

## Engineering Circular No. 85

No: ENG/ISM-59(4)/97

Dated: 4th May, 2007

- Sub: 1. Submission of Company identification number**
- 2. Application of ISM Code on certain cargo ships and special purpose ships built before 1<sup>st</sup> July 1982 and whose gross tonnage exceeds 500 as per International Convention on Tonnage Measurement of Ships, 1969**
  - 3. Clarification on highest level of management**

1. Resolution No. MSC.195 (80) Adoption Of Amendments To The International Management Code For The Safe Operation Of Ships And For Pollution Prevention (International Safety Management (ISM Code) (copy attached to this circular) adopted on 20<sup>th</sup> May 2005 shall be deemed to have been accepted on 1<sup>st</sup> July 2008 in accordance with article VIII (b)(vi)(2)(bb) of the SOLAS Convention and shall enter into force on 1<sup>st</sup> January 2009. This resolution requires the Document of Compliance, Safety Management Certificate, Interim Document of Compliance and the Interim Safety Management Certificate issued to the company / ship shall also indicate the company identification number in addition to the name and address of the company. In order to comply with this requirement, all companies who are in possession of DOC, Interim DOC, SMC, Interim SMC issued by this Directorate and also those companies who wishes to be certified under ISM Code for the purpose of obtaining DOC, Interim DOC, SMC, Interim SMC from this Directorate are hereby informed to submit the company identification number along with a request letter for re-issuance of DOC, Interim DOC, SMC, Interim SMC to them by indicating their company identification number prior 1<sup>st</sup> July 2008.
2. MSC.1/Cir.1231, 11<sup>th</sup> December 2006 Interim Scheme for the Compliance of Certain Cargo Ships and Special Purpose Ships with the Management for the Safe Operations of Ships (copy attached to this

circular). This circular requires cargo ships, special purpose ships and companies operating such ships whose gross tonnage is 500 and upwards and which have not been required to comply with the requirements of ISM Code on the grounds that the resolution A.494(xii) on the revised interim scheme for tonnage measurement for certain ships were applicable to them, are now required to comply with the ISM Code certification requirements not later than 1<sup>st</sup> January 2010 as they are not entitled to any benefits of complying at a later date. It may be noted that the grand fathering provisions of the International convention on tonnage measurement of ships, 1969 which applies only to comply with requirements of conventions that were in effect on July 18, 1982 is NOT applicable in case of determining the applicability of the ISM Code.

3. Highest level of management

The ISM Code requires that the designated person(s) to have direct access to the highest level of management. Recently, while carrying out DOC Audit, it has come to the notice that many of the companies designate person(s) as the highest level of management having limited resources and they find difficulty to act and demonstrate as the top management with its limited allocated resources, adversely affecting in complying with the ISM Code requirements. In view of this all companies are here by informed to comply with following with respect to who can be assigned the role of the highest level of management in the company's SMS Documentation and Organisation chart.

The highest level of management is the one who reports to the owners of a firm, i.e. the Managing Director / President or the Chairman and Managing Director who represents the Board of Directors in large corporation. Thus, the highest level of management is the one who provides decisions and supervision necessary to implement the owners objectives and achieves stability and growth in enhancing the safety and pollution prevention aspect on its fleet of ships. Therefore, all companies who

are in possession of DOC / Interim DOC issued by this Directorate are informed to reflect the actual highest level of management in all its safety management system documentation.

This issues with the approval of the Chief Surveyor with the Government of India.

**Sd/-**

**(D.Mehrotra)**

**Dy.ChiefSurveyorcumSr.DDG(Tech)**