accordance with the established approval procedure and comes into force on 1 May 2025.

The present version is completely revised based on the Guidelines on Certification of the Safety Management Systems in Compliance with the Requirements of the ISM Code and of the Ships in Compliance with the Requirements of the ISPS Code (version dated 15 May 2023), and taking into account the inclusion of the MLC requirements as well as the amendments and additions developed immediately before publication (refer to the [Revision History](#)).

REVISION HISTORY¹

Item	Description		Remarks
Para 4.7.4.3.9	Introduction of amendments based on the results of the 2025 IACS QSC Head Office audit.		Editorial amendment of 16.12.2025 is applied from 01.01.2026
	As was	As is	
	checking of fulfillment of all elements of the ISM Code during scheduled audits (initial, intermediate, annual and renewal) and all aspects of the management of shipboard safety and pollution prevention (refer to 4.8.2.3);	checking of fulfillment of all elements of the ISM Code during scheduled audits (initial, intermediate, annual and renewal) and all aspects of the management of shipboard safety and pollution prevention (refer to 4.8.2.3), including monitoring the actions of the ship's crew and/or shore personnel of the Company as part of a training drill (if necessary). Training drill types shall not be specified in the Plan;	
Appendix 1, Table, item 2, column "Scenario"	As was	As is	Editorial amendment of 30.10.2025 is applied from 01.01.2026
	Change to RO from a Classification Society not holding a QSCS certificate	Change to RO from a Classification Society not subject to verification of compliance with IACS QSCS in accordance with Section 5 of Annex 1 to the IACS QSCS	
Appendix 2, Table, item 6, column "Scenario"	Change to RO from a Classification Society not holding a QSCS certificate	Change to RO from a Classification Society not subject to verification of compliance with IACS QSCS in accordance with Section 5 of Annex 1 to the IACS QSCS	
Appendix 3, Table, item 4, column "Scenario"	Takeover of certification from an organization not holding a QSCS certificate ¹	Takeover of certification from an organization not subject to verification of compliance with IACS QSCS in accordance with Section 5 of Annex 1 to the IACS QSCS ¹	

¹ With the exception of amendments and additions introduced by Rule Change Notices, as well as of misprints and omissions.

*Guidelines on Certification of the Safety Management Systems for Compliance
with the Requirements of the ISM Code and of the Ships for Compliance
with the Requirements of the ISPS Code and MLC*

Item	Description		Remarks
Para 4.7.4.3.9	Introduction of amendments based on the results of the 2025 IACS QSC Head Office audit.		Editorial amendment of 16.12.2025 is applied from 01.01.2026
	As was	As is	
Appendix 9, Table, item 4, column "Scenario"	Takeover from RO not holding a QSCS certificate	Takeover from an organization not subject to verification of compliance with IACS QSCS in accordance with Section 5 of Annex 1 to the IACS QSCS	
Paras 4.9.1.4, 4.9.1.6, Note 15 to Para 4.9.2.1, Para 4.9.2.2, Note 39 to APPENDIX 7	Specifications introduced based on the amendments to the IACS Procedural Requirements No. 9 entering in force from 01.02.2026		Editorial amendment of 23.01.2026 is applied from 01.02.2026

1 SCOPE OF APPLICATION

1.1 The Guidelines on Certification of the Safety Management Systems¹ for Compliance with the Requirements of the ISM Code² and of the Ships for Compliance with the Requirements of the ISPS Code³ and MLC^{4, 5} contain the basic requirements for certification of the Company/ships SMS (ISM Code audit), the ship security system (ISPS Code audit) as well as the working and living conditions of seafarers (MLC inspection), established by IMO⁶, IACS⁷, ILO⁸ and RS.

1.2 The Guidelines contain requirements for the Companies, which operate the ships, specified in Regulation 2.1 of Chapter IX and Regulation 2.1 of Chapter XI-2 of the International Convention for the Safety of Life at Sea, 1974, as amended by the Protocol of 1978 and 1988⁹, regardless of their date of construction.

1.3 The Guidelines is a normative document for the ISM Code auditors/Marine Management Systems (MMS) auditors/MLC inspectors (hereinafter referred to as "the RS auditor/RS inspector").

¹ Hereinafter referred to as "SMS".

² The International Management Code for the Safe Operation of Ships and for Pollution Prevention, as amended.

³ The International Code for the Security of Ships and Port Facilities.

⁴ The Maritime Labour Convention, 2006.

⁵ Hereinafter referred to as "the Guidelines".

⁶ International Maritime Organization.

⁷ International Association of Classification Societies.

⁸ International Labour Organization.

⁹ Hereinafter referred to as "SOLAS 74 as amended".

2 LIST OF THE APPLICABLE INTERNATIONAL CONVENTIONS, CODES, RESOLUTIONS, PROCEDURAL REQUIREMENTS AND IACS RECOMMENDATIONS¹

The following documents were used for development of the Guidelines:

International Convention for the Safety of Life at Sea, 1974, as amended by the Protocol of 1978 and 1988, refer to Chapter IX "Management for the safe operation of ships", Chapter XI-1 "Special measures to enhance maritime safety" and Chapter XI-2 "Special measures to enhance maritime security";

International Management Code for the Safe Operation of Ships and for Pollution Prevention, as amended;

International Ship and Port Facility Security Code;

Maritime Labour Convention, 2006;

Procedural Requirements² for ISM Code Certification (Rev.4 Oct 2020)³;

Procedural Requirements for ISPS Code Certification (Rev.2 May 2019)⁴;

Procedural Requirements for MLC, 2006 Certification (Rev.1 Apr 2019)⁵;

Guidance for Auditors to the ISM Code (Rev.5 Oct 2019)⁶.

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¹ The documents specified in this Section and further in the text are available on the IMO/IACS official websites.

² Hereinafter referred to as "PR"

³ Hereinafter referred to as "IACS PR No. 9".

⁴ Hereinafter referred to as "IACS PR No. 24".

⁵ Hereinafter referred to as "IACS PR No. 40".

⁶ Hereinafter referred to as "IACS Recommendation No. 41".

3 TERMS. DEFINITIONS. ABBREVIATIONS

3.1 The terms, definitions and abbreviations used in the text of these Guidelines are given in the documents used for development of the Guidelines. Some of abbreviations are given below:

NCR / FR / DN	—	Non-Conformity Report (ISM Code) / Failure Report (ISPS Code) / Deficiency Note (MLC).
RHO	—	Head Office of Russian Maritime Register of Shipping.
RA	—	Remote audit (ISM Code).
CSO	—	Company Security Officer.
AA / AI	—	Additional audit (ISM Code/ISPS Code) / Additional inspection (MLC).
DOC	—	Document of Compliance.
DMLC	—	Declaration of Maritime Labour Compliance.
MLC Statement of Compliance	—	Statement of Compliance for Maritime Labour Convention.
ACS	—	Another Classification Society (in addition to RS).
CS	—	Classification society — IACS member.
MA	—	Flag Administration (Maritime Administration).
ND	—	Normative document.
DPA	—	Designated Person Ashore.
SSA	—	Ship Security Assessment.
CAP	—	Corrective Actions Plan.
RO	—	Recognized Organization.
SSP	—	Ship Security Plan.
PAL	—	Ship Security Plan Approval Letter.
QSCS	—	Quality Management System Certification Scheme.
IACS PR	—	IACS Procedural Requirement.
SMC	—	Safety Management Certificate.
ISSC	—	International Ship Security Certificate.
MLCt	—	Maritime Labor Certificate.
MNC / MF / SD	—	Major Non-conformity (ISM Code) / Major Failure (ISPS Code) / Serious Deficiency (MLC).
SSAS	—	Ship Security Alert System.
SSAS SC	—	Self-Contained Ship Security Alert System.
SMS	—	Safety Management System (within the ISM Code terms).
FSI	—	Flag State Inspection (Inspection of a ship by the Maritime Flag Administration).
OBO	—	OIL / BULK / ORE (OBO) CARRIER.
PSC	—	Port State Control.
PSCO	—	Port State Control Officer.

4 PROCEDURAL REQUIREMENTS FOR THE ISM CODE CERTIFICATION

4.1 APPLICATION¹

4.1.1 This Section is based on IACS PR No 9 "Procedural Requirements for ISM Code Certification".

Note 1. In order to facilitate usage of the primary source, this Section contains references (in a form of footnotes) to the main requirements of the original English version of IACS PR No. 9. Some of IACS PR No. 9 requirements are completed with the effective RS requirements.

¹ Also refer to Section "INTRODUCTION" and 1.2 "Scope and Application" of IACS PR No. 9.

4.2 PURPOSE OF AN AUDIT

4.2.1 The purpose of an audit is to verify that¹:

- .1** the SMS complies with the requirements of the ISM Code;
- .2** the SMS is being implemented effectively and in such a way as to ensure that the objectives of the ISM Code are met.

4.2.2 The audit is based upon a sampling process. Where no non-conformities/major non-conformities have been reported, it shall not be assumed that none exists².

4.2.3 The ISM Code audit does not duplicate and it shall not be considered a substitute for other types of inspections/verifications including classification and statutory surveys. The RS auditor shall be guided by the relevant documents, issued to the Company and to the ship upon results of other surveys and shall accept them as a confirmation of compliance with the other obligatory requirements.

¹ Refer to 2.2.1 of IACS PR No. 9.

² Refer to 2.2.3 of IACS PR No. 9.

4.3 COMPANY RESPONSIBILITIES PERTAINING TO SAFETY MANAGEMENT AUDITS¹

4.3.1 The verification of compliance with the requirements of the ISM Code does not relieve the Company, its management, officers or seafarers of the obligation to comply with national and international legislation related to safety and protection of the environment.

4.3.2 The Company is responsible for:

.1 informing relevant employees or organizational units about the objectives and scope of the audit;

.2 appointing responsible members of staff to accompany the RS auditor(s);

.3 providing the resources needed by the RS auditor(s) to ensure an effective and efficient verification process;

.4 providing objective evidence as requested by the RS auditor(s);

.5 co-operating with the RS auditor(s) to ensure that the audit objectives are achieved;

.6 informing RS about significant changes to the SMS, which may need an additional audit by RS. These include major restructuring of the system (for example, the establishment of Branch Offices) and changes in the operations that introduce new hazards;

.7 requesting additional audit, when required.

4.3.3 All records having the potential to facilitate verification of compliance with the ISM Code shall be open to scrutiny during an audit. For this purpose, the Company shall provide the RS auditors with statutory and classification records relevant to its ships, including statutory and classification records, issued by ACS, RO or MA. In this regard, records may be examined to substantiate their authenticity and veracity².

4.3.4 The Company shall immediately notify its affected ships of that its DOC is withdrawn³.

4.3.5 For the Company's obligations in relation to elimination of non-conformities refer to [4.9.1.6](#).

¹ Refer to 3.9 of IACS PR No. 9.

² Refer to 2.2.2 of IACS PR No. 9.

³ Refer to 3.12.1 of IACS PR No. 9.

4.4 THE RS RESPONSIBILITIES

4.4.1 Criteria for verification of compliance with the requirements of the ISM Code shall be in accordance with the applicable sections of IMO resolution A.1188(33) "2023 Guidelines on Implementation of the International Safety Management (ISM) Code by Administrations", and IMO resolution A.741(18) "International Management Code for the Safe Operation of Ships and for Pollution Prevention (International Safety Management (ISM) Code)", as amended¹.

4.4.2 The ISM Code audits shall be carried out by the RS auditors having practical knowledge of the ISM Code certification procedures and practices and qualification and experience appropriate for the size and complexity of the Company or ship to be audited².

¹ Refer to 2.1.1 of IACS PR No. 9.

² Refer to 2.1.4 of IACS PR No. 9.

4.5 RESPONSIBILITIES OF THE RS AUDIT TEAM¹

4.5.1 The RS auditor is responsible for:

- .1** planning and carrying out assigned responsibilities effectively and efficiently;
- .2** complying with the applicable requirements and other appropriate directives;
- .3** reporting any major obstacles encountered in performing the audit;
- .4** organizing specialist technical assistance required to fulfil the competence requirements of the audit when necessary;
- .5** clearly communicating non-conformities and observations to the Company or shipboard management immediately;
- .6** reporting the full audit results clearly, conclusively and without undue delay;
- .7** making the audit report available to the Company or shipboard management;
- .8** verifying the effectiveness of corrective actions taken by the Company.

4.5.2 Documents and information pertaining to the certification shall be treated in confidence.

4.5.3 An ISM Code auditor identifying a technical deficiency shall:

- .1** establish if the Company has taken appropriate action to correct the technical deficiency and in each case has notified:
RS Branch Office for in-service supervision when the ship is classed by RS, or
CS or MA responsible for the ship survey.

Note 2. Information on the technical deficiency shall be sent by the means official correspondence, shall be complete, shall be arranged in an easy to understand form and include data on the Company actions to correct the technical deficiency;

- .2** establish whether the technical deficiency is a symptom of a major non-conformity in SMS and act in compliance with [4.9.2](#).

¹ Refer to 3.10 of IACS PR No. 9.

4.6 THE AUDIT PROCEDURE

4.6.1 Interim verification for the issue of an Interim DOC to a Company.

4.6.1.1 The procedure and principles of issuing Interim DOC are described in 14.1 of Part B of the ISM Code¹.

4.6.1.2 An Interim DOC may be issued in the following cases:

- .1** the Company newly established or;
- .2** the Company takes into operation a ship of a new type. In this case the existing Document of Compliance shall be completed with new ship types (refer to [Appendix 1, scenario 3](#) of Company audit) after checking, that the Company has the safety management system, compliant with purposes specified in 1.2.3 of the ISM Code, provided that that the Company shall demonstrate SMS implementation plans, compliant with all the requirements of these Code within the period of validity of the Interim Document of Compliance.

4.6.1.3 During RS verification for the issue of an Interim DOC, the Company shall demonstrate the following:

- .1** compliance with the Company term definition (refer to Regulation 1 of Chapter IX of SOLAS 74 as amended);
- .2** legal aspects of taking a ship/ships into operation, for example, compliance with the requirements of the national laws / intention of ship acquisition;
- .3** compliance with the requirements of Section 3 of the ISM Code Part A;
- .4** plans for implementation of all the ISM Code provisions in the shore-based divisions of the Company and on the declared ships.

4.6.1.4 Audit for the issue of an Interim DOC includes review of the Company SMS documents² (refer to [4.6.2](#)). Interim DOC may be issued upon satisfactory results³ of the SMS documents review and drawing-up of the relevant records, refer to [4.6.2.3](#).

4.6.1.5 Upon SMS audit of the Company's shore-based divisions and upon verification, that Company SMS complies with the purposes, specified in 1.2.3 of the ISM Code for the specified types of ships, RS can issue one of the following Interim DOC forms (refer to [4.7.2](#)):

- .1** Interim DOC on the RS blank form (form 8.1.2);
- .2** Interim DOC on the blank form of the appropriate MA;
- .3** Interim DOC on the RS blank form for a Company operating the ships which are not covered by the provisions of SOLAS 74 as amended (form 8.1.2-2).

¹ Refer to 3.2.1 of IACS PR No. 9.

² Refer to 3.2.1 of IACS PR No. 9.

³ No major non-conformities identified.

4.6.1.6 Example of general structural diagram of conducting audit to issue Interim DOC:

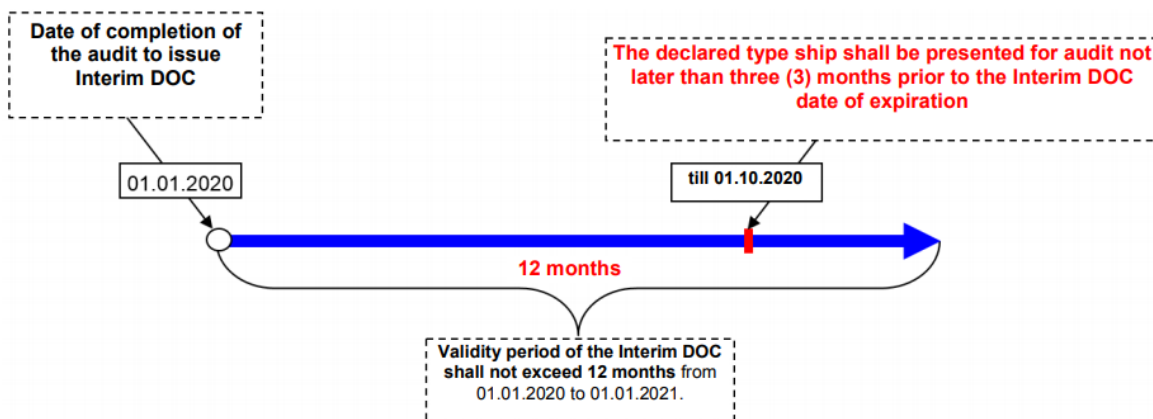


Fig. 4.6.1.6

4.6.1.7 Interim DOC shall be issued for a period not exceeding twelve (12) months (refer to 14.1, Part B of the ISM Code).

Interim DOC with a shorter validity period can be issued by the RS auditor, if, in compliance with an agreement between RS and MA, the Flag Administration issues an Interim DOC for a period not exceeding twelve (12) months itself¹. In this case, unless otherwise specified by MA, Interim DOC with a validity period not exceeding five (5) months can be issued by the RS auditor.

4.6.1.8 Upon receipt of the Interim DOC the Company may submit its ships of types declared for issue of an Interim SMC. Ships of the type declared by the Company and specified in the Interim DOC shall be submitted for issue of the Interim SMC not later than three (3) months prior to the Interim DOC expiry date considering the following:

.1 initial SMS verification of the Company to issue DOC shall include check of the Company SMS operation for at least three (3) months on board of at least one ship of each type, declared by the Company (refer to 4.6.4)².

4.6.1.9 The Company shall make available copies of the Interim DOC to each its shore-based division / Branch Office and each ship covered by the SMS³.

Authenticity confirmation / endorsement of the Interim DOC copy is not required (refer to the last sentence of 14.1.2, Part B of the ISM Code).

4.6.2 Review of the Company SMS documents as a part of verification for the issue of an Interim DOC to the Company.

4.6.2.1 Together with the audit request for the issue of an Interim DOC, the Company shall provide the RS Branch Office with the following documents in electronic format:

- .1 request for SMS documentation review as per form 8.1.5-1 (refer to 4.7.1.1);
- .2 SMS documentation incorporating all key aspects of the ISM Code.

At the request of the Company, the SMS documentation may be reviewed by the RS auditor at the Company office, for example, when the documentation has been developed as a software and cannot be submitted to RS together with the request.

¹ By analogy with 3.1.1.3 of IACS PR No. 9.

² Refer to 3.2.2 of IACS PR No. 9.

³ By analogy with 3.1.1.2 of IACS PR No. 9.

In this case sufficient time shall be scheduled by the RS auditor to review the SMS documentation of the Company."

4.6.2.2 Implementation and compliance with the requirements specified in SMS documentation shall be verified only during the ISM Code audit of a Company / ship.

4.6.2.3 The following documents are available to record the results of SMS documents review:

- .1 Report (form 8.1.9);
- .2 Audit Check-List on Company's SMS Documentation Review (form 8.1.6-5);
- .3 if during the review of SMS documents non-conformities to the applicable ISM Code are identified, they shall be recorded in NCR (form 8.1.8).

4.6.3 Review of amendments to the Company's SMS documentation.

4.6.3.1 Verification of available amendments introduced to the Company's SMS documentation, e.g. in the Safety Management Manual and List of the Company's SMS documents shall be performed within the framework of initial, annual, renewal SMS audits of the Company, as well as the additional audits related to the review of the SMS documentation amended (refer to [scenario 6 of Appendix 1](#)).

4.6.3.2 While reviewing the amendments, the RS auditor shall verify the following, but not limited to:

- .1 implementation of the Company's procedures related to introducing amendments;
- .2 availability of amendments in the Company's Safety Management Manual and List of the Company's SMS;
- .3 whether the amendments were reviewed and approved by the authorized officer of the Company;
- .4 changes in SMS comply with the ISM Code requirements;
- .5 familiarization of the Company's/ship's employees involved in SMS with the amendments thereto.

4.6.3.3 The evidence of reviewing the amendments to the Company's SMS documentation shall be issued as follows:

- .1 note on the review of amendments shall be recorded in the Report (form 8.1.9) and SMS Audit Check-List (for the Company) form 8.1.6-1;
- .2 if during the review of amendments the non-conformities to the applicable ISM Code are identified, they shall be recorded in NCR (form 8.1.8).

4.6.4 Initial verification for the issue of a DOC to a Company.

4.6.4.1 Alternatively to an Interim DOC, a DOC certifies full compliance of the Company's SMS with the applicable requirements of the ISM Code.

4.6.4.2 A DOC shall be issued to a Company following an initial or renewal verification of compliance with the requirements of the ISM Code¹.

4.6.4.3 Initial verification for the issue of a DOC to a Company consists of the following steps²:

- .1 review of any changes made to the documented SMS since the Interim DOC was issued.

Note 3. Non-conformities, recorded upon the results of SMS documents review shall be corrected prior to the initial audit (refer to [4.6.2.3.3](#)).

.2 verification of the effective functioning of the SMS, including objective evidence that the Company's SMS has been in operation for at least three (3) months on board at least one

¹ Refer to 3.1.1.1 of IACS PR No. 9.

² Refer to 3.2.2 of IACS PR No. 9.

ship of each type operated by the Company. The objective evidence shall include records from the internal audits performed by the Company ashore and on board and the statutory and classification records for at least one ship of each type operated by the Company.

4.6.4.4 The objective evidence of the SMS functioning on board at least one ship of each type operated by the Company, shall include the following:

- .1 fulfillment of all the SMS implementation plan items;
- .2 performance of all key shipboard operations in full scope;
- .3 conducting of training drills

4.6.4.5 Upon the results of the initial SMS audit of the Company's shore-based divisions, provided that compliance of the Company's SMS to the requirements of the International Management Code for the Safe Operation of Ships and for Pollution Prevention (ISM Code) for the specified types of ships is certified, RS can issue one of the following DOC forms (refer to 4.7.2):

- .1 DOC on the RS blank form (form 8.1.1);
- .2 DOC on the blank form of the relevant MA;
- .3 DOC on the RS blank form for a Company operating the ships which are not covered by the provisions of SOLAS 74 as amended (form 8.1.1-2).

4.6.4.6 Example of general structural diagram of conducting audits to issue a DOC:

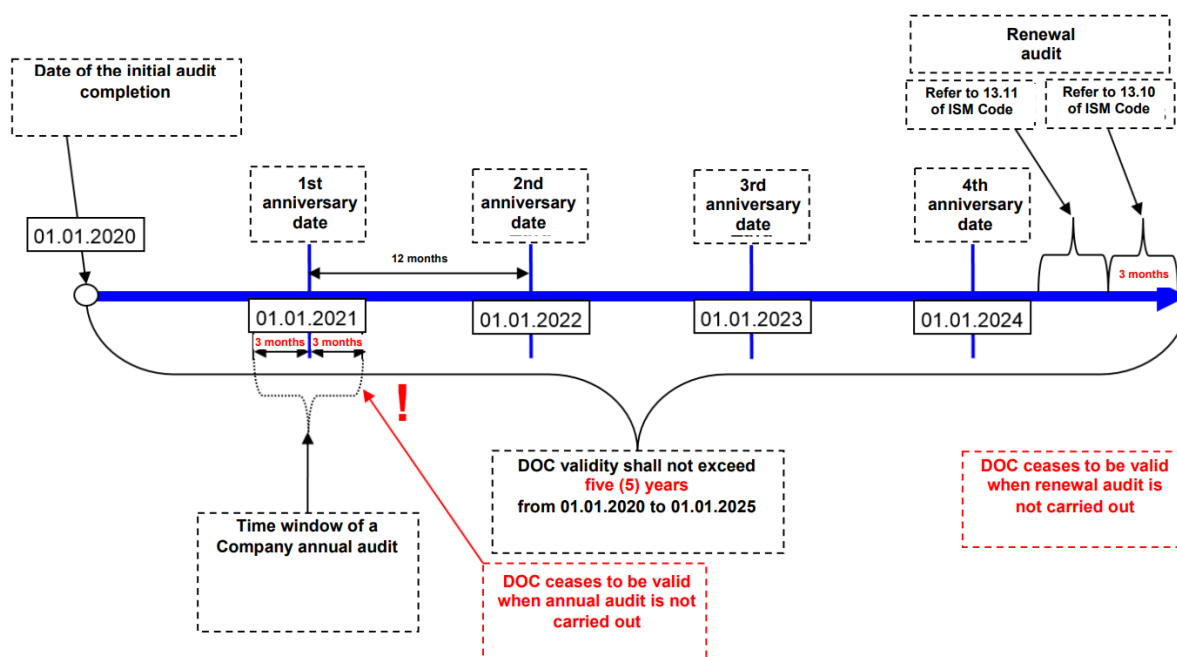


Fig. 4.6.4.6

4.6.4.7 DOC shall be issued with a validity period not exceeding five (5) years (refer to 13.2, Part A of the ISM Code).

DOC with a shorter validity period shall be issued by the RS auditor in the following cases:

- .1 if, in compliance with an agreement between RS and MA, the Flag Administration can issue a DOC for a period not exceeding five (5) years itself¹. In this case, unless otherwise specified by MA, DOC with a validity period not exceeding five (5) months shall be issued by the RS auditor;

¹ Refer to 3.1.1.3 of IACS PR No. 9.

.2 if upon results of the Company initial audit the non-conformities are reported, the RS auditor shall issue DOC with a validity period not exceeding five (5) months. Herewith, DOC with a validity period not exceeding five (5) years can be issued only when the following conditions are met:

Company has informed the RS Branch Office responsible for control of the CAP implementation on elimination of non-conformities;

upon satisfactory results of verification by the responsible RS Branch Office of the records issued upon the results of the Company initial audit.

4.6.4.8 Upon receipt of the DOC, the Company may submit ships of declared types for issue of a SMC with validity period not exceeding five (5) years.

4.6.4.9 According to the provisions specified in 13.4, Part B of the ISM Code, "The validity of a Document of Compliance shall be subject to annual verification...". Such verifications are called "annual audits" and carried out "within three months before or after the anniversary date". Such a period is called "time window" of an annual audit. For a five-year period of DOC validity the Company's shore-based divisions shall be subject to four annual audits.

Anniversary date means the day and month of each year that corresponds to the date of expiry of the relevant document (refer to 1.1.11, Part A of the ISM Code).

4.6.4.10 Upon expiry of a DOC validity, the Company SMS renewal audit shall be performed for its renewal (refer to 13.1 — 13.11, Part B of the ISM Code).

4.6.4.11 The Company shall make available copies of the DOC (with endorsement notes, if applicable) to each shore-based division/Branch Office and each ship covered by the SMS¹.

Authenticity confirmation / endorsement of the DOC copy is not required (refer to the last sentence of 13.6, Part B of the ISM Code).

4.6.5 Annual verification and renewal of DOC.

4.6.5.1 The purpose of these audits is, inter alia, to verify the following²:

- .1** effective functioning of the SMS;
- .2** compliance of any modifications made to the SMS with the requirements of the ISM Code (refer to [4.6.3](#));
- .3** implementation of corrective actions (refer to [4.9.1.6](#));
- .4** availability of statutory and classification certificates, and that no surveys are overdue, refer to [4.8.2.10](#).

4.6.5.2 The statutory and classification certification for at least one ship of each type identified on the DOC shall be verified (refer to [4.8.2.10](#))³.

4.6.5.3 Requirements for annual DOC verification are specified in 13.4, Part B of the ISM Code.

4.6.5.4 Requirements for renewal of the DOC are specified in 13.10 — 13.11, Part B of the ISM Code.

4.6.5.5 Upon the results of the renewal SMS audit of the Company's shore-based divisions, provided that compliance of the Company SMS to the requirements of the International Management Code for the Safe Operation of Ships and for Pollution Prevention (ISM Code) for the specified types of ships is certified, RS can issue DOC for the following five (5) years, however:

- .1** when the renewal verification is completed more than three (3) months before the expiry date of the existing DOC, the new DOC shall be valid from the date of completion

¹ Refer to 3.1.1.2 of IACS PR No. 9.

² Refer to 3.3.1 of IACS PR No. 9.

³ Refer to 3.3.2 of IACS PR No. 9.

of the renewal verification for a period not exceeding five (5) years from the date of completion of the renewal verification (refer to 13.11, Part B of the ISM Code);

.2 when the renewal verification is completed within three (3) months before the expiry date of the existing DOC, the new DOC shall be valid from the date of completion of the renewal verification for a period not exceeding five (5) years from the expiry date of the existing DOC (i.e. shall have the same anniversary date, refer to 13.10, Part B of the ISM Code introduced by IMO resolution MSC.104(73)).

4.6.6 Company Branch Office verification. General¹.

4.6.6.1 Where a Company assigns SMS responsibilities to its Branch Offices, the verification shall include a representative sample of those offices. The sample selected shall be sufficient to ensure that all elements of the SMS and all requirements of the ISM Code can be assessed.

4.6.6.2 The audit of each Branch Office shall address each requirement of the ISM Code relevant to that office.

4.6.6.3 The Company shall have performed internal audits of all Branch Offices and relevant records shall be made available to the RS auditors.

4.6.6.4 Where the Company assigns SMS responsibilities to Branch Offices, the list of Branch Offices shall be indicated in an attachment to the DOC (form 8.1.1-1).

Also, the Branch Offices shall be included into SMS structure with description of their functions.

4.6.7 Company Branch Office verification within the initial Company DOC audit.

4.6.7.1 Where the same activities are performed by all Branch Offices, the number of Branch Offices subject to be verified is:

.1 two if the total number of Branch Offices is two or three;

.2 three if the total number of Branch Offices is from four to six; and to be agreed if the total number of Branch Offices is more than six.

.3 to be agreed if the total number of Branch Offices is more than six.

4.6.7.2 Where different activities are performed by Branch Offices, the number of Branch Offices performing the same activities to be verified is:

.1 two if the total number of Branch Offices performing the same activities is two or three;

.2 three if the total number of Branch Offices performing the same activities is from four to six; and

.3 to be agreed if the total number of Branch Offices performing the same activities is more than six.

4.6.7.3 Notwithstanding the above, if a Company nominates some office as its Head Office, it shall be audited as part of the initial verification.

4.6.8 Company Branch Office verification within the annual DOC audit.

4.6.8.1 Annual audit of the Company shall ensure that all its Branch Offices are visited during the period of validity of the DOC. The audit of the Branch Offices shall be agreed with the Company. The frequency of Branch Office audits shall be determined based on the nature and extent of the activities undertaken by each Branch Office.

4.6.8.2 If an additional Branch Office is included in the Company in its SMS during the period of validity of the DOC, it shall be verified not later than at the next scheduled verification at which time this additional Branch Office shall be added to Attachment to the Document of Compliance (form 8.1.1-1).

¹ Refer to Annex 1 to IACS PR No. 9.

4.6.9 Organization of the Company and its Branch Offices audits.

4.6.9.1 The RS Branch Office responsible for the Company supervision shall be responsible for organization and control of the Company audits and its Branch Office audits. The Head Office of the Company in this case shall be audited the last.

4.6.9.2 The audit of the Company office location shall be performed by the RS Branch Office in which area of activity the Branch Office is upon the individual request.

4.6.10 Interim verification for the issue of an Interim SMC for a ship.

4.6.10.1 The procedure and principles of issuing Interim SMC are described in 14.2 – 14.4 of Part B of the ISM Code.

4.6.10.2 An Interim SMC may be issued in the following cases:

- .1 for new ships vessels upon their delivery;
- .2 when a Company takes responsibility over operation of a vessel, which is new for the Company;
- .3 when a ship changes the flag.

4.6.10.3 During RS verification for the issue of an Interim SMC the Company shall demonstrate the following:

- .1 legal aspects of taking a ship/ships into operation, for example, compliance with the national law requirements;
- .2 compliance with the requirements of Section 3, Part A of the ISM Code;
- .3 implementation plans for all the ISM Code provisions on the declared ships.

4.6.10.4 During Interim SMC audits carried out by RS, it is necessary to verify the following:

- .1 DOC or Interim DOC refers to this ship;
- .2 The Company plans to arrange an internal ship audit within three (3) months;
- .3 SMS information is presented in the working language or in the languages, understandable by the ship's crew;
- .4 the ship's crew knowledge and compliance with the requirements of the SMS documentation;
- .5 diplomas and certificates of the crew, necessary to take a position on this type of ship;
- .6. compliance of the crew members with their position instructions and functional duties while performing key operations and actions in emergencies including training drills.

4.6.10.5 Upon the results of verification for the issue of an Interim SMC to a ship, provided that compliance with the requirements of 14.4 of the ISM Code is certified and that the Company's Document of Compliance/the Interim Document of Compliance covers this type of ship RS can issue one of the following forms of the Interim SMC (refer to [4.7.2](#)):

- .1 Interim SMC on the RS blank form (form 8.1.4);
- .2 Interim SMC on a blank form of the appropriate MA;
- .3 Interim SMC on the RS blank form for the ships which are not covered by the provisions of SOLAS 74 as amended, (form 8.1.4-2).

4.6.10.6 Example of general structural diagram of conducting audit to issue Interim SMC:

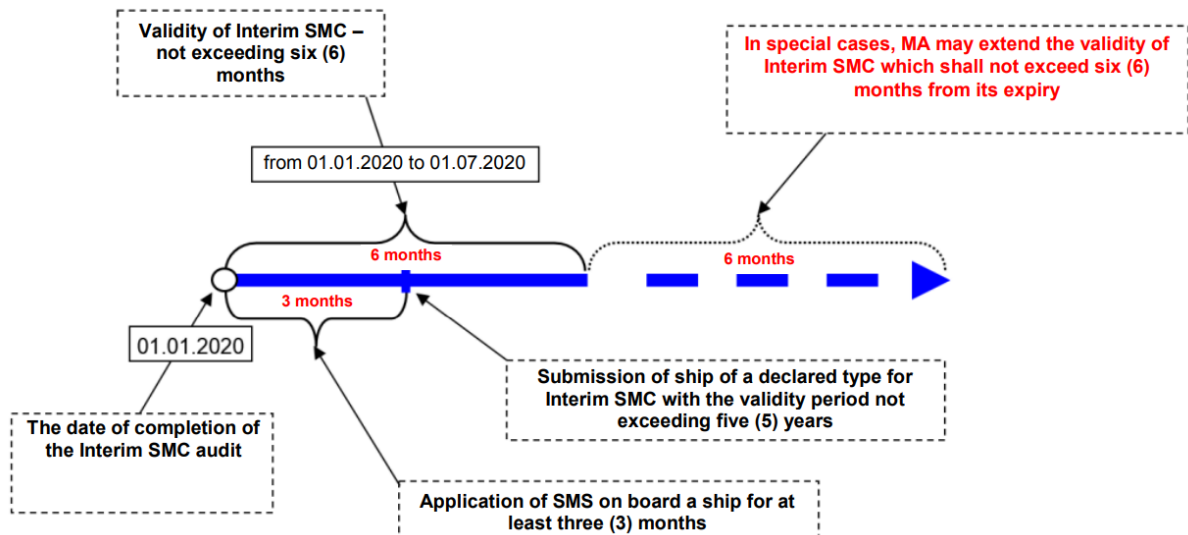


Fig. 4.6.10.6

4.6.10.7 Interim SMC shall be issued for a period not exceeding six (6) months (refer to 14.2, Part B of the ISM Code). In compliance with the provisions of 14.3, Part B, ISM Code, the interim SMC can be extended for maximum six (6) months upon its expiry only with the MA permission.

4.6.10.8 A copy of the Interim SMC (with renewal note, if applicable) shall be available at the Company's Head Office¹.

4.6.11 Initial verification for issuing SMC to a ship.

4.6.11.1 A SMC shall be issued for a ship following an initial or renewal verification of compliance with the requirements of the ISM Code².

4.6.11.2 The issue of a SMC is conditional upon³:

- .1 the existence of a DOC (not interim), valid for that type and flag of ship;
- .2 the maintenance of compliance with the requirements of a Classification Society which meets the requirements of the RO Code, as amended or with the national regulatory requirements of MA which provide an equivalent level of safety; and
- .3 the maintenance of valid statutory certificates.

4.6.11.3 The Initial verification for issuing an SMC to a ship consists of the following steps⁴:

- .1 verification that the Company holds a valid DOC applicable to the ship type and that the other provisions of [4.6.4.4](#) are complied with. Only after onboard confirmation of the existence of a copy of a valid DOC can the verification proceed;
- .2 verification of the effective functioning of the SMS, including objective evidence that the SMS has been in operation for at least three (3) months on board the ship. The objective evidence shall also include records on the internal audits performed by the Company.

¹ By analogy with 3.1.2.2 of IACS PR No. 9.

² Refer to 3.1.2.1 of IACS PR No. 9.

³ Refer to 3.1.2.3 of IACS PR No. 9.

⁴ Refer to 3.2.3 of IACS PR No. 9.

4.6.11.4 Upon the results of verification for the issue of SMC to a ship, provided that compliance with the requirements of the ISM Code is certified and that the Company's Document of Compliance covers this type and flag of a ship RS can issue one of the following forms of SMC (refer to 4.7.2):

- .1 SMC on the RS blank form (form 8.1.3);
- .2 SMC on a blank form of the appropriate MA;
- .3 SMC on the RS blank form for the ships which are not covered by the provisions of SOLAS 74 as amended (form 8.1.3-2).

4.6.11.5 Example of general structural diagram of conducting audits to issue SMC:

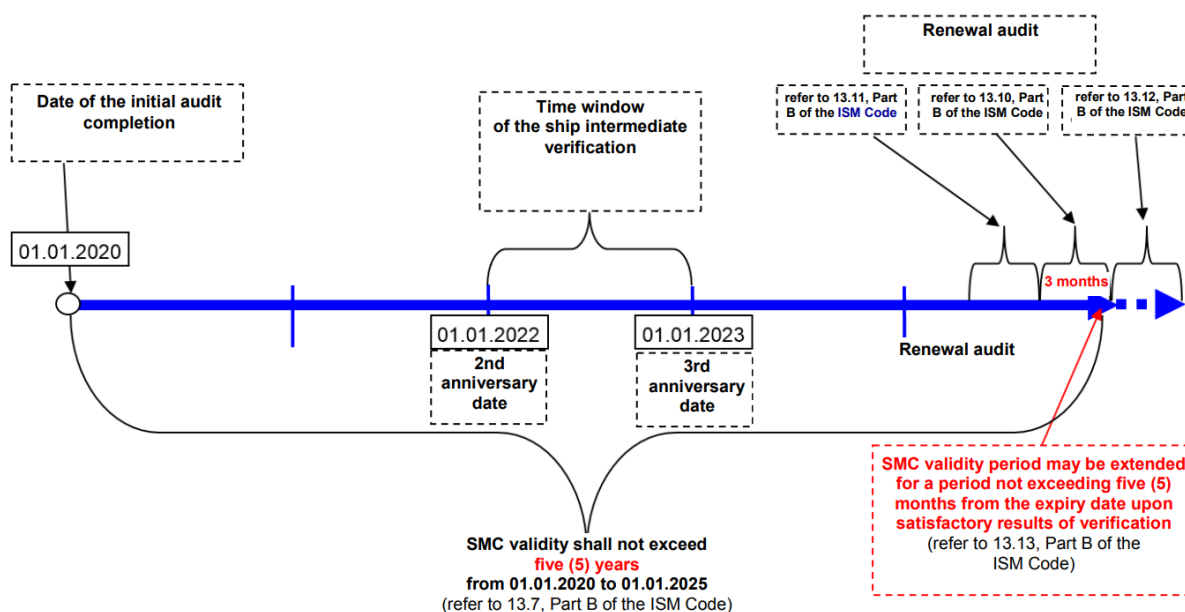


Fig. 4.6.11.5

4.6.11.6 SMC shall be issued for a period not exceeding five (5) years (refer to 13.7, Part B of the ISM Code).

SMC with a shorter validity period shall be issued by the RS auditor in the following cases:

.1 if, in compliance with an agreement between RS and MA, the Flag Administration issues an SMC for a period not exceeding five (5) years itself¹. In this case, unless otherwise specified by MA, SMC with a validity period not exceeding five (5) months shall be issued by the RS auditor;

.2 if upon results of the ship initial audit the non-conformities are reported, the RS auditor shall issue SMC with a validity period not exceeding five (5) months. Herewith, SMC with a validity period not exceeding five (5) years can be issued only when the following conditions are met:

Company has informed the RS Branch Office responsible for control of the CAP implementation on elimination of non-conformities;

upon satisfactory results of verification by the responsible RS Branch Office of the records issued upon the results of the ship initial audit.

¹ Refer to 3.1.2.4 of IACS PR No. 9.

4.6.11.7 As in the case with DOC, the day and month of SMC completion date is referred to as "anniversary date". Alternatively to an DOC endorsed annually, the SMC validity shall be endorsed during an intermediate audit to be carried out "between the second and third anniversary dates" of the SMC (refer to 13.8, Part B of the ISM Code introduced by IMO resolution MSC.104(73)).

4.6.11.8 SMC form implemented since 1 July 2010 in accordance with amendments introduced to the ISM Code by IMO resolution MSC.273(85), enables SMC validity to be extended for five (5) months more upon satisfactory results of ship SMS renewal audit, refer to 13.13, Part B of the ISM Code.

4.6.11.9 A copy of the SMC (with confirmation note, if applicable) shall be available at the Company's Head Office¹.

4.6.12 Intermediate verification and renewal of SMC.

4.6.12.1 The purpose of these audits is, inter alia, to verify the following²:

- .1 effective functioning of the SMS;
- .2 compliance of any modifications made to the SMS with the requirements of the ISM Code;

Note 4. The ship audit shall include checking availability of any amendments in SMS and that these amendments were reviewed by RS. If the amendments are not reviewed by RS, the RS auditor shall check, that the amendments comply with the ISM Code requirements and are implemented by the Company in accordance with SMS procedures (refer to [4.6.3](#)).

- .3 implementation of corrective actions (refer to [4.9.1.6](#));
- .4 availability of valid statutory and classification certificates and absence of overdue audits, refer to [4.8.2.11](#).

4.6.12.2 Requirements for the intermediate SMC verification are specified in 13.8, Part B of the ISM Code. Also refer to ship certification [scenario 9 in Appendix 2](#).

4.6.12.3 Requirements for renewal SMC are specified in 13.10 — 13.14, Part B of the ISM Code.

4.6.12.4 When the renewal verification is completed more than three (3) months before the expiry date of the existing SMC, the new SMC shall be valid from the date of completion of the renewal verification for a period not exceeding five (5) years from the date of completion of the renewal verification (refer to 13.11, Part B of the ISM Code).

4.6.12.5 When the renewal verification is completed within three (3) months before the expiry date of the existing SMC, the new SMC shall be valid from the date of completion of the renewal verification for a period not exceeding five (5) years from the date of expiry of the existing SMC (i.e. shall have the same anniversary date, refer to 13.10, Part B of the ISM Code introduced by IMO resolution MSC.104(73)).

4.6.12.6 When the renewal SMS verification is completed after the expiry date of the existing SMC, the new SMC shall be valid from the date of completion of the renewal verification to a date not exceeding five (5) years from the date of expiry of the existing SMC (refer to 13.12, Part B of the ISM Code).

4.6.12.7 In relation to expiry of SMC validity period when the ship is not in the port, where it shall be audited, refer to 13.14, Part B of the ISM Code.

¹ Refer to 3.1.2.2 of IACS PR No. 9.

² Refer to 3.4.1 of IACS PR No. 9.

4.6.13 Issue of a new DOC and/or SMC after withdrawal¹.

4.6.13.1 A Company whose DOC has been withdrawn shall not be issued with an Interim DOC. Furthermore, a new DOC shall not be issued unless an initial verification has been carried out. The expiry date of the new DOC shall be the same as that of the withdrawn document.

4.6.13.2 Where the associated SMCs are withdrawn as a result of the withdrawal of DOC caused by a major non-conformity (MNC), new SMCs shall not be issued unless the DOC has been reinstated and a verification to the scope of an initial verification has been carried out on board a representative sample of the ships. At least one ship of each type operated by the Company shall be verified.

4.6.13.3 An Interim SMC shall not be issued to a ship from which the SMC has been withdrawn as a result of a MNC. Furthermore, a new SMC shall not be issued unless an initial verification has been carried out on board the ship. In addition, depending on the nature of the MNC raised against the SMS implemented on board the ship, the validity of the DOC may also need to be verified by a Company audit, equivalent in scope to the annual audit, prior to the issue of the SMC. The expiry date of the new SMC shall be the same as that of the withdrawn certificate.

4.6.13.4 The issuance of a new DOC and/or SMC after withdrawal due to MNC shall be agreed with the MMS and MLC Department.

¹ Refer to 3.12 of IACS PR No. 9.

4.7 PREPARATION FOR AUDIT

4.7.1 The ISM Code request.

4.7.1.1 RS has developed the following request forms for the provision of ISM certification services which are available in Section "Services/Safety Management System (ISM Code)" on the Register official website: <http://www.rs-class.org/en>:

.1 form 8.1.5-1 — Request for SMS Audit of shore-based divisions of the Company, including review of the SMS documentation;

.2 form 8.1.5-2 — Request for SMS Audit of a ship.

4.7.1.2 The Company shall use the valid request form for sending to the RS Branch Office. Responsibility of the Company to receive the service regarding the ISM Code is set in form 8.1.5-1/8.1.5-2. Also refer to [4.3](#).

4.7.1.3 The RS Branch Office that received the request shall review the request in compliance with the RS requirements to determine the possibility of rendering the appropriate service.

4.7.2 ISM Code documents.

4.7.2.1 The requirements for DOC and SMC forms are specified in Section 16 of Part B of the ISM Code. Templates of these forms are given in the Annex to the ISM Code.

4.7.2.2 IACS PR No. 9 contains requirements to the following records:

.1 Audit plan (refer to 3.5 of the IACS PR No. 9);

.2 Audit report (refer to 3.7 of the IACS PR No. 9);

.3 Non-conformity report (refer to 3.8 of the IACS PR No. 9);

.4 Notification on Invalidation of ISM Certification (refer to Annex 7 of the IACS PR No. 9).

Note 5: 1. The ISM Code document forms, developed by RS, comply with the above mentioned requirements.

2. The procedure for issuing and application of ISM Code document forms, developed by RS, is described in the corresponding instructions to them.

4.7.3 Verification of compliance with Flag State requirements¹.

4.7.3.1 Unless otherwise instructed by the MA, the RS auditors shall verify compliance with the Flag State requirements by sampling in the same way that compliance with other mandatory requirements is verified.

4.7.3.2 Check-lists of MA additional requirements are developed by RS for these purposes.

4.7.4 Audit plan.

4.7.4.1 The Lead Auditor, assigned for the audit, in co-operation with the Company or ship shall produce an Audit plan (hereinafter referred to as "the Plan")².

When preparing the Plan, preparing for an audit in general, as well as when performing an ISM Code audit, it shall be taken into account that no two shipping companies or shipowners are the same, and that ships operate under a wide range of different conditions (refer to paragraph 4 of the ISM Code Preamble).

¹ Refer to Annex 8 of IACS PR No. 9.

² Refer to 3.5.1 of IACS PR No. 9. The Plan is included in the ISM Code records.

4.7.4.2 The Plan shall be designed to be flexible in order to permit changes in emphasis based on information gathered during the audit, and to permit the effective use of resources. This plan shall be communicated to all those involved in the audit¹.

Note 6: 1 Objective evidence of the Plan approval by the Company or the ship representatives prior to the audit shall be available in the RS Branch Office, in charge of the audit, for verification.

2. The Plan may be amended in relation to the time and place of the audit, as well as the content of the planned activities, maintaining the approved scope of audit.

The Plan shall include:

- .1 position and identification of the Company/ship's personnel (having substantial direct obligations in relation to SMS) subject to the audit;
- .2 identification of the auditor(s) and Company representative(s);
- .3 language of the audit;
- .4 date and place where the audit shall be conducted;
- .5 schedule of the Company management meetings with the key SMS-related persons.

The full names of the auditors/inspectors and all the Company/ship's personnel subject to the audit/inspection, shall be reflected in the ISM Audit plan, ISPS Audit plan and MLC Inspection plan in such a way as to identify the participants of each meeting (including the opening and closing meetings) indicated in the meeting schedule.

4.7.4.3 The meeting schedule shall include, without limitation, the following:

- .1 lunch breaks and, if necessary, any intermediate meetings. These meetings may be necessary for exchange of collected information, evaluation of the audit process and, if required, for updating the allocation of obligations between the team members;
- .2 review of the Company SMS documentation, if applicable;
- .3 review of amendments to the Company SMS documentation, if applicable;
- .4 checking of the Company's activities non-conformities/observations, recorded upon the results of the previous Company/ship audit, if applicable (refer to [4.8.2.7](#), [4.8.2.8](#));
- .5 during annual and renewal audits of the Company sampling check of the effectiveness the Company's investigation, analysis, and correction of the non-conformities, reported upon the results of the ship ISM Code audits, performed by RS during the reporting period (refer to [4.8.2.7.2](#));
- .6 during annual and renewal Company audits sample check of the Company's investigation, analysis, and correction of the non-conformities, reported upon the results of the previous internal and external Company and ships audits (internal audits of the shore-based divisions of the Company, any external audits, for example, by MA, PSC, internal audits by external organizations etc., except for RS ISM Codes audits (refer to [4.8.2.6](#));
- .7 checking of availability of actions by the Company/ship pertaining to each of the reported observation or absence of such actions in justified cases;
- .8 checking of the Company actions in relation to the failures reported as per IACS PR No. 17² since the previous ISM Code audit of the ship(s);
- .9 checking of fulfillment of all elements of the ISM Code during scheduled audits (initial, intermediate, annual and renewal) and all aspects of the management of shipboard safety and pollution prevention (refer to [4.8.2.3](#)), including monitoring the actions of the ship's crew and/or shore personnel of the Company as part of a training drill (if necessary). Training drill types shall not be specified in the Plan;

¹ Refer to 3.5.2 of IACS PR No. 9.

² IACS Procedural Requirement No. 17 "Reporting on Deficiencies Possibly Affecting the Implementation of the ISM Code on Board".

.10 time for checking the additional requirements of MA (if applicable)¹;

.11 entry on the ISM Code and ISPS Code ship audit for alignment of the SMC and ISSC validity periods (refer to [Appendix 6](#)).

4.7.4.4 While planning and carrying out an audit/inspection, it is necessary to effectively distribute the audit duration in each audit area to meet specified objectives. The ISM Audit plan, ISPS Audit plan and MLC Inspection plan shall indicate the time of the opening and closing meeting, as well as the time intervals for each meeting indicated in the meeting schedule, taking into account the minimum duration of the audit/inspection (refer to [4.7.4.8/6.7.4.4](#)).

4.7.4.5 While preparing the Plan it is necessary to consider the limitations that may be placed on the auditor's ability to gather information and collect objective evidence when audits are carried out during the hours of darkness or other similarly restrictive operational conditions. When the activities are planned to be carried out under any restrictive operational conditions the RS auditor's ability to gather information is not to be impaired. In cases where it is not possible to complete the audit due to such limitations, audit plan may be changed as necessary to complete the audit when such limitations will be absent².

4.7.4.6 Initial, intermediate and renewal shipboard verification audits shall be performed only under normal operating conditions, e.g. when the ship is not in dock, under repair or laid up. Interim SMC audits may be conducted in circumstances other than normal operating conditions, provided that the ship is fully manned in accordance with its Safe Manning Certificate³ and is ready for voyage in all relations.

4.7.4.7 When the ISM Code audit, ISPS Code audit and MLC inspection of a ship are planned to be carried out simultaneously, the following shall be performed:

.1 if the audits/inspection are carried out by one and the same RS auditor/inspectors then when drawing up the Audit plans/Inspection plan the stages of all audits/inspection shall not be planned at the same time intervals, except when audits/inspection are conducted by different RS auditors/inspectors;

.2 when audits/inspection are carried out by one and the same RS auditor/inspector, the ISPS Code audit and MLC inspection of a ship shall be performed prior to the ISM Code audit (refer to 1.2.3, Part A of the ISM Code);

.3 if the audits/inspection are carried out by different RS auditors/inspectors, then when drawing up Audit plans/Inspection plans, the opening and closing meetings, review of the same type of issues under the ISM Code, ISPS Code and MLC, lunch breaks shall be planned at the same time intervals in order to optimize the schedule of meetings with key personnel of the Company/ship involved in the audit/inspection.

4.7.4.8 When carrying out ISM Code audits of the Companies and ships, provisions of IACS Recommendation No. 41 (Annex 1) shall be met regarding the minimum audit duration taking into account that in practice there could be variations depending on each Company or ship. The audit does not include document review. Sufficient time shall be allowed for document review, as necessary.

The minimum audit duration without regard to the number of the Company personnel and ship category (refer to Annex 1 to IACS Recommendation No. 41):

.1 during initial, annual/intermediate, renewal audits of the Company/ship take 8 h;

.2 for issue of an Interim DOC/SMC — 6 h;

.3 duration of additional audits is determined by the Lead Auditor in each particular case with regard to the scope and purposes of the audit.

¹ Refer to 3 of Appendix 8 to IACS PR No. 9.

² Refer to 3.6.4 of IACS PR No. 9.

³ Refer to 3.5.3 of IACS PR No. 9.

4.7.4.9 The final version of the Plan considering amendments and specified actual dates, time of the opening meeting, interim meetings and closing meeting shall be drawn up following the audit findings.

4.8 EXECUTING THE ISM AUDIT

4.8.1 Opening meeting.

4.8.1.1 The audit shall begin with an opening meeting, the purpose of which is to¹:

- .1 introduce the group of the RS auditors to the Company's or shipboard management;
- .2 explain the scope and objective of the audit;
- .3 provide a short summary of the methods and procedures to be used to conduct the audit;
- .4 establish the official communication links between the RS auditor(s) and the Company or shipboard personnel;
- .5 confirm that the resources, documentation and facilities needed to perform the audit are available;
- .6 confirm the time and date of the closing meeting and any possible interim meetings.

4.8.1.2 In addition to the purposes of the opening meeting the Lead Auditor shall confirm:

- .1 that the Company is familiarized with responsibilities pertaining to SMS audits;
- .2 that the Company is familiarized with the General Conditions for Rendering Services by Russian Maritime Register of Shipping;
- .3 language of the audit;
- .4 audit safety issues, emergency and security procedures for the RS auditors;
- .5 availability, role and full name of the facilitators from the Company/ship/external observes.

Note 7. Facilitators and/or observers may accompany the audit team but they cannot be its members and shall not influence or interfere in the audit process).;

.6 conditions, under which the audit may be terminated (for example, major non-conformity, for which there is no downgrading), as well as the effective appeal control process on audit performance or audit results adopted by RS.

4.8.1.3 The opening meeting shall be held with participation of the management of Company/ship to be audited and the persons responsible for SMS functions and processes subject to the audit (hereinafter referred to as "the Company/ship representatives").

4.8.1.4 The Lead Auditor shall notify the representatives of the Company/ship that in case of nonfulfillment the set scope of the audit established by the Plan, the SMS audit cannot be completed. Circumstances, which prevent the completion of the audit and cannot be resolved on the spot, shall be subject to review and decision of the RS Branch Office responsible for the audit performance (refer to [4.8.2.1](#)).

4.8.2 Checking of compliance with the ISM Code requirements.

4.8.2.1 All scheduled routine Company and ship ISM Code audits (initial, intermediate, annual and renewal) shall be fully scoped audits covering all elements of the ISM Code and all aspects of the management of shipboard safety and pollution prevention².

4.8.2.2 The Lead Auditor shall have a leading position in the course of the Company/ship audit when interviewing the key persons involved in SMS of the Company/ship: shall be able to encourage involvement/attention of the audited, pose questions clearly and unambiguously and receive responses in a similar way, make intervals for considering replies to questions, easing tension, etc. (refer also to ISO 19011 "Guidelines for Auditing Management Systems and/or Environmental Management Systems").

¹ Refer to 3.6.2 of IACS PR No. 9.

² Refer to 3.6.1 of IACS PR No. 9.

4.8.2.3 The following audit check-lists have been developed by RS to ensure the application of uniform approaches to carrying out an audits within the framework of the assessment of the SMS elements and recording its findings¹:

- .1 SMS Audit Check-List for Company (for issuance of the Interim DOC) form 8.1.6-3;
- .2 Ship SMS Audit Check-List (for issuance of the Interim SMC) form 8.1.6-4;
- .3 Audit Check-List on Company's SMS Documentation Review (form 8.1.6-5);
- .4 SMS Audit Check-List (for a Company) form 8.1.6-1;
- .5 SMS Audit Check-List (for a ship) form 8.1.6-2;
- .6 Check-lists of MA additional requirements.

Form 8.1.6-1 and 8.1.6-2 check-lists are developed for scheduled audits, carried out according to the established procedures (initial, intermediate, annual, renewal), which shall be completed in the full scope for all the ISM Code element, as well as for all the aspects of safe operation of ships and pollution prevention (refer to [4.8.2.1](#)).

MA additional requirements shall be checked during any SMS audit of the Company's shore-based divisions and ships using Check-lists of MA additional requirements.

The questions in the check-lists shall not restrict the RS auditor's right to ask additional questions to obtain more distinct information on the Company/ship SMS as well as consider any data on SMS functioning from the Company/ship representatives during the audit.

4.8.2.4 The RS auditor shall review any changes made to SMS since the last external audit carried out² (refer to [4.6.3](#)).

4.8.2.5 The RS auditor shall assess the SMS on the basis of the documentation presented by the Company and objective evidence of its effective implementation. Such evidence shall be received through interviews, review of documentation and records, observation of activities and examination of the condition and operation of the ship and its equipment and technical systems³.

4.8.2.6 Annual and renewal audits of the Company shall include a review of non-conformities reported in relation to previous internal and external Company and shipboard audits. The RS auditor shall select a sample of the reported non-conformities and audit the Company's investigation, analysis, and resolution of the non-conformities in accordance with the requirements of Sections 9 and 12 of the ISM Code⁴.

Note 8. This case refers to the internal audits of the Company's shore-based divisions and its ships, as well as to any external audits, for example, by MA, PSC, internal audits by external organizations etc., except for RS ISM Code audits.

4.8.2.7 In relation to the non-conformities, recorded by RS upon the results of the previous ISM Code Company/ship audit (refer to [4.9.1.6](#)), the RS auditor shall no later than the next scheduled audit (annual, interim, renewal), and Additional audit, if it is carried out after the agreed deadline for performing corrective actions, perform the following:

- .1 check the actual elimination of each of the non-conformities and fulfillment of CAP for each of the non-conformities with regard to the following:
 - the dates for elimination of the non-conformity and fulfillment of CAP are met;
 - objective evidence for elimination of the non-conformity and fulfillment of CAP are provided;
 - the non-conformity is eliminated according to the CAP;
 - the requirements of 9.2, Part A of the ISM Code are fulfilled.

¹ Refer to 3.6.3 of IACS PR No. 9.

² Refer to 3.6.5 of IACS PR No. 9.

³ Refer to 3.6.6 of IACS PR No. 9.

⁴ Refer to 3.6.7 of IACS PR No. 9.

.2 additionally, during annual and renewal audits of the Company the RS auditor shall select a sample of the non-conformities, reported upon the results of the previous ISM Code audits of the ship and audit the Company's investigation, analysis, and correction of the non-conformities, in accordance with the requirements of 9.2, Part A of the ISM Code¹.

.3 additionally, during the audit for the issuance of the Interim SMC (if the Company does not change for the vessel), take into account the requirements of [4.8.2.7.1](#), [4.8.2.8](#) and [4.8.2.9](#) in terms of verifying the actual actions of the Company for non-conformities, observations and reports of deficiencies according to IACS PR No. 17².

.4 additionally, during the audit for issuance (restoration) of the DOC and/or SMC verify the actual actions of the Company to downgrade MNC and eliminate non-conformities and attach objective evidence (for example, copies of repair statements, changes to the SMS documentation, photos, etc.).

The results of the abovementioned check shall be specified in the Report (form 8.1.9) and in every Non-Conformity Report (form 8.1.8).

4.8.2.8 In addition to [4.8.2.7.1](#), in relation to the observations, reported by RS upon the results of the previous Company/ship ISM Code audit, the RS auditor shall check availability of preventive actions, taken by the Company/the ship pertaining to each reported observation with regard to the following:

.1 objective evidence of preventive actions or absence of preventive actions in justified cases is presented;

.2 the dates of the preventive actions are met;

.3 absence of preventive actions in justified cases;

.4 the observation has led/has not led to a non-conformity;

The results of the check shall be specified in the Report (form 8.1.9) and in every Observation Report (form 8.1.8).

4.8.2.9 In relation to reports on deficiencies in compliance with IACS PR No. 17, issued after the last ship(s) ISM Code audit, the RS auditor during any further ship/Company ISM Code audit shall check the efficiency of actions, developed by the Company pertaining to such reports, for example, implementation of the deficiency elimination arrangement plan. The results of the check shall be specified in the Report (form 8.1.9).

4.8.2.10 When auditing a Company managing ships classed by ACS, or for which the MA or another RO performs the statutory surveys, the RS auditor shall review the statutory and classification survey records for at least one ship of each ship type and flag to which the DOC shall apply. These records shall be made available at the Company's office (refer to [4.3.3](#))³.

4.8.2.11 When auditing a ship, as a part of the audit process the auditor shall review the statutory and classification survey records (refer to [4.3.3](#))⁴.

4.8.2.12 The RS auditor is entitled to acquire information from other CS, ROs or MA in order to check the veracity of the information presented to the auditor by the Company (refer to [4.3.3](#))⁵.

¹ Refer to 3.6.7 of IACS PR No. 9.

² IACS Procedural Requirement No. 17 "Reporting on Deficiencies Possibly Affecting the Implementation of the ISM Code on Board".

³ Refer to 3.6.8 of IACS PR No. 9.

⁴ Refer to 3.6.9 of IACS PR No. 9.

⁵ Refer to 3.6.10 of IACS PR No. 9.

4.8.2.13 During ship audits the RS auditor shall visit the deck, the engine, bridge and accommodation areas. The purpose of which is to¹:

- .1 gain an overall impression of housekeeping and the condition of the ship and equipment;
- .2 observe shipboard operations being conducted;
- .3 observe emergency drills as appropriate;
- .4 conduct interviews with ship's crew as appropriate.

Where weather conditions prevent safe access to certain areas this shall be documented in the Report (form 8.1.9).

4.8.2.14 The RS auditor shall determine at each scheduled audit (refer to [4.8.2.1](#)) of the Company the ship types operated by the Company at the time of the audit. If the RS auditor discovers that the Company no longer operates a ship type listed on the DOC, the auditor shall either document an observation to formally advise the Company that the ship type will be removed from the DOC if this situation persists at the next scheduled audit or immediately remove the ship type no longer operated from the existing DOC².

4.8.2.15 If, at a scheduled audit, the RS auditor determines that the Company has not been operating ships of a particular type since a previous scheduled audit, then DOC(s) shall be replaced with new DOC(s) without the ship type no longer operated. If however, the Company continues to manage ships of a particular type within its fleet then, unless otherwise instructed by the MA, all DOC's may be endorsed for this ship type³.

Note 9. For the definition of the types of ship specified in the DOC and SMC, refer to [Appendix 4](#).

4.8.2.16 If the RS determines, that the Company has several DOC (different flags) and does not operate ships under any of the flags, then the relevant DOC shall not be subject to verification. This DOC shall not be cancelled unless the Company submits written request and shall be valid till the end of the time window of the annual audit. In this case the RS auditor shall make a record in the "Notes" field of the Report on SMS Company audit (form 8.1.9), specifying the relevant reasons.

4.8.2.17 Audit findings shall be documented in a clear, concise manner and supported by objective evidence. These shall be reviewed by the RS auditor(s) in order to determine which shall be reported as major non-conformities (refer to [4.9.2](#)), non-conformities (refer to [4.9.1](#)) or observations (refer to [4.9.3](#))⁴.

When reporting identified non-conformities, the RS auditor shall take into account the nature of the ISM Code non-conformities reported by RS from the date of previous ISM Code audit conducted by RS and determine effectiveness of the ISPS Code on the date of the current audit, herewith:

- .1 issue major non-conformities if the non-conformities that have been issued since the previous ISM Code audit carried out by the RS have not actually been eliminated (provided that the deadline for implementing corrective actions has expired);
- .2 in case newly identified non-conformities differ from the previously reported, the wordings of newly identified non-conformities shall be unique and shall not repeat the wordings of non-conformities reported earlier;
- .3 issue major non-conformities if the nature, number and combination of non-conformities indicate that the SMS is not effective.

¹ Refer to 3.6.11 of IACS PR No. 9.

² Refer to 2.1 of Annex 4 to IACS PR No. 9.

³ Refer to 2.2 of Annex 4 to IACS PR No. 9.

⁴ Refer to 3.6.12 of IACS PR No. 9.

4.8.2.18 When the data collected in the course of the audit certify that a major non-conformity in the SMS is available, this evidence shall be immediately brought to notice of the representatives of the Company/ship being audited (refer to [4.9.2](#)).

4.8.3 Closing meeting.

4.8.3.1 At the end of the audit, prior to preparing the audit report, the RS auditor(s) shall hold a meeting with the senior management of the Company or ship and those responsible for the functions concerned. The purpose of the meeting is to present major non-conformities, non-conformities and observations to the Company or the shipboard management in such a manner that they clearly understand and accept the results of the audit¹.

4.8.3.2 The Lead Auditor during the meeting shall also inform the Company/ship representatives about the following:

.1 in relation to the reported observations it shall be noted about the potential SMS flaw, which, if not corrected, may later lead to a non-conformity. To avoid such a situation, it is practicable that the Company/ship representatives shall develop and undertake preventive actions based on documented observations (refer to [4.9.3](#));

.2 the Company's actions regarding the documented observations/non-conformities/major non-conformities as well as submission of a request for the additional SMS audit to RS, if such audit is assigned by RS for evaluating the effectiveness of the corrective actions taken by the Company/ship in order to verify the DOC/SMC (including the Interim DOC/SMC) validity, refer to [4.9.1.5](#) — [4.9.1.6](#).

¹ Refer to 3.6.12 of IACS PR No. 9.

4.9 PRESENTATION OF AUDIT RESULTS

Note 10. This Chapter lists general requirements for presentation/development of CAP for non-conformities, including the major non-conformities.

4.9.1 Non-conformities¹.

4.9.1.1 The Non-Conformity Report (NCR, form 8.1.8) shall state clearly the act or situation identified as non-compliant with the Company's SMS or the ISM Code.

4.9.1.2 The content of the non-conformity report shall be complete and concise and written in such a manner as to be easily understood.

Note 11. The wording of the non-conformity shall clearly indicate non-compliance with a specific requirement of the SMS and/or ISM Code.

4.9.1.3 When writing NCRs auditors shall, whenever possible, include a reference to the applicable requirement of the Company's SMS, and when necessary for the sake of clarity, restate the requirement. NCRs shall include a reference to the relevant clause or sub-clause of the ISM Code.

4.9.1.4 A DOC or SMC may be issued, endorsed or renewed before all identified non-conformities have been closed out provided that a schedule has been agreed between the Company and the auditor(s) for the completion of the necessary corrective actions.

Note 12. This para shall also be applicable to the Interim DOC (when issued) and to the Interim SMC (when issued/extended).

4.9.1.5 Additional audit(s) may be necessary to confirm the validity of a DOC and/or SMC (including the Interim DOC/SMC) depending on the nature of any non-conformities identified. The Company is responsible for applying to RS for any follow-up audit required by the RS auditor.

Note 13. The agreed time period for submission of the Company/ship to the assigned AA to check that the RS reported non-conformities are eliminated and CAP is implemented shall not exceed three (3) months² from the date the audit was completed.

4.9.1.6 The Company is responsible for formulating and implementing corrective actions for the non-conformities identified by the RS auditor(s). CAP shall be submitted to the RS Branch Office, which performed the audit, within the time period agreed with the Lead Auditor, but later than one (1) month from the date the audit was completed. CAP shall be approved by the Lead Auditor and shall include appropriate actions for elimination of the non-conformities, its cause analysis and actions to prevent its recurrence. A schedule not exceeding three (3) months from the date of completion of the audit shall be agreed for completion of the corrective actions. The effectiveness of the corrective actions shall be verified (refer to [4.8.2.7](#)) not later than the next scheduled audit (annual, intermediate, renewal) and may be verified at an additional audit if performed after the agreed schedule for completion of the corrective action.

¹ Refer to 3.8 of IACS PR No. 9.

² The deadline is specified in calendar days.

The Company is also responsible for notifying the RS Branch Office, which performed the audit, on the actual elimination of each of the non-conformities and implementation of CAP within no later than three (3) months from the date the audit was completed.

Note 14. The Company's procedure for dealing with non-conformities is given in NCR (form 8.1.8).

4.9.1.7 The review of the Company's responses to non-conformities described in [4.8.2.6](#) is applicable only to non-conformities that are not considered to be major.

4.9.1.8 Nonfulfillment the agreed corrective actions, as well as not submitting the Company ship for the assigned additional audit (refer to [4.9.1.5](#)) shall be treated as grounds for invalidation of the DOC or SMC (including the Interim DOC or SMC).

4.9.2 Major non-conformities¹.

4.9.2.1 A major non-conformity (MNC) raised on a ship shall be downgraded before the ship can sail. Downgrading may take place only after verifiable action has been taken to remove any serious threats to personnel, the ship or the environment.

Note 15. The RS Lead Auditor may downgrade MNC to a non-conformity only after checking that the Company/ship perform the following actions:

- .1 verifiable action has been taken to remove the revealed serious threats to personnel, the ship or the environment;
- .2 serious threats to personnel, ship or the environment are eliminated before departure of the ship;
- .3 effectiveness of these actions is confirmed by objective evidence (for example, copies of repair records, amendments to SMS documents, photos, etc.);
- .4 MNC downgrading actions shall be recorded in NCR (form 8.1.8) with the necessary evidence attached.

4.9.2.2 Following the downgrading of MNC raised on a ship, the procedure described in para [4.9.1.6](#) shall be applied. At least one additional audit (AA) shall be carried out on a ship within the time frame indicated in the agreed CAP (refer to [4.8.2.7](#)) to verify that effective actions have been implemented (refer to IMO Circular MSC/Circ.1059). In addition to the AA on a ship, an AA of the Company's shore-based operations may also be carried out if the RS auditor deems it necessary.

Following the downgrading of MNC raised during DOC audit, the procedure described in para [4.9.1.6](#) shall be applied. At least one additional audit of the Company's shore-based operations shall be carried out within the time frame indicated in the agreed corrective action plan to verify that effective actions have been implemented.

Note 16. Assignment of ship/Company AA the RS auditor shall indicate in the Report (form 8.1.9).

4.9.2.3 If an AA of the ship/Company is carried out later than the specified time window (refer to [4.9.2.2](#)) a MNC shall be raised.

4.9.2.4 Where MNC has been raised because the Company AA has not taken place within the specified time, the DOC related SMCs continue to remain in place without any AA provided that there is no other MNC, which has not been downgraded.

¹ Refer to 3.11.1 – 3.11.7 of IACS PR No. 9.

4.9.2.5 All MNC, including those that are downgraded before the completion of the audit, shall be reported to the corresponding MA as follows:

.1 MNC identified during the audits of the Company's shore-based divisions shall be reported to all MA on whose behalf DOCs have been issued and by which RS is authorized;

.2 MNC identified during shipboard audits shall be reported only to the MA of the ship concerned.

4.9.2.6 Where the corresponding DOC has been issued by other RO than RS, MNC identified during shipboard audits shall be reported to that RO.

4.9.2.7 A Document (Certificate) shall not be issued, endorsed, renewed or extended before any MNC has been downgraded.

Note 17. As regards procedure for the RS auditor when issuing the MNC, refer to [Appendix 5](#).

4.9.3 Observations.

4.9.3.1 Observation Report (form 8.1.8) shall clearly state the fact, confirmed by objective evidence, identified as a weakness or potential deficiency in SMS, which, if not corrected, may lead to a non-conformity in the future (refer to [4.8.3.2.1](#)).

4.9.3.2 The content of objective evidence of the observation shall be full and clear, as well as made in easily understandable form. The wording of the observation shall clearly indicate a weakness or potential deficiency in the SMS. If the observation relates to a requirement of the Company SMS and/or para/sub-para of the ISM Code, the relevant references shall be specified in the Observation Report.

4.9.3.3 The agreed time period for implementation of preventive actions pertaining to an observation shall not exceed three (3) months¹ from the date the audit was completed. The effectiveness of these actions shall be verified not later than the next audit, which shall be performed upon expiry of the time period, agreed for implementation of preventive actions (refer to [4.8.2.8](#)).

4.9.4 Report on the Company SMS documentation review/SMS audit.

4.9.4.1 The report shall be prepared by the Lead Auditor, based on information gathered by and discussed with the audit team members. It shall be accurate and complete, reflect the content of the audit and shall include the following items²:

.1 date of completion of the audit;

.2 scope and objectives of the audit;

.3 auditor(s);

.4 all major non-conformities, non-conformities, and observations;

.5 Audit Plan.

Note 18. Any additional Company/ship SMS-related information may be indicated in the Report (form 8.1.9) upon the RS auditor's decision.

4.9.4.2 The Company shall maintain reports and records of all audits performed both ashore and on board its ships (refer to [4.3.3](#))³.

4.9.4.3 Upon the results of RS performed Company/ship ISM Code audit the RS auditor shall issue the following records:

.1 SMS Documentation Review Plan/SMS Audit Plan (form 8.1.9, page 2);

.2 Report on the Company SMS documentation review/SMS audit (form 8.1.9);
and also, if applicable:

.3 relevant DOCs/SMCs (including Interim/Voluntary), attachments to DOCs;

¹ The deadline is specified in calendar days.

² Refer to 3.7.1 of IACS PR No. 9.

³ Refer to 3.7.3 of IACS PR No. 9.

- .4 NCR(s)/Observation Report(s) (form 8.1.8);
- .5 Audit Check-List on Company's SMS Documentation Review (form 8.1.6-5);
- .6 SMS Audit Check-Lists (forms 8.1.6-1, 8.1.6-2, 8.1.6-3 and 8.1.6-4);
- .7 Check-lists of MA additional requirements;
- .8 Appendix to Report (form 8.1.9-1). Shall be filled in for each failure being the ground for a ship detention as well as to any failure referred by PSC to non-fulfillment of the provisions of the ISM Code and ISPS Code).

4.9.4.4 The records of the audit shall be made available to the Company or ship, as applicable¹.

Originals of the records specified in [4.9.4.3](#), except for SMS Audit Check-Lists, Check-lists of MA additional requirements and form 8.1.9-1 shall be submitted by the RS Lead Auditor to the Company/ship representatives upon completion of the audit.

4.9.4.5 The other documents, which shall be attached to the Report (Audit materials), are copies of the following documents:

- .1 for verification on site:
 - the latest version of the documentation on the Company's SMS in electronic form reviewed by RS, if amendments were reviewed;
 - NCR/Observation Reports, closed by the RS expert if applicable;
 - valid Interim DOCs and/or DOCs (with endorsement notes, if applicable);
 - valid Interim SMCs and/or SMCs (with endorsement notes, if applicable), issued not by RS, for as minimum one ship of each type and flag of each DOC, issued by RS;
 - objective evidence of the Company actions for downgrading the major non-conformity, if applicable (e.g., copies of repair records, amendments to the SMS documents, photos, etc.);
 - objective evidence of SMS functioning not less than three (3) months (condition to carry out the initial audit);
 - MA authorization to perform audits/other MA instructions if applicable;
- .2 for shipboard verification:
 - NCR/Observation Reports, closed by the RS expert, if applicable;
 - valid Interim DOC and/or DOC for the type and flag of the ship (with endorsement notes, if applicable);
 - valid Interim SMC/SMC (with endorsement notes, if applicable);
 - crew list;
 - Plan for the implementation of SMS developed by the Company (during the audit for the issuance of the interim SMC);
 - the RS auditor's disagreement with PSCO issued in free form, if applicable (refer to [4.11.5](#));
 - objective evidence of the Company actions for downgrading the major non-conformity, if applicable (e.g., copies of repair records, amendments to the SMS documents, photos etc.);
 - objective evidence of SMS functioning not less than three (3) months (condition to carry out the initial audit);
 - MA authorization to perform audits/extension of documents/other MA instructions, if applicable, as well as copies of any other documents which confirm the results of the audit as determined by the RS auditor;
- .3 for review of the Company SMS documents:
 - the latest version of the Company SMS documents reviewed by RS.

¹ Refer to 3.7.2 of IACS PR No. 9.

**4.10 COMMUNICATIONS WITH FLAG STATES AND BETWEEN ROS.
NOTIFICATION ON INVALIDATION OF ISM CERTIFICATION¹**

4.10.1 In case of invalidation of the DOC and/or SMC, the MA and RO shall be informed not later than 5 working days² from the date of invalidation. The procedure for informing is specified in the instructions to form 8.1.22 "Notification on Invalidation of ISM Certification".

¹ Refer to Annex 2 to IACS PR No. 9.

² The deadline is specified in calendar days.

4.11 ACTIONS FOLLOWING PORT STATE CONTROL DETENTIONS (PSC)¹

4.11.1 When attending a ship, with the SMC issued by RS, as a result of a Port State Control action, the RS auditor shall consider the objective evidence presented by the PSCO.

Note 19: 1. Appendix to Report (form 8.1.9-1) shall be used when reviewing of the PSCO objective evidence. Appendix to Report shall be filled in for each deficiency being the ground for a ship detention as well as to any deficiency referred by PSC to non-fulfillment of the provisions of the ISM Code and ISPS Code.

2. This form is also used for additional audit of the Company pertaining to PSC/FSI ship detention. The actions of the Company in response the deficiencies, identified by PSC/FSI officers shall be checked during this audit.

4.11.2 Where the RS auditor considers that the evidence indicates the presence of a major nonconformity, the major non-conformity shall be documented in the usual way, the Company shall be notified immediately and the auditor shall proceed as indicated in [4.9.2](#).

4.11.3 In the absence of any specific instructions to the contrary, the scope of any additional audit carried out following the detention of a ship that holds an Interim SMC/SMC shall include, as a minimum, the deficiencies identified by PSCO; implementation will be verified to the extent that the available evidence permits.

4.11.4 In cases where the PSCO alleges that there is evidence of a major non-conformity, and the RS auditor considers that there is not, the PSCO, under the authority vested in the officer by the authorities of the port, will decide what further action shall be taken.

4.11.5 If the RS auditor disagrees with the actions taken by the PSCO, the auditor shall provide the PSCO with a written explanation of the disagreement and inform the MA.

Note 20: In such case, the objective evidence of such disputes / main causes of detentions shall be specified.

¹ Refer to Annex 3 to IACS PR No. 9.

5 PROCEDURAL REQUIREMENTS FOR THE ISPS CODE CERTIFICATION

5.1 APPLICATION¹

5.1.1 This section is based on IACS PR No. 24 "Procedural Requirements for ISPS Code Certification".

Note 21. In order to facilitate usage of the primary source, this Section contains references (in a form of footnotes) to the main requirements of the original English version of IACS PR No. 24. Some of IACS PR No. 24 requirements are completed with the effective RS requirements.

¹ Also refer to Section "INTRODUCTION" and Section 1 "Scope and Application" of IACS PR No. 24.

5.2 CRITERIA FOR VERIFICATION¹

5.2.1 Criteria for verification of compliance with the requirements of the ISPS Code shall be in accordance with the applicable sections of SOLAS 74 as amended Chapter XI-2 and the ISPS Code Part A.

5.2.2 Only the RS auditors who are qualified as required by IACS PR No. 10² shall carry out ship security verifications.

5.2.3 Stages of verification process:

- .1 review of requests for verification of compliance with ISPS Code;
- .2 planning and carrying out of SSP approvals and ship security verifications;
- .3 reporting on the results of SSP approvals and ship security verifications;
- .4 issue of interim ISSC/ISSC.

5.2.4 The entire SSP approval and implementation audit process shall verify:

- .1 that the SSP and any amendments are appropriate to the three security levels defined by the ISPS Code;
- .2 that the SSP is compliant with the ISPS Code;
- .3 that the SSP is being effectively implemented on board.

¹ Refer to Section 3 of IACS PR No. 24.

² IACS Procedural Requirement No. 10 "Procedure for the Selection, Training, Qualification and Authorisation of Marine Management Systems Auditors".

5.3 COMPANY RESPONSIBILITIES PERTAINING TO SECURITY AUDITS¹

5.3.1 Where the verification of an SSP shall be carried out by a CS that did not carry out the SSP approval, the Company shall provide, if requested by the Classification Society, a copy of the SSA report and the SSP prior to the shipboard audit.

5.3.2 The Company shall carry out internal audits and reviews of security activities at least once (1) every twelve (12) months on board each ship.

5.3.3 The Company and the ship shall maintain records of external security verifications for a minimum period of five (5) years.

5.3.4 Any amendments made to the security system, the security equipment or the SSP and that are related to the requirements of ISPS Code A/9.4.1 to A/9.4.18, shall be submitted to the Classification Society for review and approval.

5.3.5 At the initial installation of the SSAS, the Company shall arrange for an approved Radio Technician to test and issue a report on the equipment's compliance with the requirements of Chapter XI-2/6.2 – 6.4 of SOLAS 74 as amended. SSAS-SC may be tested and a compliance note may be issued by the Ship Security Officer (SSO).

5.3.6 Following the initial installation of the SSAS, the Company is responsible for:

- .1** testing and maintaining the SSAS to satisfy operational requirements according to the approved SSP; and
- .2** maintaining on board the SSAS records specified in the ISPS Code A/10.1.10.

¹ Refer to Section 4 of IACS PR No. 24.

5.4 THE RS RESPONSIBILITIES

5.4.1 RS is responsible for performing the audit and certification process in accordance with IACS PR No. 24 and relevant MA requirements, if any¹.

¹ Refer to 11.1 of IACS PR No. 24.

5.5 RESPONSIBILITIES OF THE RS AUDITOR¹

5.5.1 The RS auditor is responsible for:

- .1** effective and efficient ship security verification;
- .2** complying with the applicable procedural and regulatory requirements;
- .3** noting in the Report (form 8.4.9) any obstacles to verification of the ship security;
- .4** organizing any special technical assistance required for the verification;
- .5** reporting the audit results clearly, concisely and without undue delay.

5.5.2 The RS auditors shall treat all the information to which they have access during the course of SSP approvals and ship security verification audits in the strictest confidence.

¹ Refer to 11.2 of IACS PR No. 24.

5.6 THE AUDIT PROCEDURE

5.6.1 Ship Security Plan Approval¹.

5.6.1.1 The Company shall prepare and submit to RS a SSP for each ship. This SSP shall be reviewed and approved by RS on behalf of MA.

5.6.1.2 Unless otherwise specified by MA, all changes to an approved SSP related to the requirements of the ISPS Code A/9.4.1 to A/9.4.18 shall be reviewed and approved before implementation by the CS that approved the SSP. The SSP and the amendments shall be accompanied by the SSA from which they were developed.

5.6.1.3 The SSP shall be developed in accordance with the requirements of Part A of the ISPS Code taking into account ISPS Code B/8.1 to B/13.8, and shall be written in the working language, or working languages, of the ship. If the language, or languages, used is not English, French or Spanish, a translation into one of these languages shall be included. The RS auditor undertaking the approval shall consider at least the version of the SSP written in English, French or Spanish.

5.6.1.4 When reviewing and approving a SSP, the RS auditor shall verify that the Company has taken into account relevant security-related guidance and best management practices, including the latest IMO Circulars concerning piracy, hijacking and armed robbery.

5.6.1.5 When RS approves SSP and any amendments it shall retain, as a minimum, a copy of the Letter of SSP approval (refer to [5.9.4.6](#)). The approved SSP and reports which certify its approval shall be kept on board the ship.

5.6.1.6 RS that approves an amendment to an SSP shall determine whether any additional verification is required relating to its implementation.

Note 22. For example, new security equipment, specified in SSP, is not yet installed/ready for operation. The agreed time period for submission of the ship to the assigned AA shall not exceed three (3) months² from the date the audit was completed.

5.6.1.7 In course of ISPS Code certification RS is not entitled to approve amendments to SSP that is approved by other Classification Society or MA. If the ISPS Code certification is transferred in accordance with IACS PR No. 18³ and if the gaining Society is requested to approve any amendments to the SSP by the management company, the gaining Society shall re-approve the entire SSP.

5.6.1.8 Evidence shall be sought that the Company Security Officer (CSO) has received training in accordance with ISPS Code A/13.1. If evidence is not provided by the Company or if there is objective evidence that the CSO has not received such training, the RS auditor shall inform the Company about necessity to implement the relevant corrective actions.

5.6.1.9 RS reviews SSP submitted in electronic as well as in paper copies. If the review result is positive (no observations/failures found) SSP may be approved.

The approval note is made on the paper copy of SSP. Approval notes are made as follows:

.1 the title page of SSP shall be stamped as "APPROVED by RS under the authority of MA" with a signature of the Lead Auditor and the RS auditor stamp;

.2 all the rest pages of the SSP approved/approved amendments to the SSP shall only be stamped with RS auditor's seal.

¹ Refer to 5.1-5.8 of IACS PR No. 24.

² The deadline is specified in calendar days.

³ IACS Procedural Requirement No. 18 "Transfer of Safety and Security Management Systems Certification".

5.6.1.10 Upon approval of SSP the Lead Auditor shall issue a Letter of the Ship Security Plan Approval (PAL) (form 8.4.7).

5.6.2 Interim verification for the issue of an Interim ISSC for a ship.

5.6.2.1 The procedure of issue and drawing up of an Interim ISSC is specified in 19.4, Part A of the ISPS Code.

5.6.2.2 An Interim ISSC may be issued in the following cases¹:

- .1 a ship without a certificate, on delivery or prior to its entry or re-entry into service;
- .2 transfer of a ship under the flag of one MA from the flag of other MA;
- .3 transfer of a ship to the flag of a Contracting Government from a State which is not a Contracting Government; or
- .4 when a Company assumes the responsibility for the operation of a ship not previously operated by that Company.

5.6.2.3 Interim ISSC shall only be issued when the MA or RSO, on behalf of the MA has verified that²:

- .1 ship security verification, required by Section 8 of Part A of the ISPS Code, is completed;
- .2 a copy of SSP meeting the requirements of Chapter XI-2 and a part A of the ISPS Code is provided on board, has been submitted for review and approval, and is being implemented on the ship;
- .3 the ship is provided with SSAS meeting the requirements of Chapter XI-2/6, if required.

5.6.2.4 Upon the results of verification for issue of an Interim ISSC to the ship and certification of that the requirements of A/19.4.2 of the ISPS Code are fulfilled, RS can issue one of the following forms of the Interim ISSC (refer to [5.7.2](#)):

- .1 Interim ISSC on the RS blank form (form 8.4.4);
- .2 Interim ISSC on a blank form of the appropriate MA;
- .3 Interim ISSC on the RS blank form for the ships which are not covered by the provisions of SOLAS 74 as amended (form 8.4.4-2).

5.6.2.5 Example of general structural diagram of audit to issue Interim ISSC:

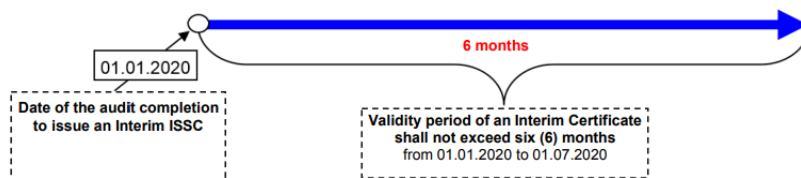


Fig. 5.6.2.5

5.6.2.6 The interim ISSC shall be valid for (6) months or till the date of the certificate (ISSC), provided by 19.2 of the ISPS Code is issued, depending on which date comes earlier, and shall not be extended (refer to 19.4.4, Part A of the ISPS Code).

5.6.2.7 The copy of Interim ISSC shall be available in the Company Head Office.

5.6.3 Initial verification for issue of ISSC to a ship.

5.6.3.1 Provisions as regards ship security audits and ISSC issuance are specified in 19.1, Part A of the ISPS Code.

¹ Refer to 19.4.1 of the ISPS Code.

² Refer to 19.4.2 of the ISPS Code.

5.6.3.2 Provisions as regards ISSC issuance and endorsement are specified in 19.2, Part A of the ISPS Code.

5.6.3.3 ISSC shall be issued after initial or renewal audit in accordance with 5.8.1¹.

5.6.3.4 The "type of ship" to be entered on the ISSC shall be selected from those defined in Chapter IX-2/1 of SOLAS 74 as amended².

5.6.3.5 Upon the results of verification for issue of ISSC to the ship and verification of that:

.1 the security system and all the equipment related to the ship security has been checked in compliance with 19.1 of Part A of ISPS Code;

.2 the security system and all the equipment related to the ship security is in every sense in satisfactory condition and that the ship complies with the applicable requirements of Chapter XI-2 of SOLAS 74 as amended and Part A of the ISPS Code;

.3 an approved SSP is available on the ship;

RS can issue one of the following ISSC forms (refer to 5.7.2):

.1 ISSC on the RS blank form (form 8.4.3);

.2 ISSC on a blank form of the appropriate MA;

.3 ISSC on the RS blank form for the ships which are not covered by the provisions of SOLAS 74 as amended (form 8.4.3-2).

5.6.3.6 Example of general structural diagram of audit to issue ISSC:

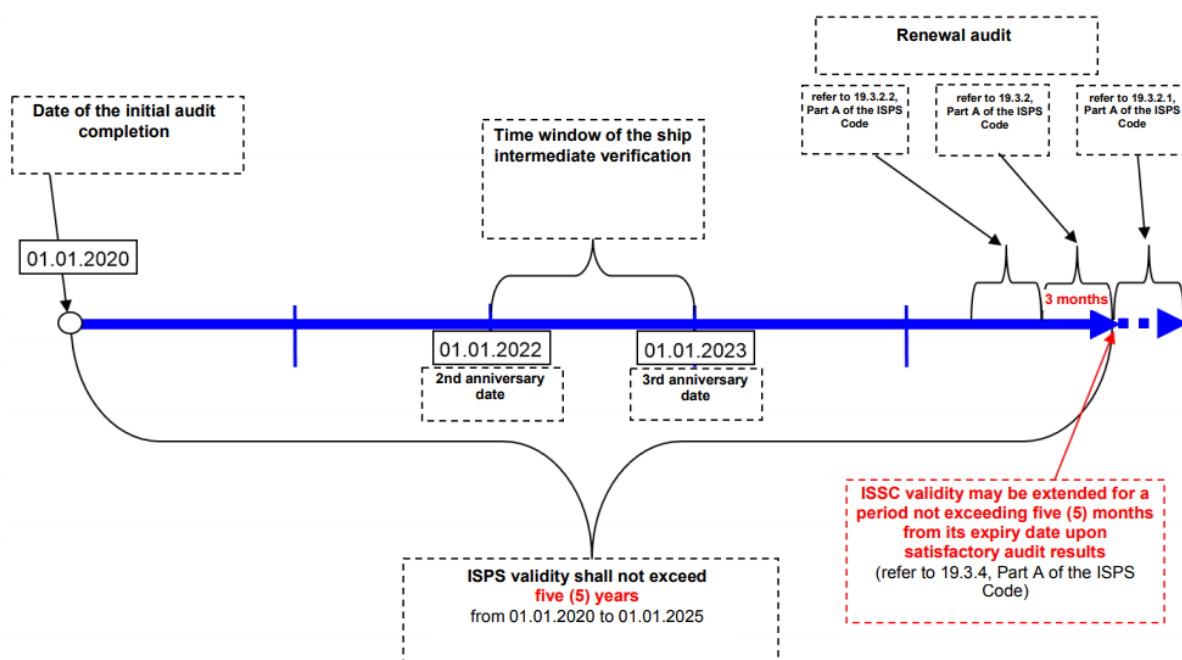


Fig. 5.6.3.6

5.6.3.7 International Ship Security Certificate (ISSC) shall be issued for a period specified by the MA which shall not exceed five (5) years (refer to 19.3, Part A of the ISPS Code).

¹ Refer to 8.1 of IACS PR No. 24.

² Refer to 8.2 of IACS PR No. 24.

ISSC with a shorter validity period can be issued by the RS auditor, if, in compliance with an agreement between RS and MA, the Flag Administration issues an ISSC for a period not exceeding five (5) years itself¹. In this case, unless otherwise specified by MA, ISSC with a validity period not exceeding five (5) months can be issued by the RS auditor.

5.6.3.8 The copy of ISSC (with endorsement note, if applicable) shall be available in the Company Head Office.

5.6.4 Intermediate verification and renewal of ISSC.

5.6.4.1 The ISSC shall be endorsed at the intermediate audit and at any additional audit required by the MA².

5.6.4.2 Intermediate audit shall be performed between the second and third dates of the ISSC anniversary dates (refer to 19.1.1.3, Part A of the ISPS Code).

5.6.4.3 Renewal audit shall be performed in time periods set by the Administration but not exceeding five (5) years except for cases where 19.3, Part A of the ISPS Code is applied (refer to 19.1.1.2, Part A of the ISPS Code).

5.6.4.4 If renewal audit is completed more than three (3) months before the expiry date of the existing ISSC, the new ISSC shall be valid for a period not exceeding five (5) years from the date of completion of the renewal audit (refer to 19.3.2.2, Part A of the ISPS Code).

5.6.4.5 If the renewal audit is completed within three (3) months prior to expiry date of the existing ISSC, the new ISSC shall be valid from the date of completion of the renewal audit till the date, not exceeding five (5) years from the expiry date of the existing ISSC (i.e. shall have the same anniversary date, refer to 19.3.2, Part A of the ISPS Code).

5.6.4.6 If renewal audit is completed after the expiry date of the existing ISSC, the new ISSC shall be valid from the date of completion of the renewal audit for a period not exceeding five (5) years from the expiry date of the existing ISSC (refer to 19.3.2.1, Part A of the ISPS Code).

5.6.4.7 If validity of the ISSC is extended in accordance with 19.3.5, Part A of the ISPS Code, documentary evidence of Administration approval shall be sighted by the CS³.

5.6.4.8 At the request of the Company, the ISSC expiry date may be aligned with the SMC expiry date, provided that it does not exceed five (5) year period specified in 19.3, Part A of the ISPS Code (refer to [Appendix 6](#))⁴.

5.6.5 Issue of a new ISSC after withdrawal⁵.

5.6.5.1 An Interim ISSC shall not be issued to a ship from which a full-term ISSC has been withdrawn.

5.6.5.2 When an ISSC has been withdrawn, a new certificate may be issued only after the successful completion of an initial audit.

5.6.5.3 The new ISSC shall have the same expiry date as ISSC that was withdrawn.

5.6.5.4 Issuance of a new ISSC after withdrawal due to MNC shall be agreed with the MMS and MLC Department.

¹ Refer to 8.4 of IACS PR No. 24.

² Refer to 8.3 of IACS PR No. 24.

³ Refer to 8.5 of IACS PR No. 24.

⁴ Refer to 8.6 of IACS PR No. 24.

⁵ Refer to 12 of IACS PR No. 24.

5.7 PREPARATION FOR AUDIT

5.7.1 ISPS Code request.

5.7.1.1 RS has developed the following request forms for the provision of the ISPS certification services which are available in Section "Services/Ship security (ISPS Code)" on the Register official website: <http://www.rs-class.org/en>:

.1 form 8.4.5 – Request for SSP Approval/ship security verification;

.2 form 8.4.6 – Questionnaire on conformity between Ship Security Plan (SSP) and ISPS Code requirements (completed by the Company and sent to the RS Branch Office attached to the Request, when it is necessary to carry out SSP approval or amendments thereto).

5.7.1.2 The Company shall use the valid request form for sending to the RS Branch Office. Responsibility of the Company to receive the service regarding the ISPS Code is set in form 8.4.5. Also refer to [5.3](#).

5.7.1.3 The RS Branch Office that received the request shall review the request in compliance with the RS requirements and determine the possibility of rendering the appropriate service.

5.7.2 ISPS Code documents.

5.7.2.1 Requirements for ISPS forms are provided in Appendixes 1 and 2 to Part A of the ISPS Code.

5.7.2.2 IACS PR No. 24 contains requirements to the following records:

.1 Report on the SSP approval/ship security verification and issue of PAL (refer to Section 10 of the IACS PR No. 24);

.2 Failure Report (refer to Section 7 of the IACS PR No. 24);

.3 Notification on Invalidation of ISSC Certification (refer to Annex 3 of the IACS PR No. 24).

Note 23: 1. The ISPS Code document forms developed by RS comply with the above mentioned requirements.

2. The procedure for issuing and application of ISPS Code document forms, developed by RS, is described in the correspondent instructions thereto.

5.7.3 Verification of compliance with Flag State requirements.

5.7.3.1 Unless otherwise specified in the MA additional requirements/instructions, the RS auditors shall verify compliance with the additional MA requirements in the same manner, as compliance with the other obligatory requirements.

5.7.3.2 Check-lists of MA additional requirements are developed by RS for these purposes.

5.7.4 Audit plan.

5.7.4.1 The Lead Auditor, assigned for the audit, in co-operation with the Company or ship shall produce an Audit plan (hereinafter referred to as "the Plan")¹.

5.7.4.2 The basic requirements for preparation of the Plan, including those applicable to the ISPS Audit plan, are specified in [4.7.4](#).

¹ The Plan is included in the ISPS Code records.

5.8 EXECUTING THE ISPS CODE AUDIT

5.8.1 Opening meeting.

5.8.1.1 Shipboard verification audits shall start with an opening meeting, the purpose of which is to¹:

- .1 introduce the RS auditor(s) to the ship's management;
- .2 explain the scope and purpose of the audit;
- .3 provide a short summary of the methods and procedures to be used;
- .4 establish the official communication line between the auditor and the shipboard management;
- .5 confirm that the necessary resources, documentation and facilities are available;
- .6 confirm the time and date of the closing meeting and any interim meetings.

5.8.2 Checking of compliance with the ISPS Code requirements.

5.8.2.1 Audits for the issue or renewal of ISSCs shall consist of the following steps²:

- .1 verification that an approved SSP is on board;
- .2 verification through a representative sample that the security system is being implemented effectively;
- .3 verification that all security equipment specified in the SSP complies with applicable requirements;
- .4 verification that all security equipment specified in the SSP, including the ship security alert system (SSAS), is operational.

5.8.2.2 The following audit check-lists have been developed by RS to ensure the application of uniform approaches to carrying out ship security verification and recording its findings:

- .1 Check List on Analysis of the Ship Security Assessment Report, the SSP Review and Approval for Compliance with the Requirements of the ISPS Code (form 8.4.6-5);
- .2 ISPS Code Audit Check-List for Ship for Issuing of the Interim ISSC (form 8.4.6-4);
- .3 ISPS Code Audit Check-List for Ship for Issuing/Endorsement/Renewing of the ISSC (form 8.4.6-2);
- .4 check-lists of MA additional requirements.

Form 8.4.6-2 check-list is developed for scheduled audits, carried out according to the established procedures (initial, intermediate, renewal).

The questions in the check-lists shall not restrict the RS auditor's right to ask additional questions to obtain more distinct information on ship security as well as consider any data on ship security functioning from the Company/ship representatives during the audit.

5.8.2.3 Initial, intermediate and renewal audits shall be performed only under normal operating conditions and when the ship is fully manned in accordance with the Safe Manning Certificate³.

5.8.2.4 Intermediate and renewal audits shall include a review of failures reported following previous audits. The auditor shall select a sample(s) of the reported failures and verify that the company is investigating, analyzing and resolving them effectively and in a timely manner⁴.

5.8.2.5 In relation to the approved corrective actions for each failure, issued by RS upon the results of the previous ship security verification (refer to [5.9.1.5](#)), the RS auditor shall

¹ Refer to 9.1 of IACS PR No. 24.

² Refer to 6.1 of IACS PR No. 24.

³ Refer to 6.2 of IACS PR No. 24.

⁴ Refer to 6.6 of IACS PR No. 24.

no later than the next ship security verification if it is carried out after the agreed deadline for performing corrective actions, perform the following:

- .1 actual implementation of the approved corrective actions for each failure;
- .2 the dates of the corrective actions are met;
- .3 objective evidence of corrective actions implementation is presented.

Additionally, during the audit for issuance (restoration) of the ISSC the RS auditor shall verify the actual actions of the Company to downgrade MNC and eliminate failures and attach objective evidence (for example, copies of documents, amendments to SSP, photos, etc.).

In relation to the observations, reported by RS upon the results of the previous ship security audit, the RS auditor shall check availability of preventive actions, taken by the Company/the ship pertaining to each reported observation with regard to the following:

- .1 objective evidence of preventive actions or absence of preventive actions in justified cases is presented;
- .2 the dates of the preventive actions are met;
- .3 absence of preventive actions in justified cases;
- .4 the observation has led/has not led to a failure;

The results of the abovementioned check shall be specified in the Report (form 8.4.9) and in every Failure Report/Observation Report (form 8.4.8).

5.8.2.6 The RS auditor shall verify the effective implementation of the approved SSP and its documented procedures based on objective evidence obtained by interviews, inspections, review of documents and examination of records¹.

5.8.2.7 Following the initial installation of the SSAS, RS may approve the related provisions in the SSP and verify, by audit and the witnessing of a complete security alert test, the effective implementation of those provisions. Confirmation that the SSAS complies with the requirements of paragraphs 2 — 4 of XI-2/6 of SOLAS 74 as amended will be found in the Radio Technician's report (or the SSO's report, in the case SSAS-SC is used)².

5.8.2.8 At each subsequent scheduled audit the RS auditor shall examine the records of the testing of the SSAS, identify the SSAS activation points and verify the effective implementation of the procedures, instructions and guidance relating to the SSAS as specified in ISPS Code A/9.4.18³.

5.8.2.9 The RS auditor has the authority to ask for information from any other Classification society or, if relevant MA, in order to check the accuracy of the information provided by the Company⁴.

5.8.2.10 Where the audit of a ship shall be carried out by a CS that did not carry out the SSP approval, the CS may review the SSP either at, or prior to, the audit on board⁵.

5.8.3 Closing meeting.

5.8.3.1 At the end of the Audit, the RS auditor shall hold a meeting with the senior management of the ship and those responsible for the functions concerned. The purpose is to present major failures, failures and observations to the ship's management in such a manner that they are clearly understood and accepted⁶.

5.8.3.2 The Lead Auditor during the closing meeting shall also inform the Company/ship representatives about the following:

- .1 in relation to the reported observations it shall be noted about the potential ship security failure, which, if not corrected, may later lead to a failure. To avoid such a situation,

¹ Refer to 6.3 of IACS PR No. 24.

² Refer to 6.4 of IACS PR No. 24.

³ Refer to 6.5 of IACS PR No. 24.

⁴ Refer to 6.7 of IACS PR No. 24.

⁵ Refer to 6.8 of IACS PR No. 24.

⁶ Refer to 7.2 of IACS PR No. 24.

it is practicable that the Company/ship representatives shall develop and undertake preventive actions based on documented observations (refer to [5.9.3.3](#)).

.2 the Company's actions regarding the documented observations/failures/major failures as well as submission of a request for the additional ship security audit to RS, if such audit is assigned by RS for evaluating the effectiveness of the corrective actions taken by the Company/ship in order to verify the ISSC (including the Interim ISSC) validity, refer to [5.9.1.5](#) — [5.9.2](#).

5.9 PRESENTATION OF AUDIT RESULTS

Note 24. This section lists general requirements for presentation/development of corrective actions for failures, including major failures.

5.9.1 Failures.

5.9.1.1 Audit findings shall be reviewed by the auditor(s) in order to determine whether they shall be reported as major failures, failures or observations in Failure Report/Observation Report (form 8.4.8)¹.

5.9.1.2 The Failure Report (FR, form 8.4.8) shall state clearly the act or situation identified as non-compliance with the ship security.

5.9.1.3 The content of the failure shall be full and clear, as well as made in easily understandable form.

Note 25. The wording of the failure shall refer to non-compliances with the ISPS Code requirements.

5.9.1.4 Failures shall be raised against the corresponding requirements of the ISPS Code, the relevant sections or paragraphs of the SSP and any specific MA requirements².

5.9.1.5 The Company is responsible for developing and implementing corrective actions of each failure, reported by the RS auditor, including actions to eliminate the failure (refer to [5.9.1.7](#), [5.9.1.8](#), [5.9.2.1](#) and [5.9.2.2](#)) and to prevent recurrence. The corrective actions shall be agreed between the Company and the Lead RS Auditor. The agreed time period for implementation of actions to prevent the recurrence (elimination of the failure in the case of application of [5.9.1.8](#)) shall not exceed three (3) months³ from the date the audit was completed. The implementation of these actions shall be verified (refer to [5.8.2.5](#)) not later than the next ship security audit, which shall be performed upon expiry of the time period, agreed for implementation of these actions.

The Company is also responsible for notifying the RS Branch Office, which performed the audit, on the actual implementation of the corrective actions for each failure within no later than three (3) months⁴ from the date the audit was completed.

Note 26. The Company's procedure for dealing with failures is given in FR (form 8.4.8).

5.9.1.6 Depending on the nature of any failures identified (refer to [5.9.1.7](#), [5.9.1.8](#), [5.9.2.1](#) and [5.9.2.2](#)), to verify the implementation of actions to prevent the recurrence (to eliminate the failure if [5.9.1.8](#) is applied), additional ship security audit (AA) might be required for verification of the corrective actions to prevent recurrence of the failure/major failure / to eliminate the failure (if applicable, refer to [5.9.1.8](#)). The Company is responsible for applying to RS for any follow-up AA audit required by the RS auditor. The agreed time period for submission of the ship to the assigned AA shall not exceed three (3) months from the date the audit was completed.

5.9.1.7 An ISSC shall not be issued or renewed until compliance has been restored for all identified failures. In addition, a schedule (refer to [5.9.1.5](#)) for the implementation of action to prevent recurrence may be agreed between the Company and the RS auditor. AA may be carried out as necessary⁵.

¹ Refer to 7.1 of IACS PR No. 24.

² Refer to 7.3 of IACS PR No. 24.

³ The deadline is specified in calendar days.

⁴ The deadline is specified in calendar days.

⁵ Refer to 7.5 of IACS PR No. 24.

5.9.1.8 An ISSC may be endorsed following identification of a failure, provided that compliance has been restored or a schedule (refer to [5.9.1.5](#)) has been agreed between the Company and the RS auditor for the completion of corrective action to restore compliance and to prevent recurrence. AA may be carried out as necessary¹.

5.9.1.9 Nonfulfillment the agreed corrective actions (refer to [5.9.1.5](#)), as well as not submitting the ship for the assigned AA (refer to [5.9.1.6](#)) shall be treated as grounds for invalidation of the ISSC (including the Interim ISSC).

5.9.2 Major failures².

5.9.2.1 ISSC shall not be issued or renewed if a major failure (MF) exists. Immediate action is required to restore compliance. The RS auditor shall verify the implementation of these measures before the ship sails and a schedule (refer to [5.9.1.6](#)) for the implementation of actions to prevent recurrence shall be agreed between the Company and the RS auditor. At least one AA shall be carried out within the period agreed for the verification of implementation of the actions to prevent recurrence.

5.9.2.2 ISSC shall not be endorsed if a MF exists. Immediate action is required to restore compliance, thereby permitting the MF to be downgraded. The RS auditor shall verify the implementation of these measures before the ship sails and a schedule (refer to [5.9.1.5](#)) for the implementation of actions to prevent recurrence shall be agreed between the Company and the RS auditor. At least one AA shall be carried out within the period agreed for the verification of implementation of the actions to prevent recurrence (refer to [5.9.1.6](#)).

Note 27. The RS Lead Auditor may downgrade MF only after checking that the Company/ship perform the following actions:

- .1 verifiable actions have been taken to restore compliance with the requirements;
- .2 actions to restore compliance with the requirements have been completed prior to sailing;
- .3 effectiveness of these actions is confirmed by objective evidence (for example, copies of documents, amendments to SSP documents, photos, etc.).

MF downgrading actions shall be recorded in FR (form 8.4.8) with the necessary evidence attached.

5.9.2.3 In relation to actions of the RS auditor during reporting of MF, refer to [Appendix 5](#).

5.9.2.4 Nonfulfillment the agreed corrective actions, as well as not submitting the ship for the assigned AA shall be treated as grounds for invalidation of the ISSC (including the Interim ISSC).

5.9.3 Observations.

5.9.3.1 Observation Report (form 8.4.8) shall clearly state the fact, confirmed by objective evidence, identified as a potential failure in ship security, which, if not corrected, may lead to failure in the future (refer to [5.8.3.2.1](#)).

5.9.3.2 The content of the observation shall be full and clear, as well as made in easily understandable form. If the observation relates to SSP/requirements the ISPS Code/MA, the relevant references shall be specified in the Observation Report.

5.9.3.3 The agreed time period for implementation of preventive actions pertaining to an observation shall not exceed three (3) months³ from the date the audit was completed. The effectiveness of these actions shall be verified not later than the next ship security verification, which shall be performed upon expiry of the time period, agreed for implementation of preventive actions (refer to [5.8.2.5](#)).

¹ Refer to 7.7 of IACS PR No. 24.

² Refer to 7.4, 7.6 of IACS PR No. 24.

³ The deadline is specified in calendar days.

5.9.4 Report on the SSP approval/ship security verification.

5.9.4.1 A Report (form 8.4.9) shall be issued after every SSP approval and ship security verification¹.

5.9.4.2 In the case of an audit, the Report shall include the following²:

- .1 date and time of completion of the audit;
- .2 status of the SSP implementation;
- .3 confirmation of the operational status of all security equipment and systems on board;
- .4 reports of any failures found during the audit.

Note 28. Any additional information related to security verification may be indicated in the Report upon the RS auditor's decision.

5.9.4.3 Upon the results of SSP review the RS auditor shall issue the following records:

- .1 Ship security plan approval report (form 8.4.9);
- .2 Ship security plan approval letter (form 8.4.7);
- .3 FR(s)/Observation Report(s) (form 8.4.8), if applicable.

5.9.4.4 Upon the results of ship security verification review the RS auditor shall issue the following records:

- .1 Report on the ship security verification (form 8.4.9); and also, if applicable:
- .2 relevant ISSCs;
- .3 FR(s)/Observation Report(s) (form 8.4.8);
- .4 Check-lists of relevant MA additional requirements (forms 8.4.6-2-A).

5.9.4.5 PAL shall be given to the Company and retained on board the ship, together with a copy of the Report (form 8.4.9)³.

Originals of the records specified in [5.9.4.3](#) – [5.9.4.4](#), except for Check-lists of additional requirements of Flag Administration shall be submitted by the RS Lead Auditor to the Company/ship representatives upon completion of the audit.

5.9.4.6 The other documents, which shall be attached to the Report (form 8.4.9) (Audit materials), if applicable, are copies of the following documents:

- .1 when reviewing SSP/amendments to SSP:
 - title page of the approved SSP;
 - contents page of the approved SSP;
 - revision page of the approved SSP;
 - FRs, issued upon the results of the previous review of SSP/amendments to SSP, closed out by the RS auditor;
- .2 when performing ship security verification:
 - FRs/Observation Reports, issued upon the results of the previous ship security audit, closed out by the RS auditor;
 - title page of the approved SSP;
 - security equipment installation layouts (if applicable);
 - existing ISSC with endorsement notes;
 - crew list;
 - objective evidence of the Company actions for downgrading the MF (e.g., copies of documents, amendments to SSP, photos etc.);
 - MA authorization to perform an audit/extension of documents/other MA instructions, as well as copies of any other documents which confirm the results of the audit as determined by the RS auditor.

¹ Refer to 10.1 of IACS PR No. 24.

² Refer to 10.4 of IACS PR No. 24.

³ Refer to 10.3 of IACS PR No. 24.

**5.10 COMMUNICATIONS WITH FLAG STATES AND BETWEEN ROS.
NOTIFICATION ON INVALIDATION OF ISPS CERTIFICATION¹**

5.10.1 In case of invalidation of the ISSC, the MA and RO shall be informed not later than 5 working days² from the date of invalidation. The procedure for informing is specified in the instructions to form 8.4.22 "Notification on Invalidation of ISPS Certification (ISSC)".

¹ Refer to Annex 3 to IACS PR No. 24.

² The deadline is specified in calendar days.

5.11 ACTIONS FOLLOWING PORT STATE CONTROL DETENTIONS (PSC)¹

5.11.1 When a ship is detained and failures relating to the ISPS Code are given as reasons for the detention, the CS that issued the ISSC shall carry out an additional audit.

5.11.2 Any failures shall be dealt with in accordance with the relevant requirements of [5.9](#).

5.11.3 If the RS auditor disagrees with the PSCO conclusions, the reasons for the disagreement shall be documented in the Report (8.4.9). PSCO, the Company and MA shall be made aware of the auditor's comments in this respect.

Note 29. In such case, the objective evidence of such disputes/main causes of detentions shall be specified.

¹ Refer to 13.1 – 13.3 of IACS PR No. 24.

6 PROCEDURAL REQUIREMENTS FOR THE MLC CERTIFICATION

6.1 APPLICATION

6.1.1 This Section is based on IACS PR No. 40 "Procedural Requirements for MLC, 2006 Certification" and the requirements of the MLC Regulations and Standards.

Note 30. In order to facilitate usage of the primary source, this Section contains references (in a form of footnotes) to the main requirements of the original English version of IACS PR No. 40 and MLC requirements. Some of IACS PR No. 40 and MLC requirements are supplemented with the effective RS requirements.

6.2 PURPOSE AND CRITERIA OF CERTIFICATION

6.2.1 The purpose of a certification is to verify that the seafarers¹ working and living conditions on board comply with the requirements of MLC and national legislation subject to verification².

6.2.2 This Section establishes the procedure for³:

.1 review and endorsement of Declaration Part II (refer to [6.6.3](#));

.2 the conduct of inspection for issuance of the interim Certificate, as well as the conduct of initial, intermediate, renewal and additional shipboard inspections against the MLC, 2006, as implemented in national legislation referenced in the Declaration Part I (refer to [6.6.3](#));

.3 issuance of Certificates to ships and their subsequent endorsement.

6.2.3 This Section also establishes basic procedures for RS to follow when potential violations of the MLC requirements⁴ are identified by PSCO.

6.2.4 Criteria for the conduct of inspections to verify compliance of a ship with the MLC requirements shall meet the requirements of applicable MLC Regulations and Standards.

6.2.5 Any certificates issued shall comply with the format required by MA.

6.2.6 Inspection of a ship for compliance with the MLC requirements does not duplicate and it shall not be considered a substitute for other types of audits/inspections including inspection of crew accommodations, inspection for compliance with the rules for labour protection on ships and other requirements. The RS inspector shall be guided by the relevant documents issued to the shipowner and the ship upon results of such inspections and shall accept them as a confirmation of compliance with the obligatory requirements.

¹ Refer to 1,f), article II, MLC.

² Refer to Appendix A5-I to MLC.

³ Refer to Section 1 of IACS PR No. 40.

⁴ Refer to Section 1 of IACS PR No. 40.

6.3 SHIPOWNER RESPONSIBILITIES¹ PERTAINING TO ON-BOARD INSPECTIONS²

6.3.1 All RS actions related to the Declaration review, on-board inspection for compliance with the MLC requirements are performed based on the duly filled-in request by the shipowner (form 8.5.5 is posted on the RS official website (<http://www.rs-class.org/en>)) submitted to the RS Branch Office in the area of activity of which the inspection will be performed.

6.3.2 When requesting the inspection for issuance of an interim Certificate, the shipowner shall also attach the following documents:

- .1** Certificate of the right to sail under the State Flag;
- .2** document confirming that the shipowner complies with the definition given in j) of Article II of MLC.
- .3** Questionnaire of Ship Readiness for Interim MLC Inspection (form 8.5.6-4 is posted on the RS official website).

6.3.3 The shipowner shall develop and implement the measures (specified in DMLC Part II) adopted to ensure ongoing compliance with the national requirements (as specified in DMLC Part I) between the inspections and the measures proposed to ensure that there is continuous improvement³.

6.3.4 When the inspection shall be performed by RS and Declaration has been reviewed by MA, prior to on-board inspection the shipowner shall submit to RS a copy of the Report on Declaration review.

6.3.5 When the Declaration has been reviewed by RS at the shipowner's office or at the RS office, the certified original of the DMLC and records shall be delivered on board by the shipowner.

6.3.6 Where the documents have been reissued by RS at the shipowner's office or at the RS office, the originals of reissued Certificate and Declaration shall be delivered on board by the shipowner.

6.3.7 Records on the latest on-board MLC inspections shall be available to seafarers, flag State inspectors and authorized PSCO, as well as shipowners' and seafarers' representatives⁴.

6.3.8 A current valid Certificate and Declaration shall be carried on the ship and a copy shall be posted in a conspicuous place on board where it is available to the seafarers for acquaintance. Copies of these documents shall be made available, upon request, to seafarers, flag State inspectors and authorized PSCO, as well as shipowners' and seafarers' representatives⁵.

¹ Refer to 1,j), article II, MLC.

² Refer to 1,i), article II, MLC.

³ Refer to Standard A5.1.3.10, b), MLC.

⁴ Refer to Standard A5.1.3.11, MLC.

⁵ Refer to Standard A5.1.3.12, MLC.

6.4 THE RS RESPONSIBILITIES¹

6.4.1 During inspection, the provisions of the ILO "Guidelines for Flag State Inspections"² shall be duly taken into consideration.

6.4.2 The MLC inspections shall be carried out by the RS inspectors having practical knowledge of the certification procedures and practices, possessing adequate qualification and experience appropriate for the size and complexity of the ship to be inspected.

6.4.3 The RS personnel involved in the MLC inspection shall ensure confidentiality of all the information received within the inspection.

¹ Refer to 2.1 of IACS PR No. 40.

² Refer to the Guidelines for Flag State Inspections under the Maritime Labour Convention, 2006.

6.5 RESPONSIBILITIES OF THE RS INSPECTOR¹

6.5.1 The RS inspector is responsible for

- .1** planning and carrying out the on-board inspection effectively and efficiently;
- .2** ensuring a Declaration review has been conducted;
- .3** complying with applicable procedural and normative requirements;
- .4** clearly communicating deficiencies and observations to the shipowner or his/her representative immediately;
- .5** reporting the final inspection results clearly, conclusively and without undue delay;
- .6** reviewing CAPs and verifying the effectiveness of corrective actions taken by the master or shipowner.

6.5.2 Where there are evidences of non-eliminated serious deficiency, the RS inspector shall act as prescribed in [6.9.3](#) notifying the Port State authorities, if applicable.

¹ Refer to 2.2 of IACS PR No. 40.

6.6 THE CERTIFICATION PROCESS

6.6.1 Plan Approval/Examination for newbuildings and substantial alterations to crew accommodations¹.

6.6.1.1 Requirements related to technical features of accommodation and recreational facilities in accordance with MLC, 2006, Regulation 3.1, shall be verified during the plan approval/examination and subsequent survey of crew accommodations for the newbuilding or substantial alterations project.

6.6.1.2 Following the ship construction, RS shall issue a Statement confirming that the ship was built or substantial alterations were made to the accommodation of an existing ship in accordance with the requirements of the MLC, 2006, Regulation 3.1 and the relevant flag State requirements.

6.6.1.3 Exemptions shall only be considered where MLC, 2006, Regulation 3.1 clearly specifies that the Competent Authority (after consultation with the shipowners' and seafarers' organizations) may grant exemptions. When in doubt regarding requirements from MLC, 2006, Regulation 3.1 RS shall seek clarification from MA as appropriate.

6.6.2 Interim inspection.

6.6.2.1 Interim Maritime Labour Convention Certificate/interim Statement of Compliance for Maritime Labour Convention/interim Statement of Compliance for Maritime Labour Convention (voluntary) (hereinafter referred to as "the interim Certificate") may be issued under the following conditions²:

.1 to a new ship on delivery;
.2 when a ship changes flag; or
.3 when a shipowner assumes the responsibility and obligation to fulfil the MLC requirements on board the ship which is new to that shipowner.

6.6.2.2 In these circumstances, it may not be possible to verify full and effective implementation of procedures, but in order to issue an interim Certificate the following shall be confirmed during the inspection³:

.1 the ship has been inspected, as far as reasonable and practicable, for compliance with the requirements listed in Appendix A5-I of MLC, 2006, taking into account verification of provisions stated in [6.6.2.2.2](#), [6.6.2.2.3](#) and [6.6.2.2.4](#);

.2 the shipowner has demonstrated to the competent authority or recognized organization that the ship has adequate procedures to comply with the MLC provisions;

.3 the master is familiar with the MLC requirements and the responsibilities for their implementation;

.4 relevant information has been submitted to the competent authority or recognized organization to issue a Declaration (the availability of confirmation of application to MA to issue a Declaration is not required for the voluntary on-board inspection for the issuance of an interim Certificate).

6.6.2.3 An interim Certificate may be issued for a period not exceeding six (6) months (if there are no special instructions from MA). No existing interim Certificate may be extended, nor subsequent interim Certificate may be issued.

6.6.2.4 For statutory inspection to issue an interim Certificate the availability of the Declaration on board is not obligatory unless it is additionally stipulated by MA. The shipowner shall submit to the RS inspector a confirmation of shipowner's application to MA for issuing a Declaration Part I. For ships flying the RF flag the draft of the Declaration

¹ Refer to 3.1 of IACS PR No. 40.

² Refer to 3.3.1 of IACS PR No. 40.

³ Refer to 3.3.2 of IACS PR No. 40.

Part I issued by RHO after registration of the request for issuance of the Declaration Part I, serves as a confirmation.

6.6.2.5 In case of satisfactory results of on-board inspection, the RS inspector issues an interim Certificate. Depending on whether the Flag State is a party to MLC and whether RS is duly authorized for MLC inspection, the RS inspector may issue one of the following forms of an interim Certificate:

- .1 Interim Maritime Labour Certificate (form 8.5.4) for ships flying the RF flag; or
- .2 Interim Maritime Labour Certificate (form 8.5.4liberia) for ships flying the Liberia flag;
or
- .3 Interim Maritime Labour Certificate (form 8.5.4belize) for ships flying the Belize flag;
or
- .4 Interim Maritime Labour Certificate (form 8.5.4A) for ships flying flags other than the RF, Belize, or Liberia flags; or
- .5 Interim Statement of Compliance for Maritime Labour Convention (form 8.5.4-3) for ships flying the flag State not party to MLC but which has granted relevant MLC authorization to RS; or
- .6 Interim Statement of Compliance for Maritime Labour Convention (voluntary) (form 8.5.4-1) for ships flying the flag State not party to MLC and that has not granted relevant MLC authorization to RS.

6.6.2.6 A copy of an interim Certificate shall be posted in a place conspicuous to seafarers.

6.6.2.7 Example of general structural diagram of conducting inspection to issue an interim Certificate:

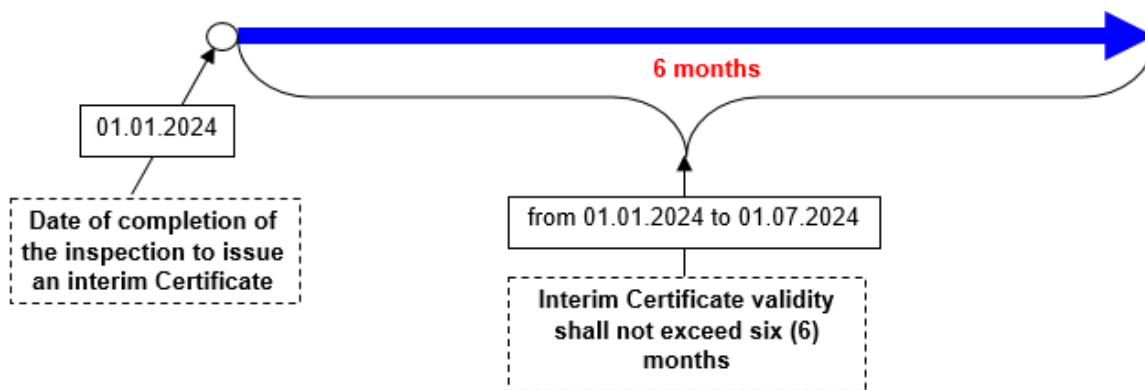


Fig.6.6.2.7

6.6.3 Review and confirmation of the Declaration.

6.6.3.1 The Declaration or DMLC consists of two parts:

- .1 DMLC Part I shall be drawn up by the competent authority with the reference to the national requirements fulfilment of which is subject to inspection and certification;
- .2 DMLC Part II shall be drawn up by the shipowner and shall contain description of measures for ongoing compliance with DMLC Part I and for continuous improvement.

6.6.3.2 Declaration review is a separate type of inspection and shall be completed by RS before a ship is initially inspected unless carried out by MA. The scope of the review is to verify that the DMLC Part II, provided by the shipowner, addresses the requirements in the DMLC Part I, issued by the MA, including measures for initial and ongoing compliance¹.

6.6.3.3 Declaration review may also be completed before:

.1 renewal (or intermediate, or additional) inspection, in case the DMLC Part I has been reissued (due to changes in MA requirements); or

.2 intermediate or additional inspection, in case the shipowner has amended DMLC Part II; or

.3 additional inspection in order to reissue MLC documents.

6.6.3.4 The shipowner's date of issue of the DMLC Part II shall be on or after the DMLC Part I issue date. This does not apply to cases where MA re-issues DMLC Part I, which does not require any amendments to the existing DMLC Part II².

6.6.3.5 Initial review of the Declaration shall be carried out provided that the shipowner has available DMLC Part I, issued to the corresponding ship but not earlier than one (1) month after issue of the interim Certificate.

6.6.3.6 Any further review of the DMLC Part II shall be carried out in case if the shipowner has available DMLC Part I issued to the corresponding ship.

6.6.3.7 Taking into account that some MAs issue a DMLC Part I in the electronic format, the Declaration may be reviewed having a DMLC Part I printed out by the shipowner from the electronic copy using colour printing.

6.6.3.8 The template of the DMLC Part II for ships flying the RF flag is posted on the RS official website (<http://www.rs-class.org/en>). The template of the DMLC Part II for a ship flying the flag other than the RF flag is also posted on the website of the relevant MA.

6.6.3.9 The Declaration (voluntary) shall be filled in by the shipowner and it shall specify the measures developed and taken by him/her on board the ship for the ongoing compliance with the MLC requirements for each of the items. The template of the Declaration (voluntary) is posted on the RS official website.

6.6.3.10 Review of the Declaration may be carried out:

.1 in the shipowner's office;

.2 in the RS office;

.3 on board the ship.

6.6.3.11 Recommendations for shipowners on filling in the Declaration are given in [Appendix 10](#).

6.6.3.12 The original of Declaration endorsed by the shipowner shall be submitted for review.

6.6.3.13 The RS inspector shall ascertain that:

.1 the shipowner complies with the Declaration issue requirements;

.2 fields of the Declaration — "shipowner's name" and "shipowner's address" filled in by the shipowner correspond to the information specified in the Company's title documents, and/or statutory documents issued by RS for this ship (for example, in DOC and/or SMC). For individual MAs there can be exemptions.

6.6.3.14 If measures specified by the shipowner in the Declaration do not comply with the requirements of MLC or national legislation, the RS inspector shall not endorse the Declaration.

¹ Refer to 3.4.1 of IACS PR No. 40.

² Refer to 3.4.2 of IACS PR No. 40.

6.6.3.15 In case of satisfactory review results, the RS inspector shall endorse the original of DMLC Part II (voluntary DMLC) with his/her signature and stamp on each sheet (in case of duplex printing — on each even-numbered page) in the lower left-hand corner.

6.6.3.16 Satisfactory results of the Declaration review are valid till the date of Declaration endorsement but not more than six (6) months from the review date.

6.6.3.17 Satisfactory results of initial review of the Declaration become null and void in case if:

.1 the validity of the interim Certificate has expired and the DMLC Part I has been amended in connection with amendments in the national legislation; or

.2 the shipowner has amended the DMLC Part II; or

.3 the DMLC Part I has been canceled.

6.6.3.18 Satisfactory results of any further review of the Declaration become null and void in case if:

.1 the shipowner has amended the DMLC Part II; or

.2 the DMLC Part I has been canceled.

6.6.3.19 Declaration (or voluntary Declaration) certification is a procedural step certifying the satisfactory results of on-board MLC inspection. As a rule, the Declaration shall be certified upon the results of initial or renewal inspection.

6.6.3.20 Declaration (or voluntary Declaration) certification shall be performed by the RS inspector who has carried out the subsequent on-board MLC inspection (after the Declaration review) provided the results of the inspection are satisfactory.

6.6.3.21 When the Declaration has not been reviewed immediately prior to the inspection, the RS inspector shall verify that the following documents are available on board:

.1 an original of the Declaration certified by RS; or

.2 the Report on Declaration review as per form 8.5.9.

6.6.3.22 The RS inspector shall review the documents submitted and verify that:

.1 the Declaration has not been amended and/or no sheets have been replaced;

.2 the Declaration is endorsed by the same RS inspector who issued the Report on Declaration review as per form 8.5.9;

.3 the Declaration has been reviewed not earlier than six (6) months prior to the date of the beginning of the relevant inspection.

6.6.3.23 To certify the Declaration, the RS inspector who has carried out on-board MLC inspection shall specify on the last page of the Declaration:

.1 the place and date of inspection;

.2 surname and initial letters, sign and certify the signature with the seal.

6.6.4 Initial on-board inspection.

6.6.4.1 The initial on-board MLC inspection shall be carried out within the period of validity of the interim Certificate¹.

6.6.4.2 The initial inspection may be carried out provided there is sufficient evidence that the shipowner's measures specified in the DMLC Part II (or voluntary Declaration) have been implemented for at least one (1) month². The basis for RS to believe that this requirement is complied with is the review of the Declaration performed at least one (1) month prior to the date of the initial inspection.

6.6.4.3 This inspection is carried out provided the results of the Declaration (or voluntary Declaration) review are satisfactory.

¹ Refer to MLC, Standard A5.1.3.8.

² Refer to 3.5.1 of IACS PR No. 40.

6.6.4.4 The initial inspection includes checking of the measures taken by the shipowner on board including measures specified in the DMLC Part II (or voluntary Declaration) in order to comply with the national requirements given in the DMLC Part I (or with the MLC requirements).

6.6.4.5 A Maritime Labour Certificate/Statement of Compliance for Maritime Labour Convention/Statement of Compliance for Maritime Labour Convention (voluntary) (hereinafter referred to as "the Certificate") is issued upon¹:

.1 the Declaration has been reviewed and certified upon completion of on-board MLC inspection carried out by RS;

.2 deficiencies have been rectified or a CAP has been agreed by RS inspector (if applicable).

6.6.4.6 Depending on whether the flag State is a party to MLC and whether RS is duly authorized for MLC inspection, the RS inspector may issue one of the following forms of a Certificate:

.1 Maritime Labour Certificate (form 8.5.3) for ships flying the RF flag; or

.2 Maritime Labour Certificate (form 8.5.3belize) for ships flying the Belize flag; or

.3 Maritime Labour Certificate (form 8.5.3A) for ships flying flags other than the RF or Belize flags; or

.4 Statement of Compliance for Maritime Labour Convention (form 8.5.3-3) for ships flying the flag State not party to MLC but that has granted relevant MLC authorization to RS; or

.5 Statement of Compliance for Maritime Labour Convention (voluntary) (form 8.5.3-2) for ships flying the flag State not party to MLC that has not granted relevant MLC authorization to RS.

6.6.4.7 On completion of the initial inspection, a Certificate not exceeding five (5) years may be issued. A certificate of shorter validity may be issued in accordance with the RS procedures and MA requirements².

6.6.4.8 The Certificate of shorter validity is issued by the RS inspector in the following cases:

.1 if, in accordance with the agreement between RS and MA, the flag Administration itself issues a Certificate for a period not exceeding five (5) years³. In this case, unless otherwise stipulated by MA, the RS inspector issues a Certificate for a period not exceeding five (5) months;

.2 if upon initial inspection results deficiencies have been identified, the RS inspector issues a Certificate for a period not exceeding five (5) months.

6.6.4.9 Herewith, a Certificate with validity not exceeding five (5) years may be issued only under the following conditions:

.1 the shipowner has notified the RS Branch Office responsible for control of CAP implementation on rectification of deficiencies;

.2 upon satisfactory results of verification by the responsible RS Branch Office of the records drawn up upon the results of initial on-board inspection.

¹ Refer to 3.2.2 of IACS PR No. 40.

² Refer to 3.2.3 of IACS PR No. 40.

³ Refer to 3.1.2.4 of IACS PR No. 9.

6.6.4.10 Example of general structural diagram of conducting inspection to issue MLCt:

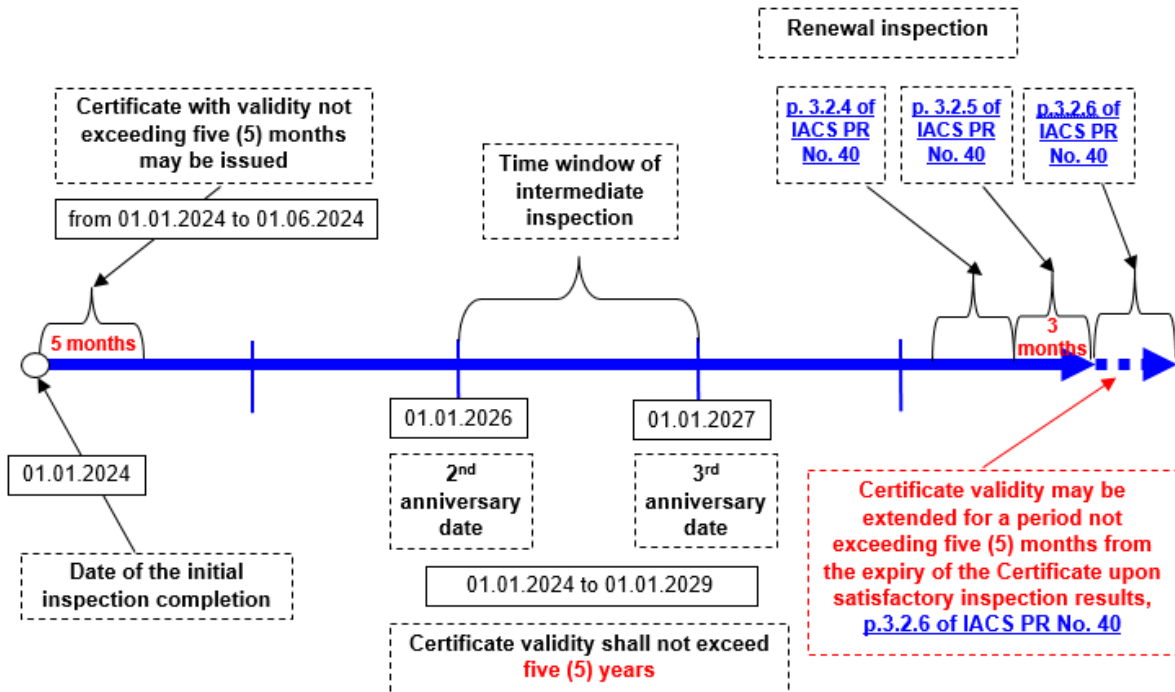


Fig. 6.6.4.10

6.6.5 Intermediate inspection.

6.6.5.1 The purpose of the intermediate inspection is to verify¹:

- .1 ongoing compliance with MLC as implemented through national laws and regulations;
- .2 amendments to the DMLC Part I and Part II (if any) have been effectively implemented;
- .3 that rectification to previous deficiencies have been completed (if applicable).

6.6.5.2 The scope of this inspection shall be the same as for initial inspection and shall be carried out between the second and the third anniversary date of the Certificate².

6.6.5.3 In case of satisfactory results of on-board inspection, the RS inspector shall endorse the Certificate.

6.6.5.4 In case the intermediate inspection (only for statutory inspection) is carried out beyond the specified deadline, the RS inspector shall act in accordance with [Scenario 7 in Appendix 9](#).

6.6.6 Renewal inspection.

6.6.6.1 The scope of this inspection shall be the same as for initial inspection³.

6.6.6.2 Upon satisfactory results of the renewal inspection, the RS inspector shall:

- .1 endorse the current Certificate (refer to [6.6.6.5](#)) or issue a new Certificate in accordance with [6.6.6.3 — 6.6.6.5](#); and
- .2 endorse and submit the Declaration to the shipowner (if applicable).

¹ Refer to 3.6.1 of IACS PR No. 40.
² Refer to 3.6.2 of IACS PR No. 40.
³ Refer to 3.7.1 of IACS PR No. 40.

6.6.6.3 When the renewal inspection has been completed within three (3) months before the expiry of the current Certificate, the new Certificate shall be issued for a period not exceeding five (5) years from the date of expiry of the current Certificate¹.

6.6.6.4 When the renewal inspection is completed more than three (3) months before the expiry date of the current Certificate, the new Certificate shall be valid for a period not exceeding five (5) years from the date of completion of the renewal inspection².

6.6.6.5 Where, after a renewal inspection is completed prior to the expiry of an current Certificate, the ship is found to continue to meet national laws and regulations implementing the MLC requirements, but a new Certificate cannot immediately be issued at the renewal inspection and made available on board that ship, RS may extend the validity of the current Certificate for a further period not exceeding five (5) months from the expiry date of the current Certificate, and endorse the Certificate accordingly. The new Certificate shall be valid for a period not exceeding five (5) years starting from the relevant date provided for in [6.6.6.3](#) or [6.6.6.4](#)³.

6.6.6.6 When the renewal inspection has been completed after the expiry of the current Certificate, the new Certificate shall be drawn up for a period not exceeding five (5) years from the date of expiry of the current Certificate⁴.

¹ Refer to 3.2.4 of IACS PR No. 40.

² Refer to 3.2.5 of IACS PR No. 40.

³ Refer to 3.2.6 of IACS PR No. 40.

⁴ Refer to 3.2.7 of IACS PR No. 40.

6.7 PREPARATION FOR INSPECTION

6.7.1 The MLC request.

6.7.1.1 RS has developed the following request forms for the provision of MLC certification services and additional forms which are available in Section "Working and living conditions for seafarers (MLC-2006)/Certification of crewing companies" on the RS official website (<http://www.rs-class.org/en>):

.1 form 8.5.5 — Request for On Board MLC Inspection (to be filled in by the shipowner and submitted to the RS Branch Office);

.2 form 8.5.6-4 — Questionnaire of Ship Readiness for Interim MLC Inspection (to be filled in by the shipowner and submitted to the RS Branch Office together with the Request when interim MLC inspection is required);

.3 form 8.5.5-1 — Request for Issuance of Part I of Declaration Maritime Labour Compliance for Ship Flying the State Flag of the Russian Federation (to be filled in by the shipowner and submitted to the Register Head Office).

6.7.1.2 The shipowner shall use valid request form for sending to RS. Responsibility of the shipowner to receive the service regarding MLC is set in forms 8.5.5 and 8.5.5-1.

6.7.1.3 In case an interim MLC inspection has been requested, the shipowner shall attach copies of the documents specified in Section "In the Appendix are directed (at the primary application)" of form 8.5.5.

6.7.1.4 The RS Branch Office that received the request shall review the request in compliance with the RS requirements to determine the possibility of rendering the appropriate service.

6.7.1.5 In case an interim MLC inspection has been requested for a ship flying the RF flag, the shipowner shall forward to MMS and MLC Department a request for issuance of the DMLC Part I as per form 8.5.5-1.

6.7.2 The MLC documents.

6.7.2.1 The requirements for MLCt and DMLC forms are specified in Appendix A5-II to MLC.

Note 31. 1. The MLC document forms, developed by RS, comply with the above-mentioned requirements.

2. The procedure for issuing and application of MLC document forms, developed by RS, is described in the corresponding instructions to them.

6.7.3 Verification of compliance with additional MA requirements.

6.7.3.1 Unless otherwise specified in the additional MA requirements/instructions, the RS inspectors shall verify compliance with the additional MA requirements in the same way as compliance with other mandatory requirements is verified.

6.7.3.2 Check-lists of MA additional requirements are developed by RS for these purposes.

6.7.4 Inspection plan.

6.7.4.1 The RS inspector shall prepare an Inspection plan (hereinafter referred to as "the Plan") taking into account hours of work/rest schedule for the seafarers. When the activities are planned to be carried out during hours of darkness the inspector's ability to gather information shall not be impaired (e.g. adequate and safe lighting shall be provided as necessary)¹.

¹ Refer to 3.8.1 of IACS PR No. 40.

6.7.4.2 The Plan shall be designed to be flexible in order to permit changes based on information gathered during the inspection and to permit the effective use of resources. The Plan shall be agreed with the ship's master and communicated to all those involved in the inspection¹. The basic requirements for the preparation of an Inspection plan, including those applicable to MLC, are specified in [4.7.4](#).

6.7.4.3 The Plan shall include at least the following:

- .1 opening meeting;
- .2 on-board inspection (familiarization of RS inspectors with documents associated with the matters of compliance with the MLC requirements, interview with the master and seafarers, walking round the ship, etc.);
- .3 drawing-up of records;
- .4 closing meeting.

6.7.4.4 When making the Plan, the inspection duration shall be taken into account as follows:

- .1 in case the Declaration review is carried out on board prior to the inspection, it shall be included into the Plan as the first stage of the inspection. If the Declaration review is carried out in full scope (initial), then the duration of this stage shall be not less than six (6) hours;
- .2 the duration of the initial, intermediate and renewal inspection shall be not less than eight (8) hours;
- .3 the duration of the interim MLC inspection shall be not less than six (6) hours.

6.7.4.5 The duration of the additional inspection, including the additional inspection in the scope of Declaration review, depending on the scope of the inspection, shall be established by the actual time spent.

6.7.4.6 In the event that as part of the on-board MLC inspection, the crew accommodation is inspected as an additional MA requirement (for example, the flags of St. Kitts & Nevis, St. Vincent & The Grenadines or Togo), this stage shall be included in the Plan and the duration of this stage shall be not less than two (2) hours.

6.7.4.7 The total duration of the inspection, taking into account [6.7.4.4 — 6.7.4.6](#), is based on the work of one RS inspector.

6.7.4.8 The shipowner is responsible for the appointment of the shipowner's representative and persons participating in the on-board MLC inspection.

6.7.4.9 Disputing matters on particular items of the Plan shall be settled prior to the commencement of the inspection.

6.7.4.10 Initial, intermediate and renewal inspections shall be performed only under normal operating conditions, for example, when the ship is not in dry dock or in cold lay-up².

6.7.4.11 Interim inspections may be conducted in circumstances other than normal operating conditions, provided the ship is fully manned³.

¹ Refer to 3.8.2 of IACS PR No. 40.

² Refer to 3.8.3 of IACS PR No. 40.

³ Refer to 3.8.4 of IACS PR No. 40.

6.8 EXECUTING THE MLC INSPECTION

6.8.1 General.

6.8.1.1 MLC inspection may be conducted during the same visit as ISM and/or ISPS audit. The scope of the audit(s) and inspection shall be the same as when they are carried out independently¹.

6.8.1.2 All scheduled inspections (initial, intermediate and renewal) shall be fully scoped inspections covering all of the aspects of MLC, 2006².

6.8.1.3 [Appendix 9](#) contains typical scenarios of MLC inspection³.

6.8.2 Opening meeting.

6.8.2.1 The on-board inspection shall begin with an opening meeting⁴, the purpose of which is to:

- .1 introduce the RS inspector(s) to the shipboard management;
- .2 explain the scope and objective of the inspection;
- .3 provide a short summary of the methods and procedures to be used;
- .4 establish the official communication line between the RS inspector and the shipboard management;
- .5 confirm that the necessary resources, documentation and facilities are available;
- .6 confirm the time and date of the closing meeting and any interim meetings.

6.8.2.2 A statement of the RS inspector, who carries out the on-board MLC inspection, on stating to ensure the confidentiality of all information placed at his/her disposal during the ship inspection, is a part of the Report as per form 8.5.9.

6.8.3 Checking of compliance with the MLC requirements.

6.8.3.1 Inspections for the issue, endorsement or renewal of the Certificate shall consist of the following steps⁵:

- .1 verification of documentation submitted by the shipowner — ship documents and other documents confirming compliance of the seafarers' working and living conditions with the MLC and national requirements;
- .2 walking round the ship to verify compliance of seafarers' working and living conditions with the MLC and national legislation requirements;
- .3 general discussion and private interview with seafarers, concerned persons to confirm that seafarers' working and living conditions comply with the requirements of MLC and national legislation.

6.8.3.2 The RS inspector is entitled to question the master, seafarers or any other persons concerned, including the shipowner or the shipowner's representative(s) on any matter concerning the implementation of the MLC requirements.

6.8.3.3 The RS inspector is entitled to require any log books, documents or other sources of information relating to the inspection, in order to verify their availability and compliance with the MLC requirements.

6.8.3.4 When carrying out the on-board MLC inspection, the RS inspector shall ascertain that crew accommodation (technical characteristics of the spaces and ship's structural particulars) have been inspected and are in compliance with Regulation 3.1 of MLC.

6.8.3.5 In the event the MA prescribes RS to check the seafarers' accommodation within the first on-board MLC inspection, the RS inspector shall apply the corresponding

¹ Refer to 3.9.1 of IACS PR No. 40.

² Refer to 3.9.2 of IACS PR No. 40.

³ Refer to Annex 3, of IACS PR No. 40.

⁴ Refer to 3.9.3 of IACS PR No. 40.

⁵ Refer to 3.9.5 of IACS PR No. 40.

Check List of additional requirements of the MA (for RS as per form 8.5.6-3A where "A" stands for the abbreviated name of MA. For example: form 8.5.6-3togo "Check List for On-Board Inspection of the Crew Accommodation for Compliance with National Requirements of the Republic of Togo"). The Check List signed by the RS inspector and certified by his/her personal stamp, shall be handed over to the ship's master and kept on board until the ship flying this flag.

6.8.3.6 In the event the document on inspection of crew accommodation (except those specified in 6.8.3.5) submitted by the shipowner contains information on non-conformities with the requirements of the ILO conventions or national legislation subject to elimination, the RS inspector shall check their fulfilment. Example of such a fulfilment of the requirements of the ILO conventions and/or recommendations or national legislation may be their total rectification or issue by MA of corresponding exemptions (for example, indication in Section "Exemptions" of DMLC Part I or issue of an Exemption Certificate).

6.8.3.7 During the on-board inspection it is necessary that the ship type, purpose, operation and cargoes carried shall be taken into account.

6.8.3.8 If applicable, in the course of the on-board inspections it is necessary that all observations, deficiencies found at the previous on-board inspections, verifications and examinations shall be reviewed, as well as the results of the detentions that took place, so that the efficiency of corrective and preventive actions taken shall be assessed. All deficiencies found during the previous inspections shall be rectified within the agreed time period.

6.8.3.9 The RS inspector is entitled to use all additional information in respect to the ship and the shipowner, obtained with no breaches of the laws, available from the previous shipowner, classification society, crew members, other persons concerned and from mass media.

6.8.3.10 For a satisfactory inspection to be completed, the RS inspector shall use different methods including general discussions with seafarers and interviews with seafarers in private.

6.8.3.11 Interviews with persons in a state of alcoholic or narcotic intoxication shall not be allowed.

6.8.3.12 When interviewing seafarers, the RS inspector shall take into account:

- .1 that some questions may be considered personal or potentially controversial; and
- .2 work and rest schedules of seafarers.

6.8.3.13 Interviews with seafarers shall be conducted, in private, in order to preserve the confidentiality of information presented. The RS inspector shall choose the tone for a serious, purposeful, and effective interview with a seafarer.

6.8.3.14 The RS inspector shall prepare a set of questions and an introductory statement that explains the purpose of the interview. When conducting the interview, the RS inspector shall use corresponding section of the Check List for On-Board MLC Inspection.

6.8.3.15 The questions in the check-lists shall not restrict the RS inspector's right to ask additional questions to obtain more distinct information on the seafarers' working and living conditions on board as well as consider any data on the implementation of the MLC requirements received from the shipowner's representatives during the inspection.

6.8.3.16 An inspection is based on the random verification of compliance with the MLC requirements (DMLC Part I and/or Appendix A5-I to MLC) and the RS inspector shall use professional judgment to determine the depth of inspection for each requirement¹.

6.8.3.17 In case a seafarer applies to the RS inspector with the purpose to lodge a complaint, the RS representative shall be guided by the Procedure for Registration of Seafarer's Complaint given in [Appendix 11](#).

¹ Refer to 3.9.5 of IACS PR No. 40.

6.8.3.18 When within the on-board MLC inspection, a serious deficiency has been identified regarding the seafarer's complaint connected with the fact that the working and living conditions are alleged to be defective to the extent that a clear hazard to the safety, health or security of seafarers exists, the MA shall be informed without delay.

6.8.3.19 If the discrepancies on the complaint have not been resolved onboard, the RS inspector shall inform the nearest Port State representative on the complaint.

6.8.3.20 The RS inspector is entitled to involve employees from external organizations as experts, at the expense of the shipowner. Decision about involving such an expert may be taken either on the stage of reviewing the request or in the course of the inspection. This shall be agreed with the shipowner in writing.

6.8.3.21 The RS inspector shall not take or remove, for the purpose of analysis, samples of provision, drinking water, cargo, materials and substances used or handled, which are in any way in contact with the seafarers, although he/she is entitled, basing on his/her professional judgment, to initiate these activities to be taken and to be present as a witness there. The fact of such samples taken or removed shall only be recorded by the RS inspector.

6.8.3.22 In this case copies of all documents containing the results of the sample analyses shall be attached to the report.

6.8.3.23 Upon receipt of unsatisfactory results of analyses of the samples, the RS inspector shall inform the shipowner's representative and depending on the seriousness of the breach of the MLC requirements, act as prescribed in [6.9.1](#) or [6.9.2](#).

6.8.3.24 In case of unavailability of the sample analyses results at the moment of the on-board MLC inspection completion, the RS inspector shall issue a Deficiency Note, having specified the following:

.1 reason for the expertise (for example, seafarers' complaints or the professional judgement of the RS inspector), and

.2 who and under what conditions carried out the sampling.

6.8.3.25 All observations, deficiencies and serious deficiencies identified during the inspection shall be documented in clear, concise and laconic form and substantiated by objective evidence. In case of identified observations, deficiencies and serious deficiencies, the RS inspector shall act as prescribed in [6.9.2](#) and [6.9.3](#).

6.8.4 Closing meeting.

6.8.4.1 On completion of the inspection, prior to the final report, the RS inspector shall hold a closing meeting. The objective of the meeting is to advise the results of the inspection, including all found observations, deficiencies and serious deficiencies, so as to be convinced that the results of the inspection are clearly understood and accepted by the shipowner or the shipowner's representatives.

6.9 DRAWING UP OF INSPECTION RESULTS

6.9.1 General

6.9.1.1 Inspection findings shall be reviewed by the RS inspector(s) in order to determine whether they shall be reported as serious deficiencies, deficiencies or observations in Deficiency/Observation Note — Corrective Action Plan (form 8.5.8).

6.9.2 Deficiencies.

6.9.2.1 The deficiency as described shall state clearly the act or situation identified as deficiency and provide appropriate references to requirements in the DMLC Part I and Part II, MA requirements, and/or MLC, as appropriate.¹

6.9.2.2 If to draw up the Deficiency/Observation Note (hereinafter referred to as "the DN") was the information obtained during the seafarers' interview, the appropriate entry shall be made in the Check List for On-Board MLC Inspection. The entry shall not contain the names and positions of seafarers.

6.9.2.3 All observations and deficiencies shall be reviewed by the lead RS inspector in cooperation with the shipowner's representative for clear understanding the results of the inspection by the Company.

6.9.2.4 The decision on assigning an additional on-board MLC inspection to check the fulfilment of corrective actions according to the Deficiency Note (with gradation "Deficiency") shall be made by the Lead RS inspector based on his/her professional statement in case the established fact cannot be gradated as the MLC serious deficiency, however, considering the time period till the next on-board MLC inspection and the nature of the violation it is necessary to check the CAP fulfilment.

6.9.2.5 Any deficiency found during the on-board MLC inspection regarding the seafarer's complaint, causes assignment of an additional inspection in order to ascertain that the corrective and preventive actions taken by the shipowner are effective.

6.9.2.6 DN shall clearly indicate specific fact identified as non-compliant with MLC Standard or national laws and regulations.

6.9.2.7 The content of the deficiency shall be complete and concise and written in such a manner as to be easily understood. Clarity shall not be sacrificed for the sake of brevity².

Note 32. The wording of the deficiency shall refer to non-compliances with MLC requirements.

6.9.2.8 Deficiencies shall be rectified at the time of inspection, whenever possible³.

6.9.2.9 Before a Certificate may be issued, endorsed or renewed the RS inspector would need to have confirmation either that all deficiencies noted during the inspection have been rectified or that a CAP has been provided by the shipowner and agreed by the RS inspector⁴.

6.9.2.10 When considering which actions to take, the RS inspector shall use professional judgement and take into account inter alia the following⁵:

- .1 whether the deficiencies can be rapidly remedied in the port of inspection;
- .2 whether the deficiencies constitute a significant danger to seafarers' safety, health or security;
- .3 the seriousness of the breach of the MLC requirements;
- .4 length and nature of the intended voyage;
- .5 prior history of similar deficiencies;
- .6 prior history with respect to rectifications.

¹ Refer to 3.11.1 of IACS PR No. 40.

² Refer to 3.11.2 of IACS PR No. 40.

³ Refer to 3.11.3 of IACS PR No. 40.

⁴ Refer to 3.11.4 of IACS PR No. 40.

⁵ Refer to 3.11.5 of IACS PR No. 40.

6.9.2.11 The shipowner shall review the deficiencies not rectified during the inspection and causes of their occurrence. In addition to CAP, the shipowner shall develop the preventive actions, e.g. measures to prevent deficiency recurrence. The developed corrective measures shall be included in DN which shall be sent to the RS Branch Office/RHO Location in charge within one (1) month from the inspection completion date for the RS approval.

6.9.2.13 CAP shall be implemented within a period not exceeding three (3) months from the completion of the inspection. The effectiveness of the corrective actions shall be verified not later than the next scheduled inspection (intermediate or renewal) or at any additional inspection that may be required whichever comes earlier¹.

6.9.2.13 If under results of the on-board MLC inspection, the lead RS inspector has assigned the additional inspection in order to check the performance of the corrective actions, the shipowner shall submit to the Register an appropriate request to inspect the ship in the prescribed period. Excess of the specified period shall be agreed upon with the MMS and MLC Department, RHO, in the written form.

6.9.2.14 Shipowner's submittal of request for introducing removals into DMLC Part I may be considered as corrective actions implementation when deficiency is related to the ship design with regard to crew accommodations compliance with MLC.

6.9.2.15 Repeatedly identified deficiency shall be recorded as a serious deficiency.

6.9.2.16 Failure to implement the agreed corrective actions may be treated as grounds for invalidation of the Certificate².

6.9.2.17 Violation of time periods agreed for submitting the ship for additional inspection by the shipowner shall be considered as a basis for invalidation of the Certificate.

6.9.3 Serious deficiencies.

6.9.3.1 A serious deficiency raised on a ship must be rectified or downgraded before a Certificate is issued and the ship can sail. Downgrading can only take place after verifiable action has been taken to remove any significant danger to seafarers' safety, health or security including seafarers' rights as well as CAP approval by the RS inspector.

6.9.3.2 The approved CAP must be implemented within a time period not exceeding three (3) months from the date of inspection³.

6.9.3.3 The shipowner shall review the serious deficiencies not rectified during the inspection and causes of their occurrence. In addition to CAP, the shipowner shall develop the preventive actions, e.g. measures to prevent their recurrence. The developed corrective measures shall be included in respective fields of DR which shall be sent to the RS Branch Office/RHO Location in charge within one (1) month from the inspection completion date for the RS approval.

6.9.3.4 When a serious deficiency has been rectified, at least one additional inspection shall be carried out within an agreed time frame, in order to verify implementation of the corrective actions. A Short Term Certificate valid up to three (3) months may be issued to allow for verification of necessary corrective actions during the additional inspection⁴.

6.9.3.5 All serious deficiencies, including those that have been downgraded during the inspection, shall be reported to the Maritime Administration⁵.

6.9.3.6 A list of serious deficiencies which shall be rectified in situ is specified in [Appendix 8](#). This list is not exhaustive. Decision on serious deficiency downgrading is taken by the RS inspector based on applicable requirements of MA, MLC and his/her professional judgement.

¹ Refer to 3.11.6 of IACS PR No. 40.

² Refer to 3.11.7 of IACS PR No. 40.

³ Refer to 3.12.1 of IACS PR No. 40.

⁴ Refer to 3.12.2 of IACS PR No. 40.

⁵ Refer to 3.12.3 of IACS PR No. 40.

6.9.3.7 When serious deficiencies present on the ship cannot be corrected in situ in the presence of the RS inspector or the proposed corrective actions in the opinion of the RS inspector are not sufficient, the RS inspector is not entitled to issue or endorse the Certificate.

6.9.3.8 Failure to implement the agreed corrective actions as well as not submitting the ship for the assigned additional inspection (AI) shall be treated as grounds for invalidation of the Certificate (including the Interim Certificate).

6.9.3.9 The procedure for actions of the RS inspector when reporting a serious deficiency is provided in [Appendix 5](#).

6.9.4 Observations.

6.9.4.1 In the event the situation cannot be identified as a deficiency or serious deficiency but which in specific circumstances may provide conditions for a deficiency to arise, such a fact shall be identified as an observation. The observation is advisory in nature and it may contain both terms of reference for potential nonconformity and possibility for improvement.

6.9.4.2 The Observation Note as per form 8.5.8 shall clearly state the fact, confirmed by objective evidence, identified as an observation. If the observation relates to requirements the MLC/MA, the relevant references shall be specified in the Observation Note.

6.9.4.3 Development of CAP and preventive measures based on observations are not subject to agreement with the Register.

6.9.5 Inspection report.

6.9.5.1 The Report as per form 8.5.9 shall be accurate and complete, reflect the content of the inspection and shall include the following¹:

- .1 ship name and IMO number;
- .2 date of completion of the inspection;
- .3 the scope and objectives of the inspection;
- .4 serious deficiencies, deficiencies and observations issued during the inspection;
- .5 names of RS inspectors and their roles;
- .6 Shipowner name².

6.9.5.2 Based on results of RS ship's inspection for MLC compliance, the RS inspector shall issue the following report documents:

.1 Report on Declaration review/onboard MLC inspection/reissuance of documents as per form 8.5.9;

and also, if applicable:

- .2 Deficiency/Observation Note(s) as per form 8.5.8;
- .3 Check List for Interim On-Board MLC Inspection (form 8.5.6-5) — shall not be submitted to the shipowner;
- .4 Check List for On-Board MLC Inspection (form 8.5.6-1) — shall not be submitted to the shipowner;
- .5 Check lists for on-board inspection for compliance with additional MA requirements as per forms 8.5.6-1A and 8.5.6-2A (where "A" stands for the abbreviated name of MA. For example: form 8.5.6-1ru "Additional Requirements of Maritime Administration MLC Inspection Checklist for Ships — Russian Federation") — shall not be submitted to the shipowner;

.6 Check list for on-board MLC inspection of the crew accommodation for compliance with the national requirements of the appropriate MA as per form 8.5.6-3A (where "A" stands for the abbreviated name of MA. For example: form 8.5.6-3togo "Check List for On-Board Inspection of the Crew Accommodation for Compliance with National Requirements of the Republic of Togo").

¹ Refer to 3.10.1 of IACS PR No. 40.

² Refer to para 1.j), Article II, MLC.

6.9.5.3 Any observations, deficiencies and serious deficiencies identified shall be included in the Deficiency/Observation Note and attached to the inspection report. The report shall be made available to the ship¹.

6.9.6 Performance check of corrective actions.

6.9.6.1 In the course of subsequent on-board MLC inspection, the RS inspector shall verify the results of corrective actions in respect of deficiencies reported earlier, if the agreed deadline for the implementation of corrective actions has already expired.

6.9.7 Withdrawal of Certificate.

6.9.7.1 A Certificate may be withdrawn if²:

- .1 rectification of deficiencies is not completed within the agreed time period; or
- .2 where a periodical inspection has not been requested within the time window; or
- .3 the shipowner did not make a request for inspection when substantial changes had been made to the structure of the ship (covered by Section 3 of MLC) ; or
- .4 a serious deficiency cannot be rectified or downgraded or an acceptable CAP cannot be provided for deficiencies raised; or
- .5 corrective actions have not been fulfilled within the specified periods; or
- .6 obligation to pay off the RS services is not fulfilled.

6.9.7.2 Certificate shall cease to be valid in the following cases³:

- .1 ship is not submitted for the additional on-board MLC inspection within the specified period; or
- .2 Certificate is not certified within the inspection (interim or additional); or
- .3 sale or decommission of the ship occurs; or
- .4 ship changes her flag; or
- .5 shipowner ceases to assume his/her responsibility for the ship's operation; or
- .6 substantial changes have been made to the ship's structure or equipment contained in Section 3 of MLC.

6.9.7.3 In cases listed in [6.9.7.2.3 — 6.9.7.2.6](#) the shipowner shall, with no delay, notify RS about this fact so that RS might take further actions.

6.9.7.4 In cases listed in [6.9.7.1.1 — 6.9.7.1.6](#), [6.9.7.2.1](#) and [6.9.7.2.2](#) when RS has grounds to withdraw the Certificate, RS shall, with no delay, advise the MA and the shipowner in writing.

6.9.7.5 The Certificate (or Statement of Compliance, or Statement of Compliance (voluntary)) shall be withdrawn by RS:

- .1 in cases listed in [6.9.7.2.3 — 6.9.7.2.6](#) after receipt of the relevant notification;
- .2 in cases listed in [6.9.7.1.1 — 6.9.7.1.6](#), [6.9.7.2.1](#) and [6.9.7.2.2](#) in the event of available relevant MA instructions.

6.9.7.6 In case of non-fulfilment of obligations by the shipowner to pay off the RS services within the dates agreed upon in the General Conditions for Rendering Services by Russian Maritime Register of Shipping (hereinafter referred to as "the General Conditions"), RS is entitled to withdraw the Certificate in accordance with the General Conditions. Upon expiration of the time specified in the General Conditions, RS shall notify the shipowner about the breach of the time of payment for the RS service and warns about withdrawal of the Certificate unless the payment shall be paid within two weeks. The Certificate may be withdrawn in fifteen (15) days after the shipowner's notification.

¹ Refer to 3.10.2 of IACS PR No. 40.

² Refer to 3.13.1 of IACS PR No. 40.

³ Refer to Standard A5.1.3.14, MLC.

6.9.8 Renewal of Certificate.

6.9.8.1 Procedure for renewal of the Certificate shall be applied to the following cases of withdrawal specified in [6.9.7.1.1 — 6.9.7.1.6](#), [6.9.7.2.1](#) and [6.9.7.2.2](#).

6.9.8.2 To renew the Certificate RS shall be notified by the shipowner in writing that the causes which resulted in the Certificate withdrawal have been rectified.

6.9.8.3 For the ship which Certificate has been withdrawn due to one or several serious deficiencies, a new Certificate shall not be issued until the following conditions are met:

- .1** all serious deficiencies are rectified;
- .2** the Declaration is reviewed and certified;
- .3** on-board MLC inspection carried out to verify that deficiencies in the seafarers' working and living conditions on board ship have been eliminated in the manner that these conditions are no more jeopardy to the seafarers' health, rights and are in full extent meeting the MLC requirements.

6.9.8.4 Where, upon results of the on-board MLC inspection carried out in accordance with 6.9.8.3.3, objective evidences exist confirming the fact that there is one or more serious deficiencies, these serious deficiencies shall be rectified by the shipowner in situ. In the case of impossible rectification of serious deficiencies in situ, a Certificate shall not be issued.

6.9.8.5 Where, upon results of the inspection carried out in accordance with the requirements of [6.9.8.3](#) and [6.9.8.4](#), objective evidences exist confirming the fact that the seafarers' working and living conditions on board ship are in compliance with the MLC requirements, and serious deficiencies are not available, a new Certificate may be issued.

6.9.8.6 In any case the Certificate may be only reinstated in the event of satisfactory results of inspection within the scope of an initial inspection. Validity of the reinstated Certificate shall be determined according to the period of the previously withdrawn one.

**6.10 COMMUNICATIONS WITH FLAG STATES AND BETWEEN ROs.
NOTIFICATION ON CERTIFICATE WITHDRAWAL**

6.10.1 In case of withdrawal of the Certificate, the MA and RO shall be informed not later than 5 (five) working days from the date of withdrawal. The procedure for informing is specified in the instructions to form 8.5.22 "Notification of Maritime Labour Certificate Withdrawal".

6.11 PORT STATE CONTROL (PSC)

6.11.1 When attending a ship as a result of a Port State Control action, RS that issued the Certificate shall consider the objective evidence presented by the PSCO¹.

6.11.2 Where the RS inspector considers that the evidence indicates the presence of a serious deficiency, the serious deficiency shall be documented and the shipowner shall be notified immediately. The inspector shall proceed as indicated in [6.9.3](#)².

6.11.3 In the absence of any specific instructions to the contrary, the scope of any additional inspection carried out following the detention of a ship that holds an interim MLC certificate shall include, as a minimum, the deficiencies identified by PSCO. Implementation will be verified to the extent that the available evidence permits³.

6.11.4 In cases where the PSCO alleges that there is evidence of a serious deficiency, and the RS inspector considers that there is not, the PSCO, under the authority vested in the officer by the authorities of the port, will decide what further action shall be taken⁴.

6.11.5 If the RS inspector disagrees with the actions taken by the PSCO, the RS inspector shall provide the PSCO with a written explanation of the disagreement and inform the flag State⁵.

Note 33. In such case, the objective evidence of such disputes/main causes of detention shall be specified."

¹ Refer to Annex 2, para 1 of IACS PR No. 40.

² Refer to Annex 2, para 2 of IACS PR No. 40.

³ Refer to Annex 2, para 3 of IACS PR No. 40.

⁴ Refer to Annex 2, para 4 of IACS PR No. 40.

⁵ Refer to Annex 2, para 5 of IACS PR No. 40.

COMPANY CERTIFICATION SCENARIOS¹

Note 34. These scenarios may be subject to Flag State requirements and shall only be applied in the absence of any instructions from MA.

Table

Nos	Scenario	Type of audit	Minimum scope of audit	Carried out by:	Certificate issued
1	Change of Company name and/or address	Verification on site	Verify that Company organization and responsibilities remain essentially unchanged. Ensure that necessary changes have been made to SMS documentation. Verify that changes have been reported to MA to update the CSR ² for each vessel	Auditor	Reissue DOC and SMCs with new name and/or address (expiry date as previous certificates) ³
2	Change to RO from a Classification Society not subject to verification of compliance with IACS QSCS in accordance with Section 5 of Annex 1 to the IACS QSCS	Initial audit	Audit to address all elements of the ISM Code. All corrective actions to be verified and previous NCRs to be closed out by the Gaining Society	Auditor	DOC with validity not exceeding 5 years from audit completion date
3	Additional ship type on DOC	Interim audit on site	Review of changes to SMS in relation to new ship type/to accommodate new ship type. Review plans to implement changes to SMS (minimum of 1 ship required)	Auditor	Interim DOC for new ship type
4	Change from Interim DOC to full DOC in Scenario 3	Additional audit on site	Verify additional requirements for ship type have been implemented. Review results of internal audit	Auditor	DOC (expiry date as for existing ship type)

¹ Refer to Annex 5 to IACS PR No. 9.

² Continuous Synopsis Record.

³ A SMC is reissued simultaneously with a DOC (expiry date as previous SMC). ISSC (expiry date as previous ISSC) may be reissued simultaneously with the DOC and SMC only if the SSP was not approved by RS and the evidence of the SSP approval was submitted by the RO, which carried out its approval.

*Guidelines on Certification of the Safety Management Systems for Compliance
with the Requirements of the ISM Code and of the Ships for Compliance
with the Requirements of the ISPS Code and MLC (Appendix 1)*

Nos	Scenario	Type of audit	Minimum scope of audit	Carried out by:	Certificate issued
5	Minor change to SMS	Verification at next audit	Assess potential impact on SMS when advised and decide whether visit is required	Auditor	No action
6	Major change to SMS ¹	Verification on site	Verify changes are appropriate and adequate for new circumstances	Auditor	No action
7	Additional flag	Additional audit on site	Verify availability of MA instructions and their incorporation into the management system	Auditor	DOC with same expiry date as the DOC issued on behalf of the other Flag State(s) ²

¹ This can include significant restructuring of SMS (for example, creation of branch offices).

² An audit for the issue of an Interim DOC shall be carried out upon special ISM Code requirements of MA.

SHIP CERTIFICATION SCENARIOS¹

Note 35. These scenarios may be subject to Flag State requirements and shall only be applied in the absence of any instructions from MA.

Table

Nos.	Scenario	Carried out by:	Action required	Scope of Audit and certification
1	Change of ship's name ²	Surveyor or auditor	Verification on board	1. Verify correct ship's name on all Certificates and Documents. 2. Amend/reissue SMC with the new ship's name, as appropriate. Note. SMC shall be amended by the RO, which issued the certificate, or by special arrangement ³ . Reissued SMC shall have the same expiry date as the SMC valid for the moment of reissue
2	Change of flag	Auditor	Interim audit on board	1. Interim audit as required in accordance by ISM Code, 14.4 Part B. 2. Issue Interim SMC
3	Change in IMO ship type	Auditor	Interim audit on board	1. Interim audit as required by ISM Code, 14.4 Part B. 2. Issue Interim SMC with the new ship type
4	Adding IMO ship type (e.g. from bulk carrier to oil tanker)	Auditor	Interim audit on board	1. Interim audit as required by ISM Code, 14.4 Part B. 2. Issue Interim SMC with the both ship types.
5	Change of ship type, dual to single (e.g. OBO to oil tanker)	Surveyor or auditor	Verification on board	1. Evidence of surrender of SOLAS 74 as amended or MARPOL 73/78 ⁴ related certificates for the original ship type (e.g. surrender of the International Oil Pollution Prevention Certificate (IOPP Certificate) with Supplement B when going from OBO to bulker on permanent basis). 2. Amend/issue replacement SMC with appropriate ship type and same expiry date as the current SMC.

¹ Refer to Annex 6 to IACS PR No. 9.

² This scenario is also applicable in case of change of the port of registry and gross tonnage of the ship.

³ The RS may with permission from MA authorize a surveyor of CS which classed the ship, to amend SMC issued by RS.

⁴ The International Convention for the Prevention of Pollution from Ships, 1973, and Protocols of 1978 and 1997 referred to it, as amended by subsequent resolutions.

*Guidelines on Certification of the Safety Management Systems for Compliance
with the Requirements of the ISM Code and of the Ships for Compliance
with the Requirements of the ISPS Code and MLC (Appendix 2)*

Nos.	Scenario	Carried out by:	Action required	Scope of Audit and certification
				Note . SMC shall be amended by the RO, which issued the certificate, or by special arrangement ¹
6	Change to RO from a Classification Society not subject to verification of compliance with IACS QSCS in accordance with Section 5 of Annex 1 to the IACS QSCS	Auditor	Initial audit on board ²	1. Audit to address all elements of ISM Code. 2. Issue SMC
7	Ship out of service between 3 and 6 months ³	Auditor	Additional audit if required by the Flag State	Endorse SMC, as appropriate
8	Ship out of service more than 6 months ³	Auditor	Interim audit on board	1. Interim verification. 2. Issue Interim SMC
9	Intermediate audits requested after the end of the audit time window	RS auditor	Intermediate audit on board	1. MNC raised that may be downgraded based on completion of audit. 2. Additional audit within three (3) months required. 3. If reinstated, SMC to be endorsed with a statement (e.g. Validity reinstated with scope as initial) ⁴ . If reissued, SMC to have same expiry date as previous certificate ⁵
10	Change of Company name and/or address		Attendance on board not required	1. Verify DOC has been reissued with new Company name and address. 2. Reissue SMC with the new Company name and address

¹ The RS may with permission from MA authorize a surveyor of CS which classed the ship, to amend SMC issued by RS.

² Ships with Interim SMC, and which SMS are not yet ready for initial audit, shall be issued with an Interim SMC with same period of validity as the certificate issued by the losing RO. The auditor shall take into account that there may not yet be records for all activities related to the SMS implementation on such ships.

³ These instructions do not apply to ships for which seasonal lay-ups are a normal part of their operational routine (refer to IMO MSC-MEPC.7/Circ.9).

⁴ The entry is made in the free space of the field "Intermediate audit".

⁵ In the free space of the "Intermediate audit" field, make the following entry: "Certificate reissued with scope as initial".

SHIP SECURITY CERTIFICATION SCENARIOS

1 ISPS CODE CERTIFICATION SCENARIOS — MINIMUM REQUIREMENTS¹

Note 36. The above scenarios apply in the absence of any MA requirements to the contrary.

Table

Nos.	Scenario	Condition	Action required	Ship Security Plan	Scope of Audit and Certification
1	Change of ship's name	Conducted by a surveyor or an auditor	Verification on board	1. Verify correct ship's name on the title page, index page and revision page of SSP. 2. SSP Approval Letter with the ship's new name	1. Verify correct ship's name on all Certificates and Documents. 2. Verify that SSAS has been reprogrammed with the ship's new name. 3. Amend ISSC in relation to the name of the ship/ reissue ISSC with the new name of the ship. Note. ISSC shall be amended by issuing organization or by special arrangement ² . Reissued ISSC shall have the same expiry date as the current ISSC
2	Change of flag	Conducted by an auditor	Interim audit on board	1. Check that the SSP is on board. 2. Check that SSP addresses ISPS Code A/9.4.1 to A/9.4.18. 3. Check that a copy of the SSP has been submitted to MA or CS for approval	1. Interim verification as required by ISPS Code A/19.4.2 (refer to 5.6.2). 2. Issue Interim ISSC
		When SSP has already been approved for a new flag Conducted by an auditor	Additional audit on board	---	1. Verify compliance with the requirements of the SSP and reprogramming of SSAS. 2. Issue a replacement ISSC with same expiry date as the current ISSC

¹ Refer to Annex 4 to IACS PR No. 9.

² The RS may with permission from MA authorize a surveyor of CS which classed the ship, to amend ISSC issued by RS.

*Guidelines on Certification of the Safety Management Systems for Compliance
with the Requirements of the ISM Code and of the Ships for Compliance
with the Requirements of the ISPS Code and MLC (Appendix 3)*

Nos.	Scenario	Condition	Action required	Ship Security Plan	Scope of Audit and Certification
3	Change in IMO ship type	Conducted by an auditor	Interim audit on board	Verify amendments to SSP, if any, have been submitted for approval	1. Interim verification as required by ISPS Code A/19.4.2 (refer to 5.6.2). 2. Issue Interim ISSC with new ship type
4	Takeover of certification from an organization not subject to verification of compliance with IACS QSCS in accordance with Section 5 of Annex 1 to the IACS QSCS ¹	Conducted by an auditor	Initial audit on board	---	1. Audit to address all elements of ISPS Code. 2. Issue ISSC
5	Ship out of service between 3 and 6 months ²	Conducted by an auditor	Additional audit, when required by the MA	---	Endorse ISSC, as appropriate
6	Ship out of service more than 6 months out of service ²	Conducted by an auditor	Interim audit on board	---	1. Interim verification as required by ISPS Code A/19.4.2 (refer to 5.6.2). 2. Issue Interim ISSC
7	Intermediate audits requested after the end of the audit time window	Conducted by an auditor	Intermediate audit on board	---	1. If reinstated, ISSC to be endorsed with a statement (e.g. Validity reinstated with scope as initial) ³ . If reissued, ISSC to have same expiry date as previous certificate. 2. Issue IACS PR No. 17 report if ISM Code audit is not held at the same time
8	Change of Company name and/or address	---	Attendance on board not required	1. Approve SSP amendments to reflect new Company name and address. 2. Reissue PAL	1. Verify DOC has been reissued with new Company name and address. 2. Issue replacement ISSC with same expiry date as previous ISSC ⁴

¹ Applicable if there is on board the vessel an ISSC issued by a Classification Society that does not have a QSCS certificate.

² These scenarios do not apply to ships for which seasonal lay-ups are a normal part of their operational routine (refer to IMO MSC-MEPC.2/Circ.9).

³ The entry is made in the free space of the "Intermediate Audit" field.

⁴ If SSP has been approved by RS, then approval of amendments to SSP is carried out on an individual request after that ISSCs are issued for replacement according to scenario.

2 APPLICATION OF THE ISPS CODE TO FPSOs AND FSUs¹

2.1 Refer to IMO Circular MSC-MEPC.2/Circ.9 of 25 May 2010 "Guidance for the Application of Safety, Security AND Environmental Protection Provisions to FPSOs and FSUs".

¹ Refer to Annex 2 to IACS PR No. 24.

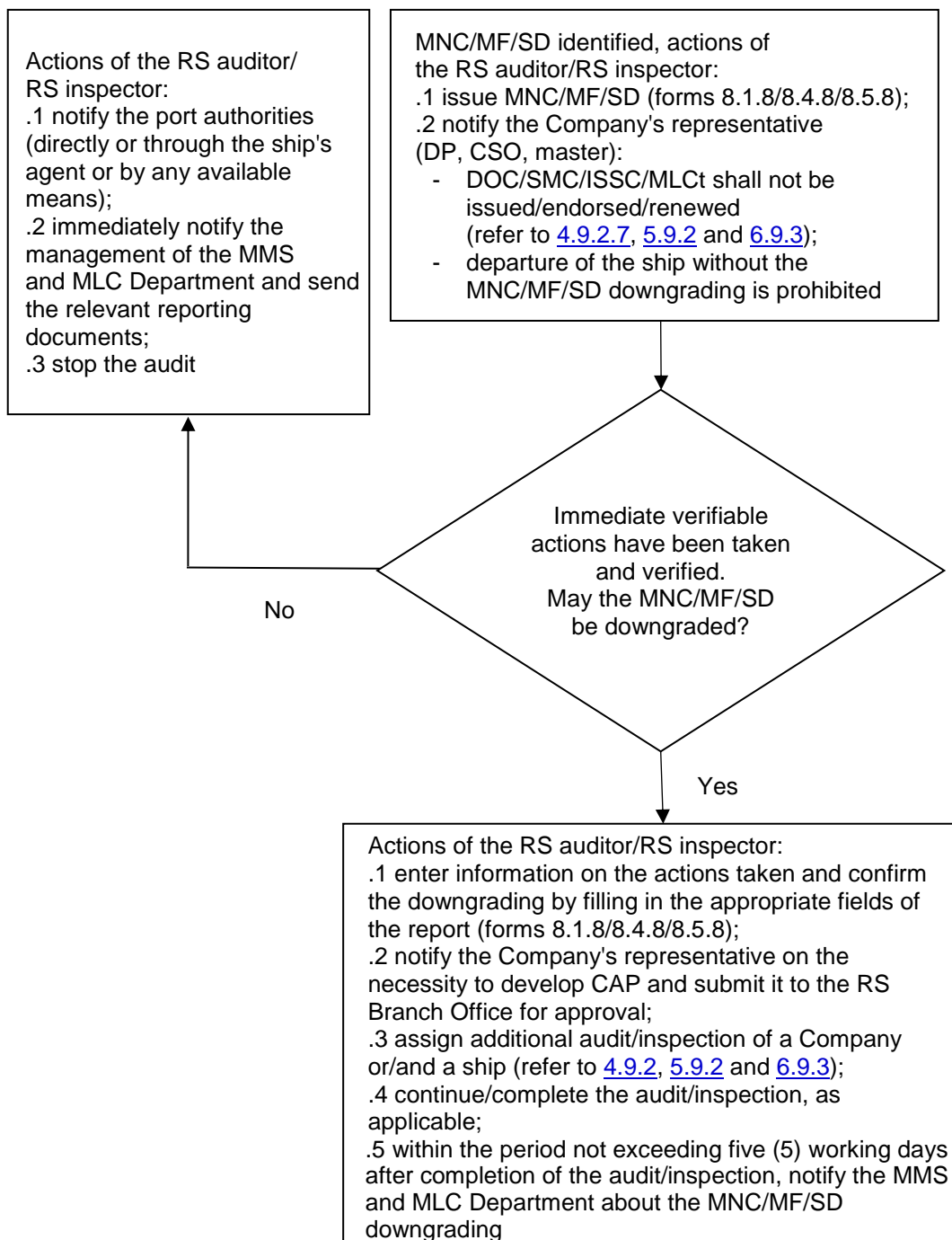
DETERMINATION OF SHIP TYPES TO BE LISTED ON DOCS AND SMCS¹

1 The ship types listed on DOCs and SMCs shall be consistent with the ship types defined in Regulation 1 of Chapter IX of SOLAS 74 as amended and on pertinent SOLAS 74 as amended documentation aboard ship.

2 Some ships are designed for use in multiple services (for example Oil Tanker/Chemical Tanker). The ship type(s) listed on the DOC and SMC shall reflect the service(s) in which the ship is fit to serve, and the safety management system shall include appropriate procedures for these ship types.

¹ Refer to Annex 4 to IACS PR No. 9.

**PROCEDURE FOR ACTIONS OF THE RS AUDITOR / RS INSPECTOR WHEN
REPORTING OF MNC / MF / SD (MAJOR NON-CONFORMITY (ISM CODE) /
MAJOR FAILURE (ISPS CODE) / SERIOUS DEFICIENCY (MLC))**



ALIGNING THE EXPIRY DATES OF SMC, ISSC AND MLS

Note 37. This Appendix specifies the main provisions of Annex 5 to IACS Recommendation No. 41 in respect of aligning of SMC, ISSC and MLS validity periods upon the Company's request.

1.1 When the Company requests RS to conduct audit for SMC, ISSC and MLS expiration dates alignment, the following conditions shall be met:

.1 Lead Auditor shall be qualified for MMS certifications in accordance with the requirements IACS PR No. 10¹;

.2 RS shall be authorized to conduct both the ISM Code, ISPS Code and MLC audits by MA;

.3 Procedures for transfer of ISM Code and/or ISPS Code certification shall be applied in compliance with IACS PR No. 18² and PR No. 36³ for MLC;

.4 all elements of the ISM Code and/or ISPS Code and/or MLC shall be verified during audit for SMC, ISSC and MLC expiration dates alignment;

.5 the results of the audits shall be documented and submitted separately and in compliance with IACS PR No. 9 (refer to [4.9](#)) and IACS PR No. 24 (refer to [5.9](#)) and IACS PR No. 40⁴ on MLC.

Note 38: 1. Fact of the ISM/ISPS Code aligned audits for SMC and ISSC expiration dates alignment shall be entered in the ISM/ISPS Audit Plan depending on which audit is aligned. In such case, the following entry shall be made into the Plan: "During the ISM and ISPS Code audits, aligning the expiry dates of certificates, SMC and ISSC, has been performed upon the Company's request".

2. Upon the Company's request to carry out the ISM/ISPS Code audits simultaneously, conditions of [4.7.4.7](#) shall be met.

1.2 Alignment of SMC and ISSC expiry dates shall only be carried out during the renewal audit. SMC and ISSC expiration dates shall be aligned with the minimum validity period of one of the certificates.

¹ IACS Procedural Requirement No. 10 "Procedure for the Selection, Training, Qualification and Authorisation of Marine Management Systems Auditors".

² IACS Procedural Requirement No. 18 "Transfer of Safety and Security Management Systems Certification".

³ IACS Procedural Requirement No. 36 "Transfer of Maritime Labour Convention, 2006 Certification".

⁴ IACS Procedural Requirement No. 40 "Procedural Requirements for MLC, 2006 Certification".

REMOTE ISM CODE AUDITS

Note 39. Remote audits are carried out in accordance with IMO resolution A.1188(33) "2023 Guidelines on implementation of the International Safety management (ISM) Code by Administrations" (refer to 4.8 of that resolution)¹.

1 Under an extraordinary circumstance beyond the control of the parties, such as natural disasters, warfare, pandemic/epidemic outbreak, strike, riot, crime or sudden legal change, which prevents on-site audit although the parties have taken all the reasonable steps to perform the audit, consideration may be given to the use of remote auditing methods (hereinafter referred to as "the RA") as described in ISO 19011:2018, "Guidelines for auditing management systems" and IAF MD 4:2018 "IAF Mandatory document for the use of information and communication technology (ICT) for auditing/assessment purposes" for the purpose of postponement of periodical audits to allow the ship to complete its voyage to the port where it shall be verified, or for follow-up of additional verifications, provided that a case-by-case assessment is carried out by the MA. Under such circumstances RA, if authorized, shall be limited to issuance of an interim certificate if applicable, or a certificate with a validity no longer than the time needed for the inspection to be performed physically and in any case not exceeding six (6) months.

2 Until guidance on assessments and applications of RA is developed by the Organization², this case-by-case assessment shall, as a minimum, address considerations such as:

.1 type and age of ship, safety and compliance records of both the ship and the company including SMS assessment and PSC performance³;

.2 the documented justification for the use of RA, such as extraordinary circumstances as described in 4.8.2 that do not allow physical attendance of an ISM Code auditor on board the ship or at the company;

.3 the scope of RA, with consideration to those safety management system (SMS) activities that could be verified remotely for compliance with requirements of the ISM Code, to achieve the same level of safety assurance and compliance when compared to physically attended inspections. Those SMS activities that could not be verified remotely shall be verified by on-site audit. While RA may not be able to replace in full the observations by the auditor of condition and implementation of safety management system procedures, including activities on board that are an essential part of the safety management audits on board ships, determination of the extent of their application is needed;

.4 the consultation with the MA in case the audit has been delegated to an RO⁴ for the review and acceptance of the RO's procedure for RA, coordination of audits, and for instructions for the execution and reporting of RA and for the verification and validation of RA by a physically attended audit;

.5 requirement and availability of appliances for the conduct of RA methods, such as the use of information and communication technology (ICT) and mandatory use of two-way audio and video or other alternative means of communication, document sharing that can,

¹ Refer to 3.13 of IACS PR No. 9.

² International Maritime Organization (IMO).

³ Port State Control.

⁴ Recognized organization.

when necessary, ensure confidentiality and security of information, data protection, etc., and actual availability of such means;

.6 the roles and responsibilities of the involved parties, in particular personnel involved in physical inspection activities on board ship when gathering and providing evidence on the condition of the ship and on the implementation of the SMS, with due consideration of appropriate arrangements to address any potential impartiality and liability issues of personnel involved. In this regard, the current liability regime regulating the audits between flags', ROs' and companies' obligations shall not be changed;

.7 the training of personnel involved in physical inspection activities on board ship and any additional qualifications of the ISM Code auditor performing RA;

.8 the provision of information and evidence to the ISM Code auditor to confirm the scope of the audit and compliance with requirements of the ISM Code, such as audio and video records, photo records, master's and/or crew members' statements, ship's logbook, service suppliers' reports, records etc.; and

.9 the reporting requirements and the transparency of information on the methods used in the ship's status indicating that the audit was carried out remotely.

3 Under normal circumstances the following shall apply:

.1 for on-board inspections, consideration may be given to the use of RA for specified SMS activities in accordance with the Guidelines for Remote ISM Code Audits to be developed by the Organization, provided that the same level of safety and assurance as that of on-site audits with the physical attendance of an ISM Code auditor is ensured. In any case, initial, intermediate, renewal and additional audits on board shall not be fully replaced by RA; and

.2 for Company audits, consideration may be given to the use of RA in accordance with the Guidelines for Remote ISM Code Audits to be developed by the Organization.

LIST OF SERIOUS DEFICIENCIES SUBJECT TO REMEDY IN SITU:

- seafarer's certificate confirming his/her qualification is unavailable;
- seafarer's certificate proving his/her safety familiarization is unavailable;
- seafarer's medical certificate is unavailable;
- person below the minimum age employed or engaged for work on board a ship compliant to national laws;
- the engagement for work of seafarers under the age of 18 where the work is likely to jeopardize their health or safety;
- the manning level is insufficient;
- the evidence is unavailable that the employment agreement has been concluded with a seafarer;
- the seafarer is missing who is in charge of medical care;
- the seafarer responsible for medical care has no satisfactorily completed appropriate training;
- ship carrying 100 or more persons and ordinarily engaged in international voyages exceeding three days, does not carry a qualified doctor;
- wages are not paid within two terms and over regarding the national laws;
- unavailability of evident financial securities on board in compliance with MLC Standard A2.5.2 — Repatriation;
- unavailability of evident financial securities on board in compliance with MLC Standard A4.2.1 — Shipowner's Liability;
- availability of serious deficiency identified twice.

MLC CERTIFICATION SCENARIOS¹

Note 40. These scenarios may be subject to Flag State requirements and shall only be applied in the absence of any instructions from MA.

Table

No.	Scenario	Condition	Action required	DMLC Part II	Scope of Inspection and Certification
1	Change of ship's name	Conducted by the RS surveyor, RS auditor or RS inspector	Inspection on board ¹⁾	Re-issued according to changes	<ol style="list-style-type: none"> 1. Verify correct ship's name on all Certificates and Documents. 2. Amend/reissue Maritime Labour Certificate (Certificate) with the ship's new name, if applicable. Note. Certificate shall be amended by issuing RO that has issued a certificate, or under a special MA authorization. New Certificate shall have the same expiry date as the current Certificate
2	Change of flag	Conducted by the RS inspector	Interim Certificate inspection on board	—	<ol style="list-style-type: none"> 1. Check that the DMLC Part I or evidence for application to issue DMLC Part I to the MA is on board. 2. Interim Certificate inspection as required by MLC, A5.1.3.7. 3. Issue interim Certificate
		<ol style="list-style-type: none"> 1. DMLC Part II has already been reviewed for the new flag. 2. Conducted by the RS inspector 	Additional inspection on board	—	<ol style="list-style-type: none"> 1. Verify compliance with the requirements of the DMLC Part II and MLC. 2. Re-approve new DMLC Part II and issue a new Certificate with same expiry date as the current Certificate

¹ Refer to Annex 3 of IACS PR No. 40.

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No.	Scenario	Condition	Action required	DMLC Part II	Scope of Inspection and Certification
3	Change in IMO ship type	1. Substantial changes have been made to accommodation or DMLC Part II. 2. Conducted by the RS inspector	Interim Certificate inspection on board	Verify amendments to DMLC Part II, if any, have been submitted for approval	1. Interim Certificate verification as required by MLC, A5.1.3.7. 2. Issue interim Certificate with new ship type
4	Takeover from an organization not subject to verification of compliance with IACS QSCS in accordance with Section 5 of Annex 1 to the IACS QSCS	Conducted by the RS inspector	Initial inspection on board	Review and approve DMLC Part II	1. Inspection to address all elements of MLC. 2. Issue Certificate
5	Ship out of service between 3 and 6 months ²	Conducted by the RS inspector	Additional inspection if required by the Flag State	—	Endorse Certificate, as appropriate
6	Ship more than 6 months out of service ²⁾	Conducted by the RS inspector	Additional inspection on board	—	1. Confirm ongoing compliance with the DMLC Part I and Part II. 2. Endorse/re-issue Certificate, as appropriate
7	Intermediate inspections requested after the end of the inspection time window	Conducted by the RS inspector	Intermediate (additional) inspection on board ³⁾	—	1. If reinstated, the Certificate shall be endorsed with a relevant statement ³⁾ . If re-issued, the Certificate shall have same expiry date as previous Certificate. 2. Issue Certificate deficiency if ISM audit is not held at the same time ⁴⁾ . 3. Issue report in compliance with IACS PR 17 if ISM audit is not held at the same time ⁴⁾

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No.	Scenario	Condition	Action required	DMLC Part II	Scope of Inspection and Certification
8	Change of shipowner's name, address or other changes not requiring attendance	—	Attendance on board not required	1. Shipowner shall submit the amended DMLC Part II. 2. Verify changes in amended DMLC Part II	Issue new Certificate with same expiry date as the original Certificate
<p>1) The verification on board may be carried out by a surveyor and a new certificate is issued based on documentary evidence of the ship's name amendment.</p> <p>2) These inspections do not apply to ships for which seasonal lay-ups are a normal part of their operational routine.</p> <p>3) 1. In the event that, for objective reasons and with the permission of the MA an intermediate inspection (only for statutory survey) is carried out outside the due date, but within the time limit approved by the MA, the current Certificate shall be endorsed with the following statement in the "Intermediate inspection" Section: "Подтверждено за пределами «вилки» в соответствии с инструкциями государства флага/Endorsed outside window with Flag's agreement" — for ships flying the RF flag; or "Endorsed outside window with Flag's agreement" — for ships flying the flag other than the RF flag; or.</p> <p>2. In case the request for intermediate inspection is submitted to RS within the "window", but for objective reasons an intermediate inspection is carried out outside the due date and no appropriate MA permission is available, the current Certificate shall be endorsed with the following statement in the "Intermediate inspection" Section: "Восстановление срока действия в объеме первоначального освидетельствования/Validity reinstated with scope as initial" — for ships flying the RF flag; or "Validity reinstated with scope as initial" — for ships flying the flag other than the RF flag.</p> <p>3. In case an intermediate inspection is carried out outside the specified date due to other reason than listed in 1 and 2 of this Footnote then a new Certificate shall be issued with same expiry date as previous Certificate. Therewith, the "Intermediate inspection" Section shall be cut out in the new Certificate and this amendment shall be certified by the RS inspector's signature and his/her personal stamp.</p> <p>4) Where intermediate inspection (only for statutory inspection) is carried out outside the due date for the reason specified in 2 and 3 of Footnote 3.</p>					

RECOMMENDATIONS ON FILLING IN THE DECLARATION OF MARITIME LABOUR COMPLIANCE — PART II

1 Part II of Declaration of Maritime Labour Compliance/Declaration of Maritime Labour Compliance (voluntary) (hereinafter referred to as "the Declaration") shall be drawn up by the shipowner and shall identify the measures adopted to ensure ongoing compliance with the Maritime Labour Convention, 2006, between inspections and the measures proposed to ensure that there is continuous improvement.

2 A template developed by the competent authority of the Flag State or RS (for voluntary DMLC) shall be used to draw up the Declaration.

3 The following fields of Declaration Part II shall be filled in by the shipowner:

.1 document number — the registration number of Declaration Part II corresponds to the number of Part I (e.g. if Declaration Part I is numbered "No 24.00025.RU.1", then Part II is assigned number "No 24.00025.RU.1"). In some cases, the Declaration document number can be missing;

.2 measures developed by the shipowner shall be specified after each section numbered from 1) up to 16);

.3 name and address of shipowner — the field shall be filled in based on the onboard statutory documents (e.g., the Safety Management Certificate (SMC) or the Document of Compliance (DOC));

.4 name of the authorized signatory, title, signature, date — upon completion the Declaration shall be signed by the authorized signatory and stamped.

4 Declaration Part II shall be filled in both in Russian and English languages for ships flying the RF flag. The MLC terminology shall be used when translated into English.

5 For ships flying a flag other than RF, the Declaration shall be filled in in English, but if the crew working language is not English then the shipowner shall be entitled to supplement each section with the working language translation. The MLC terminology shall be used when translated into working language.

6 When developing measures for Declaration the following shall be met:

.1 Declaration shall be drafted in clear and unequivocal terms to avoid misinterpretation by all persons concerned;

.2 measures specified in the Declaration shall comply with national requirements listed in the Declaration Part I and shall be compatible with the MLC requirements;

.3 measures mean any actions regulated by the shipowner's local normative acts containing labour standards: manuals, procedures, regulations, instructions or other internal documents that are mandatory for the shipowner's employees and seafarers. Measures may be presented in the Declaration in the form of brief description, quotation and reference to such a document, indicating its full title.

7 If a brief description or quotation does not fully demonstrate compliance with the relevant MLC requirement, the shipowner shall demonstrate the relevant internal document to the RS inspector during the inspection.

8 Measures listed in the Declaration shall indicate the following:

.1 occasions on which ongoing compliance with MLC requirements will be verified;

.2 persons responsible for verification and records to be taken;

.3 procedures to be followed where non-compliance is noted.

9 In the Declaration the shipowner may make references to other more comprehensive documentation covering policies and procedures relating to other aspects of the maritime shipping sector, for example, to documents required by the International Management Code for the Safe Operation of Ships and for Pollution Prevention (ISM Code).

10 Measures to ensure the ongoing compliance with the MLC shall include general international requirements for the shipowner and master to keep themselves informed of the latest advances in technology and scientific findings concerning workplace design taking into account inherent dangers of seafarers' work.

11 Where the Declaration is drawn up in two languages, the content of the Declaration Part II in English shall comply with the working language translation. If any changes are made to the text in one of the languages, the shipowner shall make appropriate changes to the translation.

12 The Declaration shall be submitted for the RS inspector's review in a hard copy printed on both sides (white paper of A4 format and 80-100 g/m² shall be used for printing).

PROCEDURE FOR REGISTRATION OF SEAFARER'S COMPLAINT

1 General.

1.1 The Procedure for Registration of Seafarer's Complaint (hereinafter referred to as "the Procedure") establishes the procedure for the RS inspectors' and specialists' actions in cases of the lodged complaints of seafarers or seafarers' representatives with regard to violation of MLC requirements on board including the seafarers' rights.

1.2 The Procedure shall be applied to carry out onboard MLC inspection (including the inspection within the scope of the voluntary inspection system) by the RS inspector or to carry out the inspection for compliance with the international convention (other than MLC) by the RS specialist provided the Statement of Compliance has been issued by RS to the ship, the interim document included.

1.3 In accordance with MLC, regulation 5.1.5, the on-board Procedure for Handling Seafarer Complaints (hereinafter referred to as "the Onboard Complaint Procedure") shall be available, valid and accessible to every seafarer on board. MLC will entitle a seafarer to lodge a complaint directly to the Master, and, where they consider it necessary, to appropriate external authorities. Such external authorities may be the shipowner and MA, the relevant port state authorities or MA of the seafarers' permanent place of residence. The Onboard Complaint Procedure shall contain the information on contacts with the appropriate external authority, the assigned flag State to handle seafarers' complaints.

1.4 The MA shall be responsible for receipt, investigation and appropriate measures of enforcement regarding seafarers' complaints. The MA having ratified MLC, shall have available valid on-board complaint procedures as well as those to protect confidentiality. Being a recognized organization (hereinafter referred to as "the RO"), RS may, in specific circumstances, receive special authorities from MA for investigation of a particular complaint. The MA shall be liable for resolving a complaint.

2 Complaint registered in accordance with the On-board Complaint Procedure.

2.1 In case the seafarer's written complaint has been received during the on-board MLC inspection and registered in accordance with the On-board Complaint Procedure, the RS inspector shall not interfere with the complaints handling. On the contrary, the RS inspector shall ascertain that the seafarer is aware of the On-board Complaint Procedure and the seafarer has taken advantage of any such procedures available. As regards drawing-up of the reporting documents, the RS inspector shall enter the quantity of complaints in the Report on the MLC Inspection as per form 8.5.9 as well as Nos. of the registered complaints in the field "Remarks".

2.2 In addition, the RS inspector shall specify the scope and area of the inspection taking into account the seafarer's complaint(s) to ascertain that the seafarers' working and living conditions which are complained, comply with the MLC and national requirements of the Flag State and also that the Onboard Complaint Procedure is effective.

3 Complaint registered by the RS inspector.

3.1 A written complaint obtained directly by the RS inspector during on-board MLC inspection and not registered in the manner prescribed in the Onboard Complaint Procedure, shall be registered by the RS inspector according to Section 5 hereof.

3.2 The RS inspector shall maintain the confidentiality of the source of complaint.

3.3 The RS inspector shall undertake the appropriate actions in order to prevent probable information leakage regarding the applicant and the basis of a complaint. The registered complaint and filled out notification on the registered complaint shall not be submitted to the shipowner within the records or during the inspection.

4 Verbal complaints.

4.1 Having received the verbal complaint during the on-board MLC inspection, the RS inspector shall propose the applicant acting in compliance with the Onboard Complaint Procedure and manage to resolve the complaint on board within his/her competence. If the seafarer considers that he/she cannot apply the Onboard Complaint Procedure (possibly for the fear of being persecuted or lack of faith in its effectiveness), the RS inspector shall remind that the On-board Complaint Procedure (a copy shall be retained by the seafarer) contains the information on contacts with MA or otherwise, in the seafarer's country of permanent residence as well as surname of the person or all persons on board who can provide seafarers with assistance on a confidential basis.

4.2 Where the seafarer continues to insist that he/she does not wish to use the Onboard Complaint Procedure, but he/she would like to register the complaint with RS as the MA representative on board, the RS inspector shall not refuse in accepting the complaint and submitting it to MA, but only if the complaint is made in written form and signed by the seafarer. A copy of the complaint shall be attached to the report.

5 Written complaints.

5.1 Format of the obtained written complaint shall comply with the national requirements and, as a minimum, contain the information on the shipowner, seafarer(s) and the ship concerned, date of its registration.

5.2 The RS inspector shall consider only issues related to compliance with the requirements that may be substantiated by objective evidence. It includes checking the availability and efficient functioning of the Onboard Complaint Procedure.

5.3 The RS inspector shall not discuss or attempt to investigate allegations of harassment, victimization or other challenging issues or personal disputes. All these issues shall be addressed to MA for their resolution.

6 Registration of complaints submitted directly to the RS inspector.

6.1 The seafarer's written complaint shall be signed by himself/herself indicating the surname, name (patronymic), ship's name, occupied position and date. The request without such data shall be considered anonymous.

6.2 During the complaint registration the RS inspector shall ascertain that the complaint contents and subject relate to the issues connected with application or violation of MLC (including the seafarers' rights) on board the ship concerned.

6.3 Anonymous complaints as well as those containing expressions abusing the honor and dignity of others, as well as obscene expressions, shall not be registered.

6.4 The complaint shall be typed or handwritten in legible handwriting in English or in the working language onboard.

6.5 The authority of the seafarer's representative filing the complaint on behalf of the seafarer shall be certified by the signature of the applicant in case of his personal attendance or certified by the applicant's signature in a lawful manner in case of his absence.

6.6 The complaint shall be assigned a number. Registration number of the complaint shall include the reference number of the complaint, IMO number of the ship where the complaint has been registered, as well as identification number of the RS Representative Office the employee of which has filed a complaint.

6.7 All the complaint pages shall be pre-numbered. At the last page the RS inspector shall indicate:

.1 Registration number of the complaint;

- .2** total number of pages in the complaint;
- .3** anchorage (port name) of the complaint registration;
- .4** date of the complaint registration;
- .5** surname (full name) and certify by the signature and personal stamp.
- 6.8** Immediately after registration the RS inspector shall inform verbally the seafarer or the representative having lodged a complaint, the complaint registration number. Upon request of the seafarer or the representative having lodged a complaint, and if technically feasible, the RS inspector may make a copy of the registered complaint.
- 6.9** For each registered complaint the RS inspector shall fill out the Notification of Complaint Registration (form 8.5.7).
- 6.10** In the auspices of drawing-up of the reports, the RS inspector shall specify the registered complaint number in the cover letter.

Russian Maritime Register of Shipping

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with the Requirements of the ISPS Code and MLC**

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