



---

## **INFORMATION BULLETIN No. 23**

---

### **International Safety Management (ISM) Code**

#### **Guidance and Instructions for Bahamas Recognised Organisations, Bahamas Approved Nautical Inspectors, Ship Owners, Managers and Masters**

---

#### **1. Purpose**

- 1.1. This bulletin provides information on the application of the International Safety Management (ISM) Code to Bahamian registered ships.
- 1.2. This Bulletin is to be read in conjunction with IMO Resolutions A.1073(28), A.1118(30), A.1119(30), MSC.273(85) and MSC.353(92) and IMO Circulars MSC/Circ.762-MEPC/Circ.312, MSC/Circ.1059-MEPC/Circ.401, MSC-MEPC.7/Circ.8 and MSC-MEPC.7/Circ.9.

#### **2. Application**

- 2.1. The ISM Code is mandatory for all passenger ships of any size and all cargo ships of 500 gross tonnage and above<sup>1</sup>, including self-propelled mobile offshore drilling units (MODUs), under the provisions of Chapter IX of the International Convention for the Safety of Life at Sea, 1974, as amended (SOLAS).
- 2.2. The following ship types are not subject to the requirements of SOLAS and the ISM Code is therefore not mandatory, however please refer to Section 7 of this Bulletin for guidance on voluntary application of the ISM Code:
  - i. Cargo ships and MODUs of less than 500 gross tonnage;
  - ii. Offshore units which are not self-propelled;

---

<sup>1</sup> Gross tonnage as measured under the International Convention on Tonnage Measurement (1969). Any ship measured as less than 500 gross tonnage under previous national arrangements but more than 500 gross tonnage under the International Convention on the Tonnage Measurement of Ships 1969 falls under the scope of the ISM Code

---

- iii. Pleasure yachts for the private use of their owner and not engaged in commercial trade (i.e. non-commercial/private yachts).

### 3. Duty of Owner to Advise BMA

- 3.1. In accordance with paragraph 3.1 of the ISM Code, if the entity responsible for the operation of the ship is other than the Owner, the Owner shall notify the Bahamas Maritime Authority (BMA) Registration and Inspections & Surveys departments of the full name and details of such entity.
- 3.2. The notification, as well as any changes of the entity, or its contact details, should be made using form [R104](#)<sup>2</sup>.
- 3.3. In the case of changes of ISM Designated Person Ashore (DPA) without any change of the entity identified in paragraph 3.1, the notification may be made by email to [tech@bahamasmaritime.com](mailto:tech@bahamasmaritime.com).
- 3.4. The BMA will provide acknowledgement letters to the DPA by email confirming:
  - i. Appointment of ISM Company;
  - ii. Appointment of DPA.
- 3.5. Owners of ships to which the ISM Code does not apply must ensure that there is a shore-based contact through which the BMA can communicate with the person(s) responsible for the operation of the ship, in accordance with s.52 of the Merchant Shipping Act (*Ch.268*). The Owner must inform the BMA of the relevant contact details of this person using the same procedures outlined in paragraph 3.2.

### 4. ISM Code Document of Compliance (Companies)

- 4.1. The "Company" is the entity responsible for the management of the ship in accordance with the ISM Code.
- 4.2. All Companies operating ships that are subject to the ISM Code are required to implement and maintain an effective safety management system (SMS).

---

<sup>2</sup> Form R104 can be downloaded from:  
<http://www.bahamasmaritime.com/wp-content/uploads/2015/08/R104-FORM-Rev2final.pdf>

- 4.3. Where the shore-side aspects of the SMS are found to comply with the requirements of the ISM Code, the Company will be issued with an ISM Document of Compliance (DOC). For Bahamian ships, the DOC is usually issued by a Bahamas Recognised Organisation<sup>3</sup> for the type(s) of ship(s) operated.
- 4.4. The Bahamas Recognised Organisation shall advise the BMA of any request for audit in connection with the first issuance of a Bahamas DOC. The BMA will assess the suitability of the applicant prior to agreeing for the DOC audit to be carried out.
- 4.5. Any Company that holds a valid DOC issued by, or on behalf of, another flag State Administration but requires a DOC to operate Bahamas registered ships shall apply to a Bahamas Recognised Organisation for an additional on-site verification audit, that encompasses confirmation of the requirements as outlined in paragraph 6.3 below, before active management of the vessel commences. Upon verification of the requirements, the Recognised Organisation may issue a Bahamas DOC with its date of validity harmonised to the existing DOC, whether interim or full term.
- 4.6. Where a Company is operating a fleet of ships under a number of different flags, special arrangements can be made to avoid multiple audits when one of the other flag State Administrations does not authorise a Bahamas Recognised Organisation to carry out ISM Code audits on their behalf.
- 4.6.1. In such cases the BMA may request the flag State Administration of the country where the Company has its operational headquarters to undertake the DOC audit on behalf of the BMA and issue or endorse the Bahamas DOC on successful completion of the audit.
- 4.6.2. A Bahamas DOC issued by another Administration should be annotated with the wording "*Issued at the request of the Government of The Commonwealth of The Bahamas*".
- 4.6.3. The Company shall advise the BMA prior to the audit with the name(s) and contact details of the other Administration's auditor(s), so that the BMA can make the request to the other Administration and provide any specific instructions to the auditor(s).

---

<sup>3</sup> See BMA Information Bulletin No.3, available at:  
<http://www.bahamasmaritime.com/wp-content/uploads/2015/08/03bulltn.pdf>

- 4.6.4. Flag State Administration auditors should take into account the content of this Bulletin when conducting DOC audits at the request of the BMA.
- 4.7. Any Company that wishes to add ship types to an existing DOC shall apply to the Recognised Organisation for an additional on-site verification audit that encompasses confirmation that the SMS addresses the ship types to be added to the DOC. Upon verification of the requirements, the Recognised Organisation may issue an updated Bahamas DOC with its date of validity harmonised to the existing DOC, whether interim or full term.
- 4.8. Internal DOC audits are required to be carried out by the Company at intervals of not more than 12 months and there shall be not less than five internal audits of the office during the five-year validity of the DOC.
- 4.9. Where a Company does not operate Bahamas registered ships for a continuous period of more than six months, the Bahamas DOC is considered invalid and will be withdrawn.
- 4.10. Where a required DOC audit is not carried out within the specified time frame, the DOC will be declared invalid and withdrawn. The DOC may also be withdrawn in cases where the BMA or Recognised Organisation becomes aware of a major failure in implementation or operation of the SMS.
- 4.11. Companies are reminded that invalidation of an ISM DOC also renders all associated ISM Safety Management Certificates (SMCs) invalid.

## **5. ISM Code Safety Management Certificate (Ships)**

- 5.1. All ships that are subject to the ISM Code are required to implement and maintain an effective SMS.
- 5.2. Where the shipboard aspects of the SMS are found to comply with the requirements of the ISM Code, the ship will be issued with an ISM Safety Management Certificate (SMC). For Bahamian ships, the SMC is issued by a Bahamas Recognised Organisation or the BMA.
- 5.3. A copy of the DOC, with verification of the completion of the required periodical audits, shall be carried on board all the Bahamas registered ships operated by the Company together with the SMC. The copy of the DOC does not need to be authenticated or certified.

- 5.4. A copy of each SMC should be retained by the Company in their records; the original SMC shall remain on board the ship with the other statutory certificates.
- 5.5. Internal SMC audits are required to be carried out by the Company at intervals of not more than 12 months and there shall be not less than five internal audits of the ship during the five-year validity of the SMC.
- 5.6. In exceptional circumstances, the BMA will consider applications for exceeding the twelve-month interval between internal SMC audits by a maximum of three months. In such cases, the Company should apply to the BMA for a postponement, via the Recognised Organisation that issued the SMC. The acceptability of any exceptional circumstances must be considered by the Recognised Organisation before any recommendation is made to the BMA, in accordance with the procedure in BMA Information Bulletin No.8<sup>4</sup>.
- 5.7. An invalid DOC renders all associated SMCs invalid. However, the SMCs are generally re-instated on revalidation of the DOC following successful audit, without verifications being necessary on board the ship(s).
- 5.8. Notwithstanding the generality of paragraph 5.7, where the DOC revalidation audit reveals evidence to suggest that an on-board verification audit is necessary to prove effective operation of the SMS, an additional verification audit to the extent of an initial verification audit shall be carried out. A new SMC with the same validity date as the original SMC shall be issued where this verification audit is satisfactory.
- 5.9. Where the SMC has been withdrawn for a major non-conformity, an additional verification audit to the extent of an initial verification audit shall be carried out. A new SMC with the same validity date as the original SMC shall be issued where this verification audit is satisfactory.

## 6. Instructions to Auditors

- 6.1. Auditors must be familiar with the Bahamas National Requirements prior to undertaking audits of Bahamas flagged ships and/or Companies operating such ships.

---

<sup>4</sup> BMA Information Bulletin No.8 is available at:  
<http://www.bahamasmaritime.com/wp-content/uploads/2015/08/bulltn08.pdf>

- 6.2. Auditors shall apply the ISM guidance provided in related MSC and MEPC Circulars.
- 6.3. The following Bahamas national requirements shall be verified by the auditor during Company and shipboard ISM audits:
- i. The Safety Management system (SMS) incorporates management procedures and operational instructions for achieving compliance with Bahamas national requirements, as found in Bahamas legislation, BMA Information Bulletins and the document *Bahamas National Requirements*;
  - ii. The availability, personnel's familiarity, and implementation of Bahamas national requirements;
  - iii. Bahamas annual flag state inspections are scheduled and performed within the inspection due date and a valid Certificate of Inspection is on board. Corrective action, in connection with any deficiencies identified during these inspections, is promptly and effectively performed to prevent recurrence and reported to the BMA;
  - iv. Casualties and deficiencies that may affect the registration and validity of the statutory certification of the vessel are reported to the BMA and the relevant Classification Society;
  - v. Manning is in accordance with the Minimum Safe Manning Document and all officers have applied for, or hold, a Bahamian Licence or Bahamian Endorsement to their national Licence, appropriate to their duties;
  - vi. If English is not the working language of the Company and ship, a correctly revised English version of the SMS is available on board and ashore at all times;
  - vii. A "Flag State file" is being maintained in either hard copy or digital form. This file is to incorporate revised BMA Information Bulletins and notices, together with a revised copy of the "Bahamas National Requirements".
- 6.4. Where a major ISM non-conformity is identified during a scheduled audit of a Company or onboard any ship in its fleet, the BMA shall be notified at the earliest opportunity to allow an appropriate course of action to be agreed. In such cases a copy of all audit reports shall be forwarded to the BMA.
- 6.5. In the event more than one flag State Administration and/or Recognised Organisation is involved in the ISM certification process, any major non-conformity that leads to withdrawal of a DOC or SMC, or any major non-conformity that has been downgraded following satisfactory completion of corrective actions, should be reported by the involved Administration

and/or Recognised Organisation to the other Administration and/or Recognised Organisation with details of actions taken.

- 6.6. Additional ISM audits shall only be conducted after prior agreement with the BMA.
- 6.7. The auditor shall determine at each scheduled audit of the Company, the ship types operated by the Company at the time of the audit.
  - 6.7.1. If the auditor discovers that the Company no longer operates a ship type listed on the DOC or no vessels at all under Bahamas register, for a period of more than 6 months, the auditor should delete this ship type from the DOC or recommend withdrawal of the Bahamas DOC to the BMA, as applicable.
  - 6.7.2. If the auditor discovers that the Company no longer operates a ship type listed on the DOC or no vessels at all under Bahamas register, for a period of less than 6 months, he or she will document an observation to formally advise the Company that the ship type will be removed from the DOC or the Bahamas DOC may be withdrawn, if this situation persists at the next scheduled audit.
  - 6.7.3. If, at a scheduled audit, the auditor determines that the Company has not been operating ships of a particular type or registered to the Bahamas Flag since a previous audit, the auditor should delete this ship type from the DOC or recommend withdrawal of the Bahamas DOC to the BMA, as applicable.
- 6.8. Where any required audit is not carried out within the specified time frame, the affected certificate is to be declared invalid and withdrawn. Certificates may also be withdrawn in cases where the BMA or Recognised Organisation becomes aware of any major failure in implementation or operation of the SMS.
- 6.9. Where a DOC has been withdrawn, an additional audit to the extent of an initial verification audit shall be carried out. When this verification audit is completed without any major non-conformity or evidence of systematic failure of the SMS, a new DOC can be issued with the same validity date as the original DOC.
- 6.10. Where an SMC has been withdrawn for a major non-conformity, an additional verification audit to the extent of an initial verification audit shall be carried out. A new SMC with the same validity date as the original SMC shall be issued where this verification audit is satisfactory.

## 7. Voluntary Application of the ISM Code

- 7.1. The BMA supports the intent of the ISM Code in securing safety of life at sea, preventing human injury or loss of life and avoidance of damage to the environment.
- 7.2. While recognising that some ships are not required by SOLAS to comply with the ISM Code, the BMA notes that many Companies operating under the Bahamas Flag have obtained voluntary ISM certification.
- 7.3. The BMA further recognises the value that ISM certification has in demonstrating the implementation of a socially and environmentally responsible management regime and therefore strongly recommends that all Companies operating ships to which the ISM Code does not apply achieve ISM certification.
- 7.4. Where a Company voluntarily applies the ISM Code, the Code is to be applied in full, unless otherwise agreed by the BMA.
- 7.5. Upon successful completion of the ISM audits, a DOC and SMC, as applicable, may be issued. Alternatively, a "Statement of Compliance" may be issued, in a form corresponding to the models given in the Appendix to the ISM Code for DOC and SMC.
- 7.6. In the event of there being no ISM certified system implemented, Companies should have in place an effective SMS that includes a maintenance programme, particularly for essential marine systems and equipment, that is subject to periodic audits.
- 7.7. In addition, the competence of onboard personnel, both marine and in connection with operations carried out on board, must be maintained to a level equivalent to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended, (STCW) or other standards acceptable to the BMA. These measures are necessary in order to ensure that the statutory obligations to ensure health, safety, security and protection of the environment are complied with.



## 8. Revision History

Rev.6 (23 April 2018) – Complete revision

Rev.5 (01 March 2012) – Format change; existing Para.3.10 revised, ISM Section 5.1 notification process updated.

Rev.4 (26 July 2011)

Rev.3 (22 January 2010)

Rev.2 (18 December 2009)

Rev.1 (17 April 2007)

Rev.0 (December 2001) – First issue