



Marine Notice No. 41 of 2007

Advisory notice on application of: EU Regulation 336/2006 of the International Safety Management Code (ISM Code) to Vessels operating solely on domestic voyages within Irish waters

For attention of all Owners, Operators, and Masters of Passenger and Cargo Vessels engaged exclusively on domestic voyages – regardless of their flag, Harbour Masters and Port Facility owners / operators.

Marine Notice No. 02 of 2007, alerted owners/operators of vessels, engaged in trading on domestic voyages, to the background and application of the above EU Regulation.

The purpose of this Marine Notice is to inform Owners of the measures they are required to have in place by the implementation date of 24th March 2008, in order to comply with this Regulation.

EU Regulation 336/2006 – Implementation of the International Safety Management Code

EU 336/2006 requires the application of the ISM Code to vessels flying the flags of Member States.

Article 3.1 (b) of Regulation 336/2006, extends application of the ISM Code to cover Community ships operating either internationally or domestically, regardless of their flag.

“Domestic shipping” means any transport service by ship in sea areas from a port facility of a Member State to the same port facility or another port facility within that Member State.

ISM Code

The ISM Code provides a standard for the:

- Safe Management and Operation of Ships.
- Prevention of Pollution.

Its purpose is to:

- Ensure safety at sea.
- Prevent loss of life or human injury.
- Prevent loss of, or damage to vessels.
- Avoid damage to the environment.

Vessels required to comply with EU 336/2006

The following type of vessels engaged on domestic voyages **MUST** comply:

- Cargo vessels greater than 500 gross tonnage.
- Passenger vessels operating in Class A and B sea areas as defined in EU Directive 98/18/EC.
- Class IIA, III & Class VI Passenger vessels.
- Ro – Ro Passenger Ferries operating on domestic route in sea areas A, B, C or D as defined in 98/18/EU.

Domestic Shipping compliance with EU 336/2006

Compliance with the Regulation requires owners of domestically trading vessels to implement a Safety Management System based on the ISM Code (Parts A & B).

Implementation of the Safety Management System requires owners to:

- Appoint a designated person to provide a link between vessel and shore staff, and to monitor the operation of the Safety Management System.
- Define and document the Masters authority.
- Ensure Ships' staff are suitably qualified and trained.
- Undertake to ensure sufficient resources are made available for operation, maintenance and safety of their vessels, training of crews and record keeping.
- Produce an approved **Safety Management System (SMS)** document for both their vessels and shore based operations including Company Offices.

Elements of the SMS must include:

- A Safety and Environmental Protection Management Statement for their Company.
- Procedures manual, documenting what is to be done on board the vessel, to ensure safe operation of the vessel and protection of the environment, in compliance with relevant legislation and best practices.
- Identify levels of authority and lines of communication between and among relevant shipboard and shore based staff.
- Procedures to conduct external and internal audits to ensure the vessel is doing what is documented in the procedures manual.
- Procedures for reporting accidents.
- A system for documenting non conformities, where actual practices do not conform to the documented practices of the SMS, and a means for implementing associated corrective action, to ensure conformity.
- Provision for Internal Audits and regular management reviews e.g. by vessel's Master.

Owners may produce their SMS using generic off the shelf packages, or avail of a Marine Survey Office (MSO) template, which recognising the broad variety of vessel type, size, operating areas and conditions, that trade domestically in National waters, is designed to assist owners produce their own operation specific model.

An assessment of Operating Companies' shore based offices will initially be undertaken, to ensure they have the ability to comply with the Code, and on satisfactory completion, will be issued with a **Document of Compliance (DOC)**, specific to operation of a particular type of vessel, e.g. Passenger vessel.

Following receipt of the DOC Company vessels will be inspected by the MSO to check the effectiveness of their SMS. Once it has been verified that the SMS is effectively implemented and functioning correctly each vessel will be issued with a **Safety Management Certificate (SMC)**.

For applicable vessels wishing to trade after the 24th March 2008 it will be a condition of issue of a Passenger Vessel Certificate that they hold a valid Safety Management Certificate while operators must hold a valid Document of Compliance.

The MSO has been tasked with undertaking national compliance, for shipping engaged on domestic service, with Regulation 336/2006.

Under the terms of the Regulation, the MSO will be responsible for:

- Verifying companies have a working ISM system in place.
- Issuing Documents of Compliance to Operators.
- Issuing Safety Management Certificates to vessels.
- Undertaking annual verification of Documents of Compliance.
- Undertaking periodical verification of Safety Management Certificates.
- Enforcement of ISM Code.

Both documents may be issued for a maximum period of up to five years. Documents of Compliance will be subject to annual inspection by the MSO while the Safety Management Certificates are required to be verified at least once during the five year period.

It is the MSO's intention to align the annual Passenger Certificate Survey with the annual DOC verification and interim SMC verification to avoid additional survey workload on the industry.

To assist the industry the MSO will shortly be writing directly to eligible vessel operators providing them with an information pack containing details of the Regulation and implementation documentation to allow operators commence the compliance process.

A series of regional seminars / workshops presented by MSO Surveyors, will be organised for eligible vessel Owners, Operators, Masters and Chief Engineers to further explain the process and offer guidance and assistance.

Director General
Maritime Safety Directorate
Department of Transport,
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Dublin 2.

17/12/2007

For any technical assistance in relation to this Marine Notice please contact
The Marine Surveyors' Office, Leeson Lane, Dublin 2 +353 1 678 3400

For information in relation to technical specification/type approval of radio equipment contact the Radio Surveyors on
+353 1 678 2363 / 2364 / 2365 / 2367.

For general enquiries please contact the Maritime Safety Division at +353-1-678 3418

Any enquiries concerning Marine Notices should be addressed to:
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Or visit us at: www.transport.ie