



Treaty Series No. 27 (1998)

1994 Amendments to the Annex

to the

International Convention for the Safety of Life at Sea, 1974 (Annex 2)

Resolution 1 of the Conference of
Contracting Governments to the
International Convention for the
Safety of Life at Sea, 1974

Adopted at London, 24 May 1994

[The Amendments entered into force on 1 July 1998]

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
July 1998*

**RESOLUTION 1 OF THE CONFERENCE OF CONTRACTING
GOVERNMENTS TO THE INTERNATIONAL CONVENTION
FOR THE SAFETY OF LIFE AT SEA, 1974
ADOPTED ON 24 MAY 1994**

**ADOPTION OF AMENDMENTS TO THE ANNEX
TO THE INTERNATIONAL CONVENTION FOR
THE SAFETY OF LIFE AT SEA, 1974¹**

THE CONFERENCE,

RECALLING article VIII(c) of the International Convention for the Safety of Life at Sea, 1974 (hereinafter referred to as "the Convention") concerning the procedure for amending the Convention by a Conference of Contracting Governments,

HAVING CONSIDERED amendments to the Annex to the Convention proposed and circulated to the Members of the Organization and to all Contracting Governments to the Convention,

1. ADOPTS, in accordance with article VIII(c)(ii) of the Convention, amendments to the Annex to the Convention, the texts of which are given in the Annexes to the present resolution;

2. DETERMINES, in accordance with article VIII(b)(vi)(2)(bb) of the Convention, that:

(a) the amendments set out in Annex 1 shall be deemed to have been accepted on 1 July 1995; and

(b) the amendments set out in Annex 2 shall be deemed to have been accepted on 1 January 1998,

unless, prior to these dates, more than one third of Contracting Governments to the Convention or Contracting Governments the combined merchant fleets of which constitute not less than fifty per cent of the gross tonnage of the world's merchant fleet, have notified their objections to the amendments;

3. INVITES Contracting Governments to note that, in accordance with article VIII(b)(vii)(2) of the Convention:

(a) the amendments set out in Annex 1² shall enter into force on 1 January 1996; and

(b) the amendments set out in Annex 2 shall enter into force on 1 July 1998,

upon their acceptance in accordance with paragraph 2 above.

¹Treaty Series No. 46 (1980), Cmnd. 7874.

²Treaty Series No. 8 (1998), Cm. 3850.

ANNEX 2

ADDITION OF A NEW CHAPTER IX TO THE ANNEX TO THE INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974¹

The following new chapter IX is added to the Annex:

“CHAPTER IX

MANAGEMENT FOR THE SAFE OPERATION OF SHIPS

REGULATION 1

Definitions

For the purpose of this chapter, unless expressly provided otherwise:

1. “International Safety Management (ISM) Code” means the International Management Code for the Safe Operation of Ships and for Pollution Prevention adopted by the Organization by resolution A.741(18), as may be amended by the Organization, provided that such amendments are adopted, brought into force and take effect in accordance with the provisions of article VIII of the present Convention concerning the amendment procedures applicable to the Annex other than chapter I.
2. “Company” means the owner of the ship or any other organization or person such as the manager, or the bareboat charterer, who has assumed the responsibility for operation of the ship from the owner of the ship and who on assuming such responsibility has agreed to take over all the duties and responsibilities imposed by the International Safety Management Code.
3. “Oil tanker” means an oil tanker as defined in regulation II-1/2.12.
4. “Chemical tanker” means a chemical tanker as defined in regulation VII/8.2.
5. “Gas carrier” means a gas carrier as defined in regulation VII/11.2.
6. “Bulk carrier” means a ship which is constructed generally with single deck, top-side tanks and hopper side tanks in cargo spaces, and is intended primarily to carry dry cargo in bulk, and includes such types as ore carriers and combination carriers.
7. “Mobile offshore drilling unit (MODU)” means a vessel capable of engaging in drilling operations for the exploration for or exploitation of resources beneath the sea-bed such as liquid or gaseous hydrocarbons, sulphur or salt.
8. “High speed craft” means a craft as defined in regulation X/1.2.

REGULATION 2

Application

1. This chapter applies to ships, regardless of the date of construction, as follows:
 - .1 passenger ships including passenger high speed craft, not later than 1 July 1998;
 - .2 oil tankers, chemical tankers, gas carriers, bulk carriers and cargo high speed craft of 500 gross tonnage and upwards, not later than 1 July 1998; and
 - .3 other cargo ships and mobile offshore drilling units of 500 gross tonnage and upwards, not later than 1 July 2002.
2. This chapter does not apply to government-operated ships used for non-commercial purposes.

¹Treaty Series No. 46 (1980), Cmnd. 7874.

REGULATION 3

Safety management requirements

1. The company and the ship shall comply with the requirements of the International Safety Management Code.
2. The ship shall be operated by a company holding a Document of Compliance referred to in regulation 4.

REGULATION 4

Certification

1. A Document of Compliance shall be issued to every company which complies with the requirements of the International Safety Management Code. This document shall be issued by the Administration, by an organization recognized by the Administration, or at the request of the Administration by another Contracting Government.
2. A copy of the Document of Compliance shall be kept on board the ship in order that the master can produce it on request for verification.
3. A Certificate, called a Safety Management Certificate, shall be issued to every ship by the Administration or an organization recognised by the Administration. The Administration or organization recognized by it shall, before issuing the Safety Management Certificate, verify that the company and its shipboard management operate in accordance with the approved safety management system.

REGULATION 5

Maintenance of conditions

The safety management system shall be maintained in accordance with the provisions of the International Safety Management Code.

REGULATION 6

Verification and control

1. The Administration, another Contracting Government at the request of the Administration or an organization recognized by the Administration shall periodically verify the proper functioning of the ship's safety management system.
2. Subject to the provisions of paragraph 3 of this regulation, a ship required to hold a certificate issued pursuant to the provisions of regulation 4.3 shall be subject to control in accordance with the provisions of regulation XI/4. For this purpose such certificate shall be treated as a certificate issued under regulation I/12 or I/13.
3. In cases of change of flag State or company, special transitional arrangements shall be made in accordance with the guidelines developed by the Organization."



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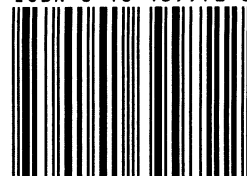
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