

From Voluntary to Mandatory The IMO Member State Audit Scheme and the Triple "I" Code

What it is, What it does, How it works

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Introduction

- Since 1958 IMO has developed and adopted over 50 Conventions and Protocols.
- Objective of IMO is to adopt the highest PRACTICABLE STANDARDS with respect to maritime safety, security and pollution prevention
- In the 1980s focus shifted from developing new conventions to their effective implementation

UNCLOS Article 94

Duties of the flag State

- Every State shall effectively exercise its jurisdiction and control in administrative technical and social matters over ships flying its flag...
- In taking the measures called for...each State is required to conform to generally accepted international regulations, procedures and practices...
- UNCLOS is an “umbrella convention” and its provisions are implemented through specific laws developed by the “Competent International Organisations”
- IMO is the “Competent International Organisation” for developing regulations relating to technical aspects of shipping and marine pollution prevention

Standard setting process

- **The standards set by IMO generally take the form of:**
 - **Conventions or Protocols**
 - **Amendments to existing Conventions or Protocols**
 - **Codes, Guidelines, Recommended Practices, etc.**
 - **Most Codes, Guidelines Recommendations and Recommended Practices are not binding but intended to assist Governments to give full effect to convention provisions**

Standard setting process

- **Phases from adoption to enforcement:**
 - **Conventions and amendments are adopted, after discussion at IMO**
 - **Entry into force internationally after the agreed period – tacit, explicit or unanimous amendment procedures**
 - **Implementation (by Parties to the convention)**
 - **Enforcement (by Flag States and Port States which are Parties to the convention)**

Responsibilities

- **FLAG STATE**
- **TO RATIFY AND IMPLEMENT AS A MINIMUM THE IMPORTANT IMO CONVENTIONS**
 - **SOLAS 74 as amended including the 1978 Protocol**
 - **MARPOL 73/78**
 - **LOADLINES 1966 and 1988 Protocol**
 - **STCW 1978 as amended**
 - **MLC 2006**
 - **TONNAGE CONVENTION 1969**
 - **COLREG 1972 as amended**

Responsibilities

- **Shipping companies have primary responsibility for the safe operation of their ships and welfare of crew**
- **However Government has a crucial role to play with regard to:**
 - **Implementing, enacting important conventions**
 - **Enforcing their provisions nationally**

None performance of flag States

- **Could lead to:**
 - **Port state control targeting a particular national fleet leading to greater number of inspections**
 - **Unnecessary delays in ports**
 - **Greater potential for penalties**
 - **PSC inspectors being more inclined to make an issue of non-critical deficiencies**

Self assessment of flag State performance

- **Assembly Resolution A881 (21)**
- **To assess level of implementation of IMO instruments and identify areas of difficulty particularly in relation to technical assistance**

PROBLEMS WITH RESOLUTION A 881(21)

- **Submission of assessment at discretion of MS**
- **Reports are confidential and can only be released with consent of submitting MS**
- **No verification**

Voluntary IMO Member State Audit Scheme (VIMSAS)

- **The Council decided to develop**
 - **A model audit scheme; and**
 - **A Code for its implementation**
- **90th session of Council in June 2003 approved proposed objectives and principles.**

VIMSAS

- **23rd session of Assembly, November 2003**
- **Adopted resolution A946 (23) - Voluntary IMO Member State Audit, endorsing the decision to develop a model audit scheme ...IN SUCH A MANNER AS NOT TO EXCLUDE THE POSSIBILITY IN FUTURE OF IT BECOMING MANDATORY**

VIMSAS

- **Similar to ICAO scheme**
- **The scheme was initially voluntary and contained a requirement for MS to implement agreed recommendations**
- **The audit should be conducted in line with the Code for implementation of mandatory IMO instruments – initially A.973(24), as revised by A.1054(27) in 2011 and again in 2013 and made mandatory by A.1070(28)**

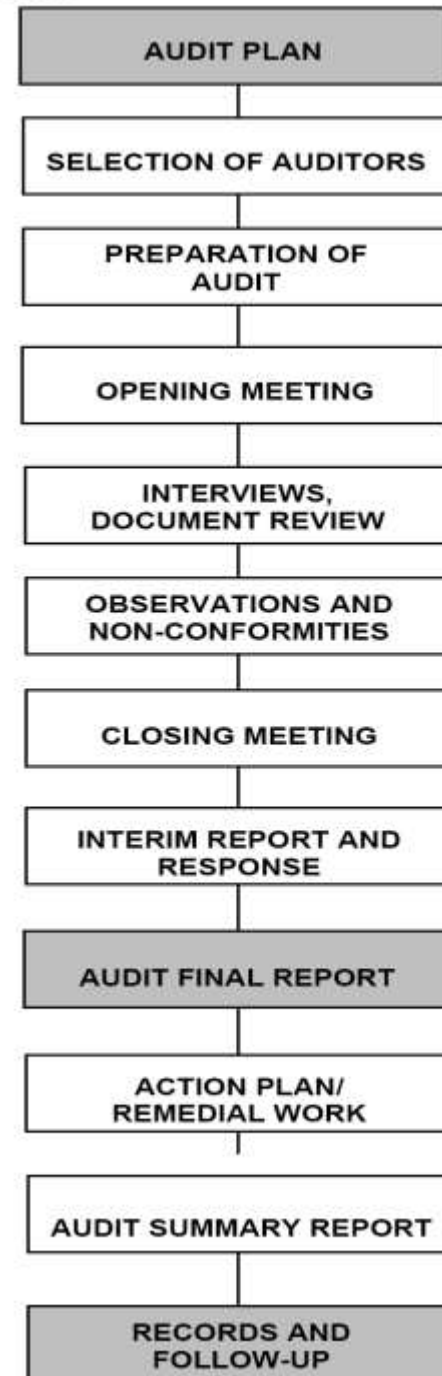
Audit Process

AUDIT PROCESS

- *PLANNING OF AUDIT*

- *AUDITING*
- *FINDINGS*

- *REPORTING AND VERIFICATION*
- *RECORDS AND FOLLOW-UP/
CORRECTIVE ACTION*



AUDIT SCHEME SEQUENCE OF ACTIVITIES

Audit Scheme Sequence of Activities

Ref.	Activity	Responsible	Procedures Ref.
1	A Member State volunteers to be audited	MS	4.1.2
2	Pre-audit questionnaire sent to the Member State	SG	5.2
3	Completed pre-audit questionnaire to IMO	MS	5.4
4	Selection of auditors by IMO	SG	4.3
5	Notification of auditors to Member State	SG	5.1
6	Final selection of audit team	SG + MS	4.4.1.5; 5.1
7	Developing and negotiating the Memorandum of Co-operation	SG + MS	4.1.4
8	Memorandum of Co-operation finalized and signed	MS + SG	4.1.4; 4.1.5
9	Preparation for the audit by the audit team	ATL	Section 5 (various references)
10	Agreeing the audit plan	ATL + MS	4.1.1; 5.11
11	Opening meeting between the audit team and the Member State	ATL + MS	6.3.1
12	Audit closing meeting	ATL + MS	6.5
13	Audit interim report sent to the Member State and IMO	ATL	7.1.3; 7.2.2
14	Comments sent by the Member State	MS	7.2.3; 7.2.4
15	Member State's corrective action plan, as appropriate, sent to IMO	MS	7.2.1; 7.3.2; 8.4
16	Audit final report sent to Member State and IMO	ATL	7.3.2
17	Audit summary report sent to the Member State and IMO	ATL	7.4.1
18	Audit team leader's mission report to IMO	ATL	7.5.1
19	Agreement with the summary report and permission to circulate	MS + ATL	7.4.1
20	Summary report sent to all IMO Member States	SG	(Framework 8.1.10; 6.3.2)
21	Follow-up, as appropriate	SG	9.2
22	Consolidated summary reports prepared and circulated to all IMO Member States	SG	7.4.3

VIMSAS

- **CAPACITY BUILDING**
 - **The audit process places great emphasis on capacity-building through the provision of technical assistance in areas identified for further development either by the MS or the audit report**

Capacity-building

- **Because of the importance attached to capacity building, the audited MS is provided with:**
 - **feedback to assist in improving the implementation of IMO instruments**
 - **feedback is provided to all MS on generic lessons learnt from the audit taking care to preserve the anonymity of the audited MS**

**The IMO Member State Audit
Scheme
from voluntary to mandatory**

Key considerations for the development of the IMO Member State Audit Scheme

**The Actors in regulating, implementing and
enforcing international maritime treaties**

The existing enforcement regime

A basis for mutual acceptance

**The argument and a possible rationale for
accepting a monitoring regime**

Who are the actors in ensuring compliance with international maritime standards?

IMO has the responsibility to develop technical safety, security and pollution prevention standards related to maritime transport, but has no enforcement and compliance monitoring role

GOVERNMENTS (flag, port & coastal State) have the duty to implement and enforce these standards

RECOGNIZED ORGANIZATIONS have a duty to be impartial and to exercise due diligence when acting on behalf of governments

SHIPPING COMPANIES have the responsibility to apply the same standards to individual ship

SHIPBOARD PERSONNEL have the task of putting into operation the various standards related to safety, security and pollution prevention on ships

Governments – implementation and enforcement

Flag States

- **Have regulatory and enforcement responsibilities under various treaty obligations**
- **A number of treaties provide latitude to flag States through phrases such as:**
 - **to the satisfaction of the Administration**
 - **equivalency and exemption provisions**
 - **unrestrained powers to delegate statutory work**

National laws to implement international maritime treaties vary considerably and this has lead to

- **Partial or full delegation of statutory work to non-State entities**
- **Different degree of implementation and enforcement**
- **Absence of State accountability makes ship registration an attractive and legitimate State business**
- **Lack of uniform flag State enforcement creates varying economic advantage for ship owners – non-level playing field**

IMO has no enforcement and compliance monitoring powers

- **The IMO Convention does not contain any provision that gives the Organization an enforcement and monitoring role**
- **With the drive for greater transparency and accountability, it has often been said that IMO needs teeth to ensure compliance**
- **How to achieve this has been emerging gradually**

Therefore, a cooperative strategy had to be developed for States to accept a monitoring regime through IMO

This strategy had to address certain core principles:

Sovereignty and universality

Consistency, fairness, objectivity, and timelines

Transparency and disclosure

Co-operation

Continual improvement

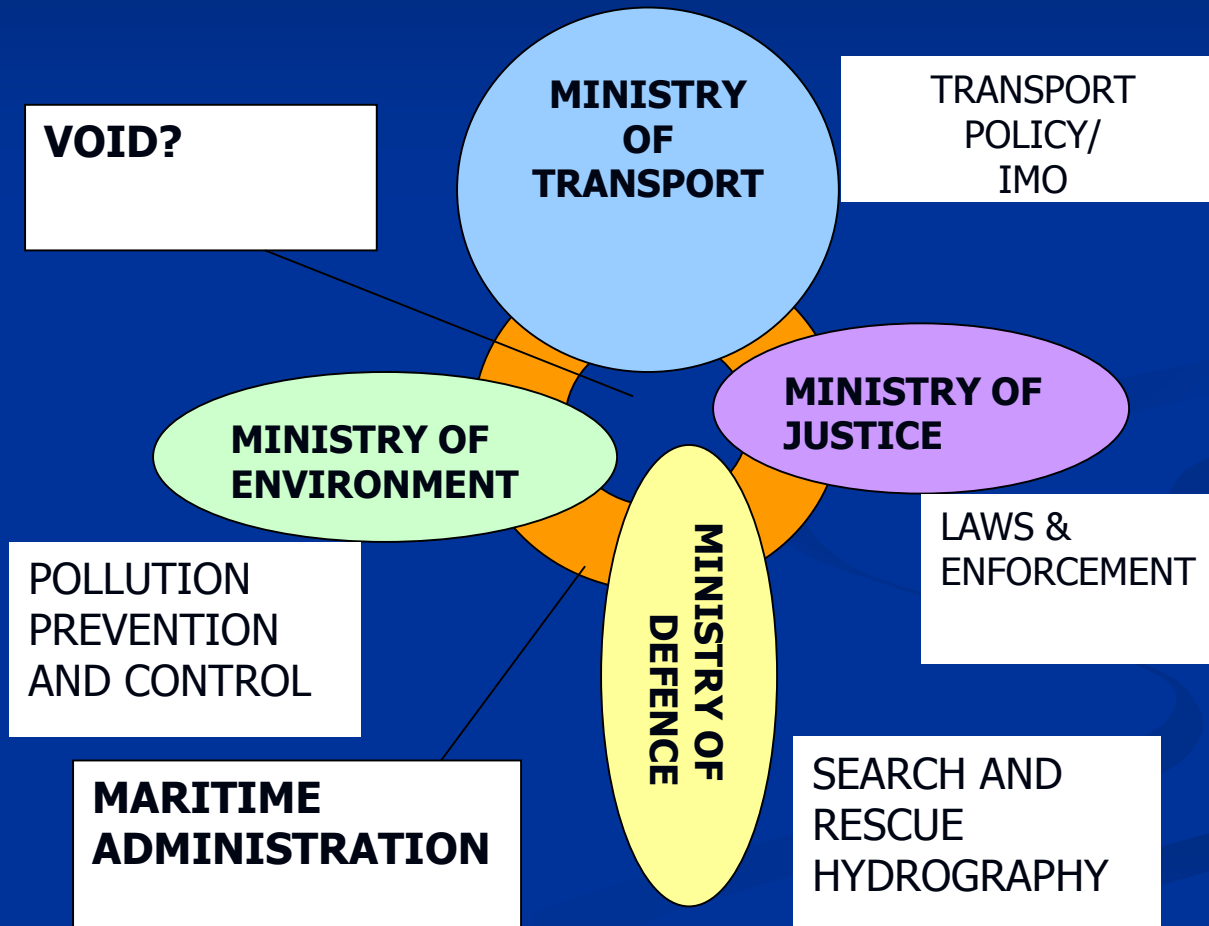
Plausible arguments for a compliance monitoring regime

The “Treaty” argument

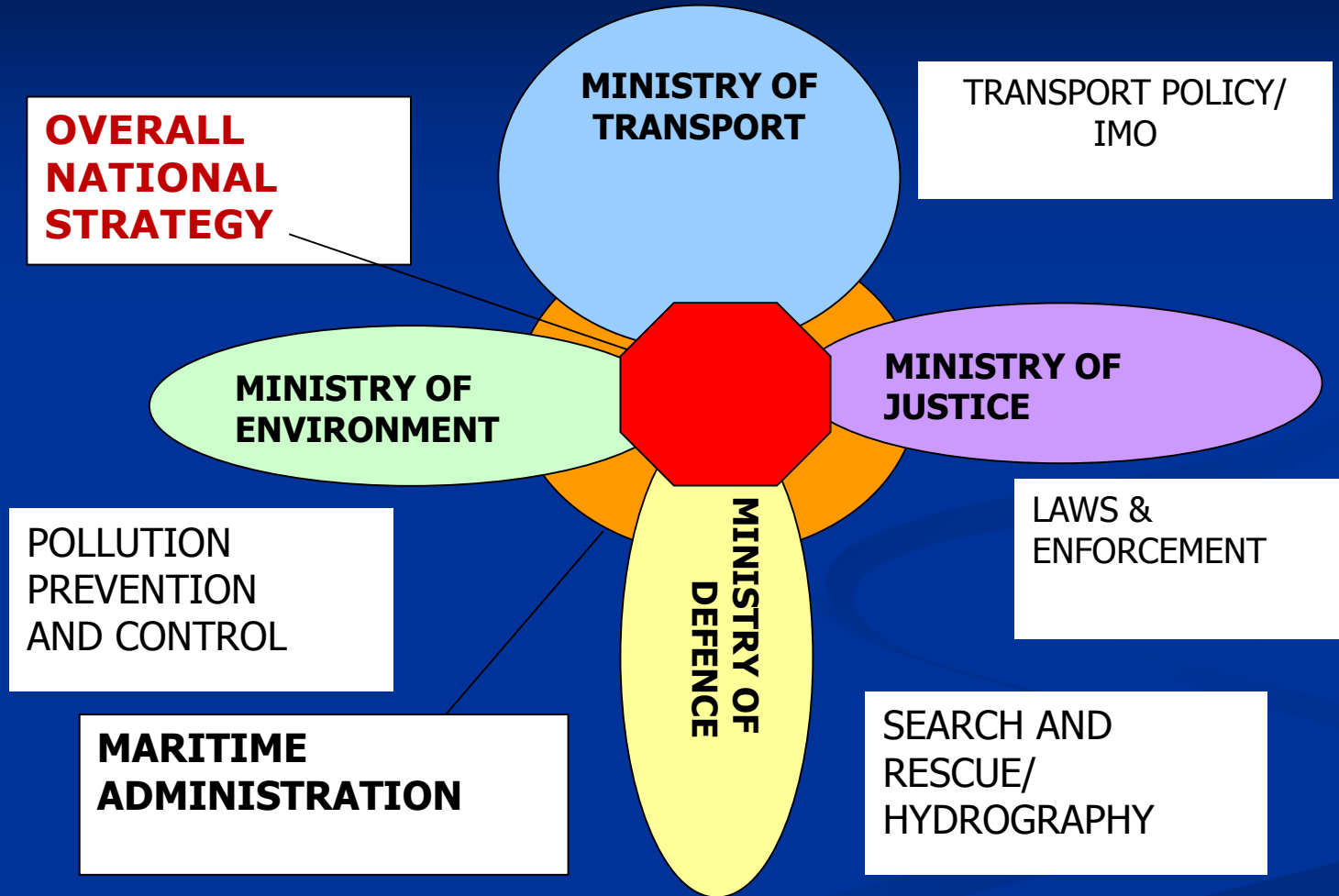
The “Sovereignty” argument

The “National Dialogue”

THE NATIONAL DIALOGUE - EXISTING NORM FOR PARTICIPATING STATE ENTITIES IN A MARITIME ADMINISTRATION



THE NATIONAL DIALOGUE - NEW NORM FOR PARTICIPATING STATE ENTITIES IN A MARITIME ADMINISTRATION



Further development of the Audit Scheme

The 26th Assembly in December 2009 adopted resolution A.1018(26) for the institutionalization of the Scheme.

Annexed to that resolution is a timeframe for the development of the institutionalized Scheme.

INSTITUTIONALIZE THE IMO MEMBER STATE AUDIT SCHEME

IMO Body	Timing	Action
MSC and MEPC	First half of 2010	Consider how to make the Code for the implementation of mandatory IMO instruments mandatory, including provisions for auditing
MSC and MEPC	Second half of 2010	Identify mandatory IMO instruments through which the Code and auditing should be made mandatory
Council	End 2010	Establishes Joint Working Group (JWG) of MSC, MEPC, FAL and TCC to review the Framework and Procedures for the Scheme
MSC and MEPC	2011 and 2012	Develop provisions to make the Code mandatory through the identified mandatory IMO instruments
Council	Second half of 2011	Approves a progress report for submission to A 27
Assembly 27	November 2011	Receives a progress report and decides as appropriate
JWG	2011 and 2012	Reviews the Framework and Procedures for the Scheme
JWG	2013	Finalizes the Framework and Procedures, taking into account the finished product on the Code and related amendments to mandatory IMO instruments
Council	First half of 2013	Approves the Framework and Procedures for the Scheme, for submission to A 28 for adoption
Committees	2013	Adopt amendments to the mandatory IMO instruments concerned for entry into force on 1 January 2015
Assembly 28	November 2013	Adopts resolution on the Framework and Procedures for the Scheme and amendments to those mandatory instruments under the purview of the Assembly
Council, Committees and Secretariat	2014	Preparatory work for the commencement of an institutionalized audit scheme

IMO Member State Audit Scheme (IMSAS)

- **28th session of Assembly,
November 2013**
- **Adopted resolution A1067 (28) –
Framework and Procedures for the
IMO Member State Audit Scheme**
- **Adopted resolution A1068 (28) –
Transition from the Voluntary IMO
Member State Audit Scheme to the
IMO Member State Audit Scheme**

IMSAS

■ **A.1068(28) – Transition**

- **DECIDES** that all future audits should be arranged and carried out in line with the Framework and Procedures for the IMO Member State Audit Scheme and using the III Code as the audit standard
- **URGES** Governments to continue volunteering for audits under the relevant mandatory IMO instruments leading up to the entry into force of the III Code

IMSAS

- **OBJECTIVES**
- **To determine extent of MS implementation and enforcement of applicable IMO instruments. To achieve this the audit will observe and assess:**
 - **compliance with the audit standard**
 - **enactment of national laws**
 - **administering & enforcing national laws**
 - **Mechanisms and controls for delegation of authority by MS to R/Os**
 - **Mechanisms for control, monitoring and feedback of MS own survey and certification process and its R/Os**
 - **Extend of discharging other obligations and responsibilities under IMO instruments**

IMSAS

THE AUDIT PROCESS WILL:

- Foster capacity-building and provision of technical assistance
- Provide audited MS with feedback to improve its implementation capacity
- Provide all MS with feedback in generic lessons learnt to share benefits
- Provide systematically feedback on any lessons learnt for further consideration by IMO

Principles

- **Audit be positive/constructive in accordance with agreed procedures, recognizing MS sovereignty to enact laws**
- **All MS be subject to same principles, processes and procedures - universally**
- **Conducted pragmatic, fair and timely by appropriately trained and qualified auditors (to ensure consistency, fairness, objectivity and timeliness)**
- **Planned and conducted in fully transparent manner, executed through MoC**
- **Audit reports & records are confidential. MS may authorize disclosure of these by S-G & make available to other Parties details of the findings and of its subsequent actions**

Principles (Cntd)

- Need for co-operation between auditors and audited MS, hence
 - consultation with MS prior to and after an audit
 - audited MS can contribute to audit process
- To ensure continual improvement in implementation and enforcement, MS expected to carry out agreed follow-up actions

Scope – IMO Instruments

- **Safety of life at sea**
- **Prevention of pollution from ships**
- **Standards of training, certification and watchkeeping for seafarers**
- **Load lines**
- **Tonnage measurement of ships**
- **Regulations for preventing collisions at sea**

Scope – Areas covered

- **Jurisdiction**
- **Organization and authority**
- **Legislation, rules and regulations**
- **Promulgation of IMO instruments**
- **Enforcement arrangements**
- **Control, survey, inspection, audit, verification, approval and certification functions**
- **Selection, recognition, authorization, empowerment and monitoring of R/O and nominated surveyors**
- **Investigations required to be reported to IMO**
- **Reporting to IMO and other Administrations.**

Responsibilities of IMO

Secretary-General IMO responsible for

- **Administering the audit scheme**
- **Appointing and maintaining auditor list**
- **Establishing audit team for each MS audit**
- **Ensuring audit team competence**
- **Ensuring maintaining standards by training**
- **Concluding an MoC with MS to be audited**
- **Ensuring audit team provided with all info**
- **Ensuring audit planning according to schedule**
- **Assisting MS with technical assistance**
- **Offering MS visit by audit team leader prior to**
- **Sending agreed executive summary to all MS**
- **Preparing consolidated audit summary report**
- **Maintaining appropriate records**
- **Managing audit scheme & possible follow-up**

Responsibilities of MS

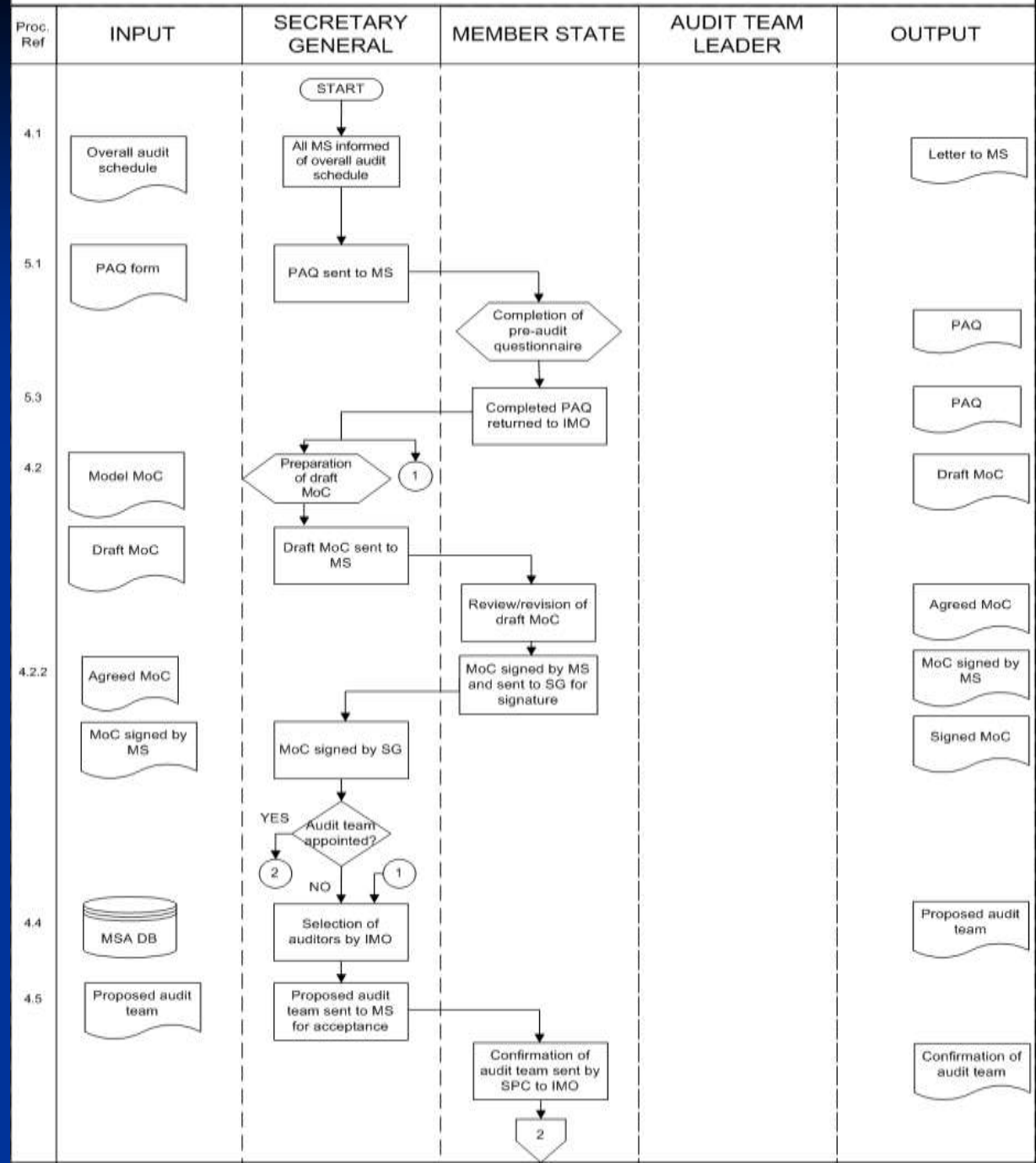
- **Facilitate audit according to MoC**
- **Agree with the S-G agree on the audit team**
- **Prepare programme of actions in response to audit team findings**
- **Authorize release of executive summary report, corrective action plan and its comments thereon prior to audit**
- **Implement programme of actions within max. 3 years**
- **Inform the S-G of completion of actions**

Responsibilities of Audit Team Leader

- **Makes detailed planning of actual audit**
- **Ensures audit team fully acquainted with pertinent information**
- **Conducts audit interviews and meetings**
- **Prepares and completes audit reports**
- **Reports details of findings/observations to MS**
- **Prepares and agrees with MS on audit summary report**
- **Assists in verification of corrective actions taken by MS**
- **Conducts follow-up audit, as appropriate**

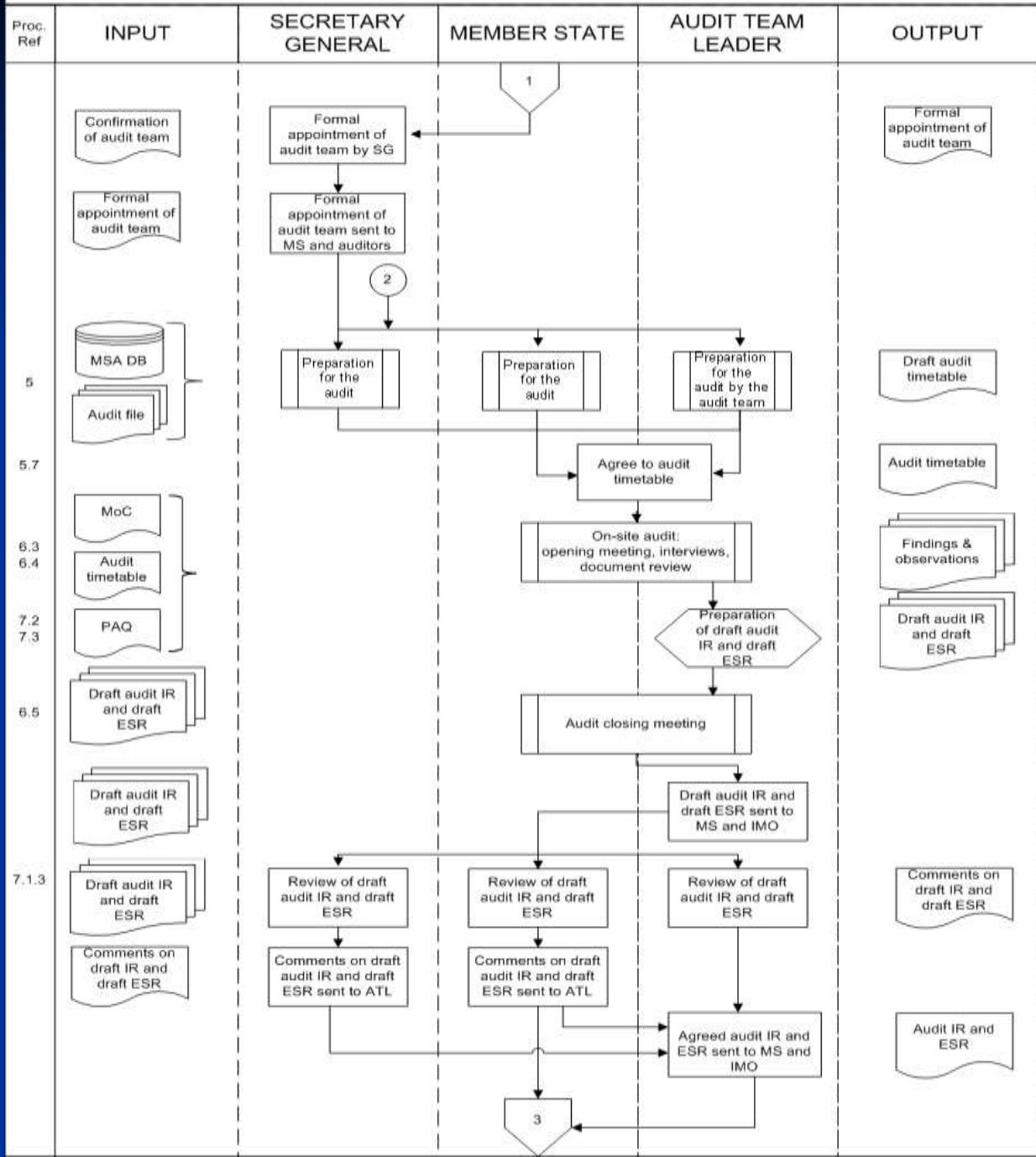
Audit Process

MEMBER STATE AUDIT PROCESS



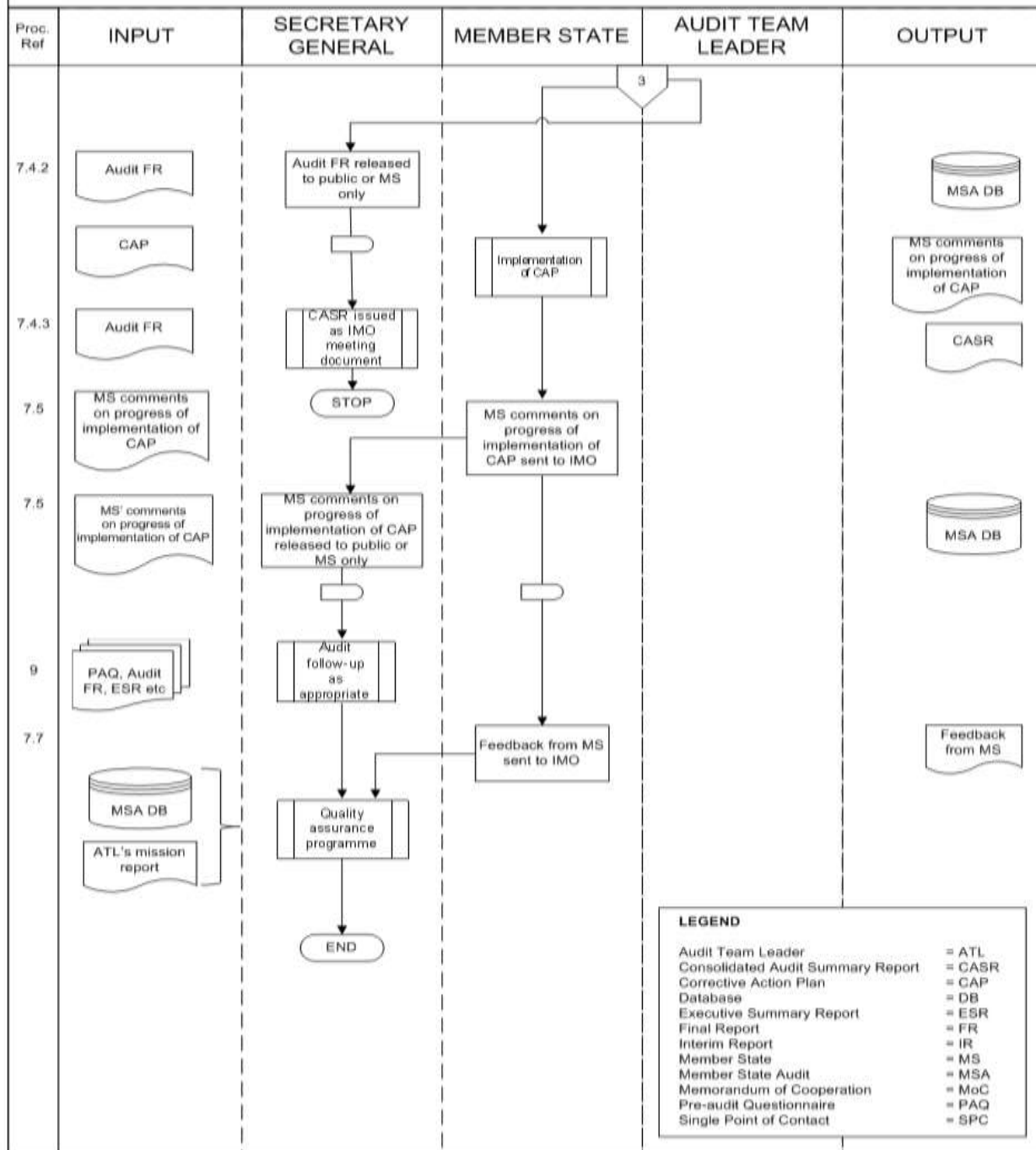
MEMBER STATE AUDIT PROCESS

Audit Process



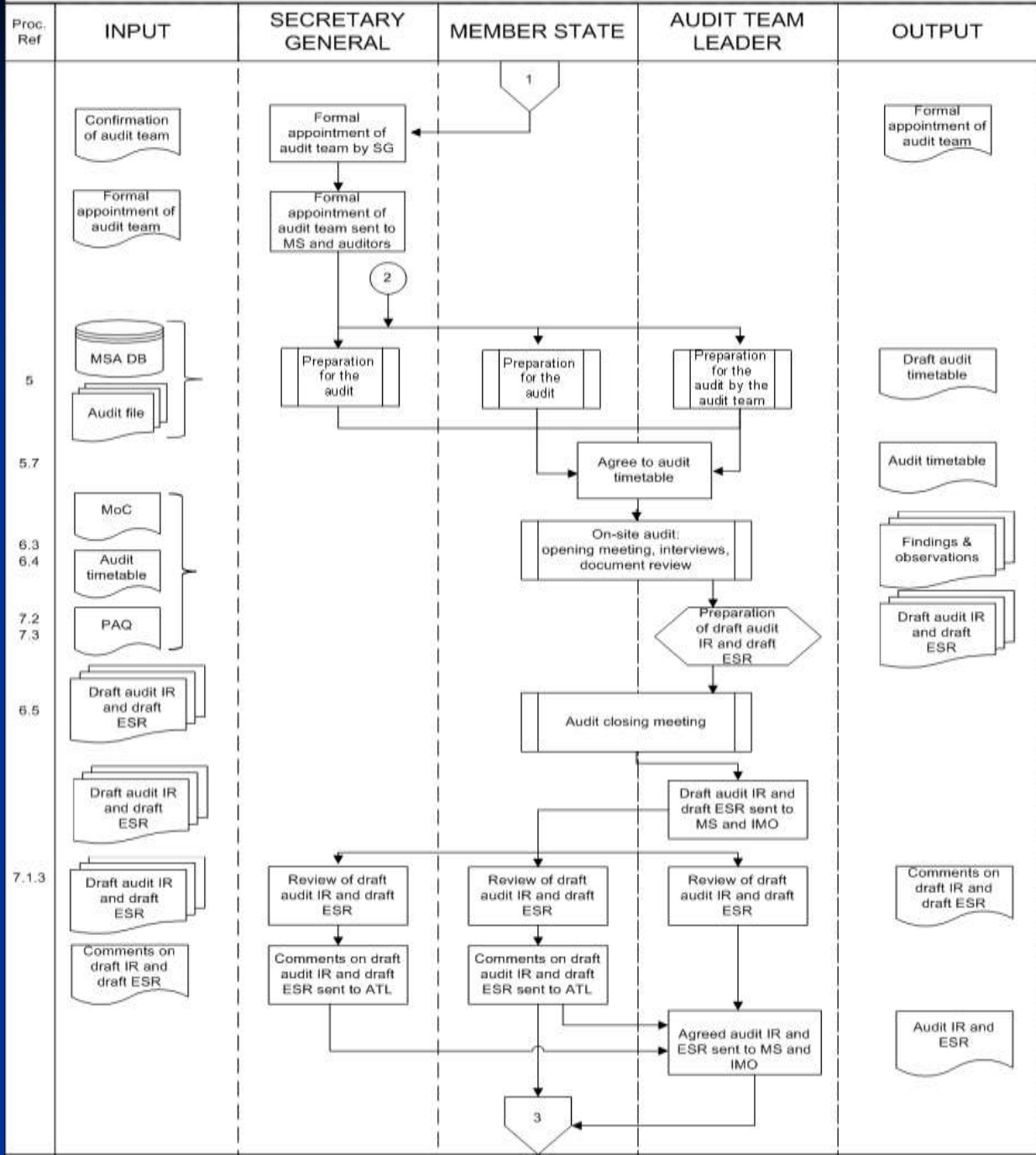
Audit Process

MEMBER STATE AUDIT PROCESS



MEMBER STATE AUDIT PROCESS

Audit Process



Audit Process

MEMBER STATE AUDIT PROCESS

FLOW CHART SYMBOLS



PROCESS



DOCUMENT



MULTIPLE DOCUMENTS



DECISION



PRE-DEFINED PROCESS



TERMINATOR



OFF PAGE REFERENCE



PREPARATION



DATABASE



DELAY



CONNECTOR

AUDIT SCHEME SEQUENCE OF ACTIVITIES

Ref.	Activity	Responsible	Procedures Ref.
1	All Member States informed of overall audit schedule	SG	4.1.1
2	Pre-audit questionnaire sent to the Member State	SG	5.2
3	Completed pre-audit questionnaire sent to IMO	MS	5.4
4	Selection of auditors by IMO	SG	4.3
5	Notification of auditors to Member State	SG	4.5.5
6	Final selection of audit team	SG + MS	4.4.1.5; 4.5.5
7	Developing and negotiating the Memorandum of Cooperation, including authorization for release of the audit reports to the public or Member States	SG + MS	(Framework 8.2.4) 4.2.1; 4.2.3
8	Memorandum of Cooperation finalized and signed	MS + SG	4.2.2
9	Preparation for the audit by the audit team	ATL	Section 5 (various)
10	Agreeing the audit plan	ATL + MS	4.2.4; 4.2.5; 5.7
11	Opening meeting between the audit team and MS	ATL + MS	6.3
12	Audit closing meeting, draft audit interim report and draft executive summary report tabled	ATL + MS	6.5
13	Draft audit interim report and draft executive summary report sent to the Member State and IMO	ATL	7.1.3; 7.2.2; 7.3.1; 7.3.2
14	Review of the draft interim report and draft executive summary report; including comments sent by MS	ATL + MS + IMO	7.1.3; 7.2.3; 7.2.4; 7.3.1
15	Agreed interim report & executive summary report to MS	ATL	7.2.1, 7.3.1
16	Executive summary report released	SG	(Framework 6.3.3 and 6.3.4) 7.3.1
17	MS corrective action plan, as appropriate, to ATL & IMO	MS	7.2.1; 7.4.1; 8.4
18	Corrective action plan released	SG	8.5
19	Draft audit final report sent to the Member State and IMO	ATL	7.4.2; 8.5
20	Agreed audit final report sent to the MS and IMO	ATL	7.4.2; 8.5
21	Member State's comments on the progress of implementation of corrective action plan sent to IMO	MS	7.5.1
22	Audit team leader's mission report sent to IMO	ATL	7.6.1
23	Feedback from the Member State sent to IMO	MS	7.7.1
24	Audit follow-up, as appropriate	SG	9.1
25	Consolidated audit summary reports prepared as IMO meeting documents	SG	7.4.3

Technical Cooperation

- **Emphasis on capacity-building to obtain full benefits from audit**
- **Technical assistance as part of process to facilitate:**
 - **the preparation of the audit**
 - **the identification of obstacles to completing the audit**
 - **the effective implementation of actions to address the findings of the audit**
 - **any related capacity building**

Technical Cooperation

- **Technical assistance may include:**
 - **training**
 - **exchange programmes**
 - **provision of experts**
 - **participation of observers during audits**

Procedures for the IMO Member State Audit

- **1 PURPOSE**
- **2 APPLICATION**
- **3 DEFINITIONS**
- **4 PLANNING**
 - **Audit cycle and schedule**
 - **Initial arrangements**
 - **Nomination of auditors**
 - **Selection of auditors**
 - **Selection of an audit team**

Procedures for the IMO Member State Audit

- **5 PREPARING FOR THE AUDIT**
- **6 CONDUCTING THE AUDIT**
 - **Timeline**
 - **Conduct of auditors**
 - **Opening meeting**
 - **The audit**
 - **Audit closing meeting**

Procedures for the IMO Member State Audit

■ 7 REPORTING

- General
- Audit interim report
- Executive summary report
- Audit final report
- Member State's comments on the progress of implementation of corrective action plan
- Audit team leader's mission report
- Feedback from Member States

Procedures for the IMO Member State Audit

- **8 MEMBER STATE'S CORRECTIVE ACTION PLAN**
- **9 AUDIT FOLLOW-UP**
- **10 RECORDS**
- **11 THE AUDIT PROCESS**

Procedures for the IMO Member State Audit

- **Appendix 1 – Model Memorandum of Cooperation**
- **Appendix 2 – Pre-audit questionnaire**
- **Appendix 3 – Audit scheme sequence of activities**
- **Appendix 4 – Model appendix forms for audit reports**
- **Appendix 5 – Model executive summary report**
- **Appendix 6 – Audit process**

**IMO INSTRUMENTS
IMPLEMENTATION CODE
(III Code)**

Resolution A.1070(28)

III Code

- **The code was developed to form the basis of the audit standard and has identified all relevant obligations of Parties to IMO instruments**
- **SCOPE:**
 - **1974 SOLAS and 1978 Protocol as amended**
 - **MARPOL 73/78 as amended**
 - **STCW 1978 as amended**
 - **LOADLINES 1966 as modified by the 1988 Protocol**
 - **TONNAGE 1969**
 - **COLREG 1972**

III Code

- The code is supported by Resolution A.1077(28) on the **2013** Non-Exhaustive list of obligations under instruments relevant to the IMO instruments implementation Code
- This list will need to be updated on a regular basis

III Code

III Code (Res. A.1070(28))

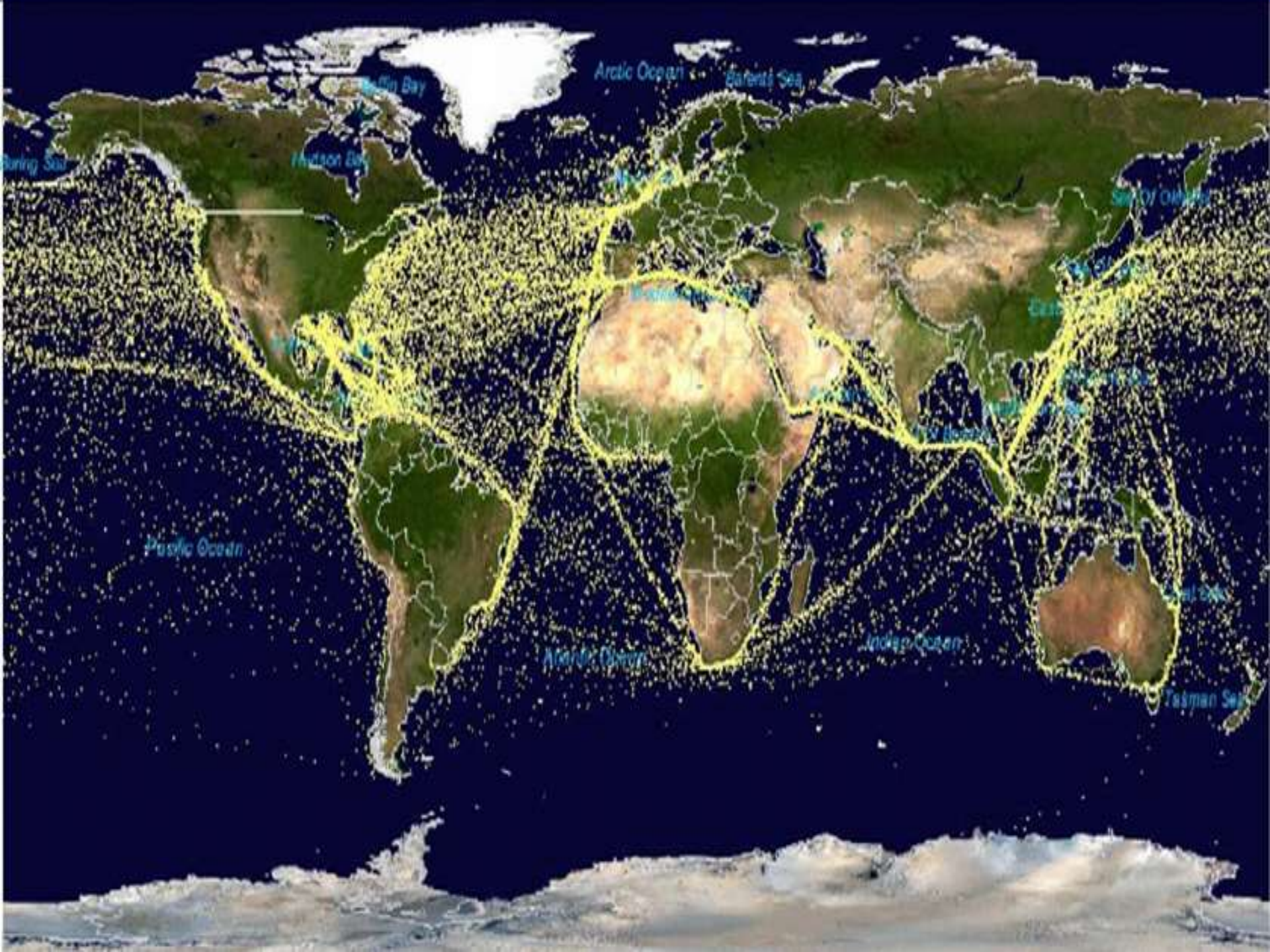
Resolution A.1077-Obligations under III Code

- **Obligations of Contracting Governments/Parties**
- **Specific Flag State Obligations**
- **Specific Coastal State Obligations**
- **Specific Port State Obligations**

TIME FRAME TO MAKE III CODE AND AUDITING MANDATORY BASED ON THE AMENDMENT PROVISIONS OF THE MANDATORY INSTRUMENTS

	APPROVAL	ADOPTION	ACCEPTANCE	ENTRY INTO FORCE
III Code	MEPC 64 (10/2012) MSC 91(11/2012)	A 28 (12/2013)		
SOLAS 1974; LL PROT 1988; STCW and Part A of STCW Code	MSC 91 (11/2012) Approval and circulation for adoption at future date (at least six months prior)	MSC 93 (05/2014) After adoption of III Code by Assembly – first possible regular session for adoption of amendments	1/7/2015 (Not less than one year after adoption by MSC [93])	1/1/2016 (Six months after acceptance)
MARPOL Annexes I, II, III, IV, V and VI	MEPC 64 (10/2012) Approval and circulation for adoption at future date (at least six months prior)	MEPC 66 (03/2014) After adoption of III Code by Assembly – first possible regular session for adoption of amendments	1/2/2015[1/7/2015] ¹ (Not less than 10 months after adoption by MEPC [66])	1/8/2015 [1/1/2016] ¹ (Six months after acceptance)
LL 1966	(Adoption) MSC 91 (11/2012) Adoption by MSC 91 for consideration and adoption by A 28 (at least six months prior)	A 28 (12/2013) Adoption and circulation for unanimous acceptance and explicit acceptance	1) 1/1/2017 Unanimous acceptance - 3 years from circulation after adoption be A 28 2) Based on the attainment of the number of explicit acceptances	1) 1/1/2018 (12 months after unanimous acceptance) 2) on a date 12 months after the number of explicit acceptances have been received
Tonnage 1969	(Adoption) MSC 91 (11/2012) Adoption by MSC 91 for consideration and adoption by A 28 (at least six months prior)	A 28 (12/2013) Adoption and circulation for unanimous acceptance and explicit acceptance	1) 1/1/2016 (Unanimous acceptance - 2 years from circulation after adoption be A 28) 2) Based on the attainment of the number of explicit acceptances	1) 1/1/2017 (12 months after unanimous acceptance) 2) on a date 12 months after the number of explicit acceptances have been received explicit acceptance

¹ Dates in square brackets are for harmonization with SOLAS 1974, LL PROT 1988 and STCW.



International Maritime Organization

*Safe, secure and efficient shipping
on clean oceans*



States have rights and obligations to control ships

- those registered under their flag ; and
- those arriving in their ports
- in order to verify and ensure that ships are in compliance with
 - applicable standards, national and international for flag States and
 - international for port States

FS surveys and PS inspections

■ FS Surveys:

- Regular intervals
- Defined scope
- Measures – rectify deficiency in a defined period, FS comments on detention,..

■ PS inspections

- Random selection
- Not full survey – selection of areas for inspection (initial, more detailed, expanded)
- Measures - rectify deficiency in a defined period, PS detention, banning,..

Port State Control

- Ideally there should be no need for PSC but Ship-owners, Classification Societies, Flag States, Administrations at times come under economic pressure.

SOLAS Reg. I/19

- “Every ship when in the port of another party is subject to control by officers duly authorised by such Government ...”

Introduction

- **With the adoption of the ISM code (SOLAS Chapter IX) extended ashore to company operation and their relationship with ships crew.**
- **Need to keep adequate records.**

Port State Control

- **Can be only be carried out by Parties to the Convention.**
- **PSC is a privilege not an obligation.**
- **PSC to be carried out only by duly authorised officers.**
- **Officers carrying out PSC to ensure that ship does not sail if there is a danger to ship, persons or the environment.**
- **PSC officers to inform Consular or diplomatic officer when intervention is necessary.**

PSC – MOU's

- **To enhance the efficiency of PSC and relieve ships from frequent and unnecessary inspections.**
- **Now MOUs covering all regions of the world**
 - Paris
 - Tokyo
 - Vina del Mar
 - Caribbean
 - Mediterranean
 - Indian Ocean
 - Abuja
 - Black Sea
 - Riyadh

PSC – MOU's

MOUs cont'd

- PSC covers SOLAS, MARPOL, STCW, TONNAGE, LOADLINES, COLREG and ILO requirements.
- PSC originally limited to ships hull and machinery.
- Extended to operational and human factor elements (SOLAS XI/4)
 - ships crew
 - familiarity with equipment
 - fatigue
 - drug use and alcohol abuse
 - Crew training

CODE FOR IMPLEMENTATION OF IMO INSTRUMENTS

- **The code was developed to form the basis of the audit standard and has identified all relevant obligations of Parties to IMO instruments**
- **SCOPE:**
 - **1974 SOLAS and 1978 Protocol as amended**
 - **MARPOL 73/78 as amended**
 - **STCW 1978 as amended**
 - **LOADLINES 1966 as modified by the 1988 Protocol**
 - **TONNAGE 1969**
 - **COLREG 1972**

CODE FOR IMPLEMENTATION OF IMO INSTRUMENTS

- **THE FOLLOWING CODES AND RESOLUTIONS MADE MANDATORY BY THE ABOVE INSTRUMENTS ALSO COME UNDER THE SCOPE OF THE CODE**
- **SOLAS**
 - **Res MSC 133 (76) Reg. 3.6.2.1**
 - **FSS Code 11-2/3.22**
 - **FTP Code 11-2/3.23**
 - **LSA Code 111/3.10**
 - **CSS Code Sub chapter 19, V1/2.2.1**

CODE FOR IMPLEMENTATION OF IMO INSTRUMENTS

SOLAS CONTINUED:

- Grain Code V1/8.1
- IMDG Code V11/1.1
- IBC Code V11/8.1 & MARPOL
annex 11 reg. 1 (10)
- IGC Code V11/11-1
- INF Code V11/14.1
- ISM Code IX/1.1
- 1994 HSC Code X/1.1
- 2000 HSC Code X/1.2

CODE FOR IMPLEMENTATION OF IMO INSTRUMENTS

SOLAS:

- Res A 739 (18) X1-1/1
- Res A 789 (19) X1-1/1
- Res A744 (18) as amended
X1-1/2
- Res 4 SOLAS CONF.1997 X11/1.7
- Res MSC 169(79) X11/7.2
- Res MSC 168 (79) X11/14

CODE FOR IMPLEMENTATION OF IMO INSTRUMENTS

■ MARPOL:

- Res MEPC 94 (46) as amended
ann. I reg 13G & 13H
- BCH Code annex II, reg 1(11)
- Nox Tech code

■ STCW:

- STCW Code Part A Reg 1/1.2.3

CODE FOR IMPLEMENTATION OF IMO INSTRUMENTS

■ RECORDS

- administrations should establish and maintain records as evidence of conformity with requirements and effective operation**
- administrations should establish procedures to define controls and responsibilities within departments**

CODE FOR IMPLEMENTATION OF IMO INSTRUMENTS

■ IMPROVEMENT - ADMINISTRATIONS SHOULD:

- introduce a culture of continually improving measures to give effect to conventions and other mandatory instruments**
- detect and eliminate cause of non-conformities through regular quality audits of departments**

CODE FOR IMPLEMENTATION OF IMO INSTRUMENTS

- **ADMINISTRATIONS:**
- **Should provide adequate resources in numbers, qualifications and experience of personnel to carry out their control functions**
- **Ensure that timely investigations are carried out into accidents involving their flag ships**

Model Maritime Administration (MMA)

III Code (Res. A.1070(28))

Resolution A.1077-Obligations under III Code

- **Obligations of Contracting Governments/Parties**
- **Specific Flag State Obligations**
- **Specific Coastal State Obligations**
- **Specific Port State Obligations**

PO Code (Res. MSC 349(92))