

REPUBLIC



OF CYPRUS

**MINISTRY OF COMMUNICATIONS AND WORKS
DEPARTMENT OF MERCHANT SHIPPING
LEMESOS**

Circular No.19 /2002

July 12, 2002

To all Owners
Managers, Representatives and Masters
of vessels flying the Cyprus flag.

**Subject: Instructions to Recognised Organisations to enhance Flag State Control
over Safety Standards of Cyprus Ships**

I wish to inform you that the Department of Merchant Shipping, in cooperation with the Recognised by the Republic of Cyprus Classification Societies, in its effort to enhance the safety standards of Cyprus ships and to eliminate unnecessary and costly delays due to the detention of the ships by Port State Control Authorities, has decided to implement a new scheme of preventive control over Cyprus flag ships based on the experience gained so far.

The new scheme is as described in Appendix 1 and implementation is scheduled to commence on September 1, 2002. Every effort will be made to avoid repeated detentions and costly delays of ships.

All Owners, Managers and Masters of Cyprus flag vessels are requested to abide by the new procedures.

S. S. Serghiou
Director
Department of Merchant Shipping

Cc: Acting Permanent Secretary, Ministry of Communications and Works
Permanent Secretary, Ministry of Foreign Affairs
Maritime Offices of the Department of Merchant Shipping abroad
Diplomatic Missions and Honorary Consular Offices of the Republic
Recognised Classification Societies
Cyprus Shipping Council
Association of Cypriot Shipowners (Sea Rovers)
Union of Cypriot Shipowners
Cyprus Bar Association

**INSTRUCTIONS OF THE DEPARTMENT OF MERCHANT SHIPPING
OF CYPRUS TO ITS RECOGNISED ORGANIZATIONS**

The present instructions aim at enhancing the control of the flag state over safety standards of Cyprus ships. These are additional to any authorization or instruction given in the past to Recognized Organizations. All terms used are as defined in international conventions for the implementation of which relevant authorizations have been given to Recognized Organizations.

1. Change of Flag Surveys

1.1 It is noted that regardless of whether the Company remains the same as before or a change occurs, no vessel may be registered with any outstanding recommendation, in accordance with the Department of Merchant Shipping circular 20/2001. In case a deviation from this policy is requested, it should be invariably referred to this Department for consideration and relevant instructions.

1.2 In both cases, at the time of the change of flag, if the due dates for the surveys for existing certificates are within the ± 3 months' window, then renewal/intermediate/periodical/annual surveys, as the case may be, shall be carried out immediately. At the same time, an inspection of basic ILO items as indicated in the check sheet in Annex 1, shall be carried out.

1.3 In the case where the change of flag is not accompanied by a change of the Company, the surveys shall be limited in scope to the extent of the applicable annual survey with the addition of basic ILO items, unless the due dates of the statutory surveys are within the window mentioned above.

1.4 In cases where the change of flag is accompanied by a change of the Company, the extent of the surveys in respect of safety equipment shall be upgraded to that of a renewal survey with the addition of basic ILO items. The surveys for the statutory certificates other than the safety equipment, unless they fall within the windows mentioned in paragraph 1.2 above, shall be carried out to the extent of annual surveys.

1.5 The statutory survey reports for the change of flag surveys shall be made available the soonest possible to the Department of Merchant Shipping either in hard copy or by e-mail, or through access to the society's data base.

2. Survey after detention

2.1 When a Cyprus flag ship is detained and the Recognized Organization (RO) is called to attend, the surveyor of the RO shall not limit his inspection to the deficiencies noted by Port State Control.

2.2 If the date of the detention falls within the ± 3 months window for statutory surveys, they shall be conducted before the ship sails. In the case of renewal surveys, they shall be conducted to the extent possible, except for safety equipment and radio, which shall be completed. A time schedule for the completion of surveys at the next convenient port shall be set and they shall not be delayed until the end of the window.

2.3 If the date of the detention does not fall within the ± 3 months' window the RO surveyor, after clearing the PSC deficiencies, shall carry out a general examination of the vessel including the items listed in Annex 1 and shall ask the questions listed in Annex 2. Then, using his professional judgement he shall decide whether extra surveys are required.

2.4 In cases where the surveyor deems that more thorough surveys are required, he shall proceed as agreed for the change of flag when accompanied by a change of the Company (see item 1.4). The RO shall send to the Department of Merchant Shipping copies of the reports on such cases.

3. Surveys after PSC inspection with deficiencies identified, which did not warrant detention

3.1 The RO should inform the Department of such cases which are brought to their attention by PSC authorities. The Department will decide whether the case warrants further investigation. On the basis of the results of this investigation the Department in consultation with the RO will decide on the future policy.

4. Outstanding Recommendations

4.1 In case a ship is burdened with recommendations imposed either by the Department of Merchant Shipping or PSC, these shall be communicated to the RO classing the ship and the latter shall ensure that they have been rectified according to the set schedule. Otherwise the RO shall contact the Department for a decision on the action to be taken.

5. ISM

5.1 On a PSC inspection report as a result of which the ship is detained, there may be an explicit reference to an ISM major non-conformity. In such case, an auditor of the auditing organisation shall board the vessel and perform an additional audit of the vessel's Safety Management System. The extent of this additional audit should be:

- (a) equivalent to the mandatory initial audit of the shipboard part of the SMS, in case the major non-conformity is identified within twelve months or less from the date of the initial/renewal audit or less than six months prior to the renewal audit, or
- (b) equivalent to the mandatory intermediate audit of the shipboard part of the SMS, in case the major non-conformity is identified twelve months or more from the date of the initial/renewal audit or more than six months prior to the renewal audit.

5.2 If, during the shipboard audit, it becomes apparent that problems also exist with the SMS of the company, an additional audit to the extent of the annual audit shall be performed for the Company.

5.3 If the detention order contains no explicit reference to ISM non-conformities, then the surveyor shall act as in section 2 above.

5.4 If the RO classing the ship and its auditing organisation are different entities, then the surveyor having received the answers to questions in Annex 2, should notify the ship's auditing organization of the findings. In case the auditing organization, having assessed the findings, deems that an additional audit is necessary, it shall notify the Department of Merchant Shipping and proceed as soon as possible to conduct the additional audit of the SMS of the ship and inform the Department of Merchant Shipping and the RO classing the ship of the results.

5.5 If the RO classing the ship is also its auditing organisation, then in case the RO having assessed the findings of the surveyor based on the answers to questions in Annex 2, deems an additional shipboard audit necessary, the RO shall notify immediately the Department of Merchant Shipping and proceed as soon as possible to conduct the additional audit of the SMS of the ship and inform the Department of Merchant Shipping of the results.

5.6 If a vessel is justifiably detained twice within 12 months, then an additional shipboard audit in the scope of an intermediate audit shall be performed for the vessel's SMS and an additional audit of the Company, in the scope of an annual audit.

5.7 The Department of Merchant Shipping shall be notified of any additional shipboard audit or additional audit of the Company.

5.8 The Department of Merchant Shipping shall decide the extent and scope of additional audits of the shipboard as well as the shore based SMS of a Company, when a large proportion of that Company's fleet is detained by PSC.

6. Postponement of Special Surveys

6.1 Applications for postponement of the special survey will be considered by the Department of Merchant Shipping only in cases where special circumstances warrant them.

6.2 No postponement of the special survey shall be given unless all surveys have commenced and proceeded to the extent possible. The Department may decide to deviate from this course of action only in cases of force majeure.

No. 17 Routine and Ad Hoc Reporting by Surveyors of Evidence of Possible Safety Management System Failures

(June 2001)
(Rev.1,
Mar. 2002)

INTRODUCTION

The purpose of this Procedural Requirement is to ensure that the organisation responsible for the issue of a SMC is notified when a surveyor becomes aware of possible safety management system failures, particularly with respect to the management of the maintenance of the ship and its equipment, and to describe the use of the Annual Class Survey ISM Checklist.

1. SCOPE AND APPLICATION

1.1 This document describes the procedure for reporting by surveyors of evidence of possible safety management system failures, and the use of the Annual Class Survey ISM Checklist.

2. DEFINITIONS

2.1 "International Safety Management (ISM) Code" means the International Management Code for the Safe Operation of Ships and for Pollution Prevention, as adopted by the International Maritime Organisation (IMO) by Resolution A.741(18), as may be amended by the Organisation.

2.2 "Document of Compliance" (DOC) means a document issued to a Company that complies with the requirements of the ISM Code.

2.3 "Safety Management Certificate" (SMC) means a document issued to a ship which signifies that the company and its shipboard management operate in accordance with the approved Safety Management System (SMS).

2.4 "Safety Management System" (SMS) means a structured and documented system enabling Company personnel to implement effectively the company's safety and environmental protection policy.

2.5 "Technical deficiency" means a defect in, or a failure in the operation of, a part of the ship's structure or its machinery, equipment or fittings.

3. USE OF THE ANNUAL CLASS SURVEY ISM CHECKLIST

3.1 The checklist, attached as Annex 1, is a list of evidence of possible safety management system failures recorded on the occasion of the Annual Class Survey. It is not an audit report. It is to be completed by the surveyor at each Annual Class Survey, and is to be submitted together with the Annual Class Survey report.

3.2 In cases where the classing society also issued the SMC, the procedure governing the use of the report, and the treatment of any problems identified, are to be determined by each society individually.

3.3 Where the SMC was issued by an organisation other than the classing society, any negative responses on the checklist are to be reported to that organisation.

Note: This Procedural Requirement is to be complied with by IACS Members and Associates from 1 April 2002.

No.17 (cont'd)

4. AD HOC REPORTING

4.1 Surveyors may become aware of evidence of possible failures of the Shipboard's Safety Management System through the following means:

- i) a situation observed during a routine or occasional class or statutory survey;
- ii) a situation observed during attendance on board following a port state control detention arising from purely technical deficiencies;
- iii) notification of a port state control detention where possible safety management system failures are cited in the Port State Control report as having led, wholly or in part, to the detention;
- iv) information received from a third party which indicates that a problem may exist with respect to the adequacy or implementation of the Safety Management System.

4.2 The following situations should be reported by the surveyor to the local, regional or headquarters ISM staff of his own society:

- i) existing or unresolved technical deficiencies that are not being adequately addressed by the Company and may lead to the limitation, suspension or withdrawal of a Class or Statutory Certificate;
- ii) numerous technical deficiencies which suggest a lack of effective maintenance of the ship and its equipment;
- iii) outstanding port state control deficiencies that resulted in detention;
- iv) other conditions not related to Class or Statutory requirements which may seriously affect the safety of the ship, its personnel or the environment.

4.3 The report shall include the following information:

- i) the name of the ship;
- ii) the IMO No. of the ship;
- iii) the name and address of the company (as stated on the ship's SMC);
- iv) the name of the organisation that issued the Safety Management Certificate (SMC);
- v) the number of the SMC(if applicable);
- vi) the place and date of issue of the SMC;
- vii) name of the administration on whose behalf the SMC was issued;
- viii) details of the possible failures and/or technical deficiencies identified as specified in 4.2 i) to iv);
- ix) the name, position and society of the reporting surveyor and the date of issuance of the report;
- x) the name and position of the representative of the company who acknowledged by signature the problems and/or deficiencies identified and the date of acknowledgement.

4.4 The surveyor must inform the master or Company representative that this information will be communicated to the organisation responsible for the issue of the SMC.

4.5 If the SMC was issued by an organisation other than the classing society, the information is to be sent to the organisation concerned. A list of IACS contact points is given in Annex 2.

4.6 The issuing society will review the information provided, decide on what action (e.g additional audit), if any, should be taken, and report to the Administration if necessary, and to the classing society.



No.17
(cont'd)

Annex 1

Annual Class Survey ISM Checklist		
Ship's Name	Flag	IMO Number
Survey Record No.	Date of Survey	Survey Place
<p>(A. Technical deficiencies)</p> <p>A-1. Class/Statutory related technical deficiencies are found ?</p> <ul style="list-style-type: none"> - No (No action to be taken) - Yes (go to A-2) <p>A-2. Such technical deficiencies, if not corrected, might lead to the suspension of Class and/or withdrawal of statutory certificates ?</p> <ul style="list-style-type: none"> - No (go to A-3) - Yes (To be reported) <p>A-3. Such technical deficiencies were reported to the Company ?</p> <ul style="list-style-type: none"> - No (To be reported) - Yes (go to A-4) <p>A-4. Evidence for dealing with such technical deficiencies by the Company exists ?</p> <ul style="list-style-type: none"> - No (To be reported) - Yes (go to A-5) <p>A-5. Possible immediate rectification for such deficiencies exists ?</p> <ul style="list-style-type: none"> - No (To be reported) - Yes (No action to be taken) 		
<p>(B. Serious threat)</p> <p>Other conditions which may seriously affect the safety of the ship, personnel or the environment are found ?</p> <ul style="list-style-type: none"> - No (No action to be taken) - Yes (To be reported) 		
<p>(C. Documentary deficiencies)</p> <p>Class/Statutory related documentary deficiencies are found ?</p> <ul style="list-style-type: none"> - No (No action to be taken) - Yes (To be reported) 		
<p>(D. Operational failures)</p> <p>Class/Statutory related operational failures found ?</p> <ul style="list-style-type: none"> - No (No action to be taken) - Yes (To be reported) 		
<p>(E. Class/Statutory requirements)</p> <p>Other Class/Statutory requirements are not observed ?</p> <ul style="list-style-type: none"> - No (No action to be taken) - Yes (To be reported) 		
<p>Conclusion</p> <ul style="list-style-type: none"> - To be reported to Head Office together with relevant Survey Record - No action to be taken 		
<p>Surveyor's Comments</p>		
Date:		Signature(Ship's Master/Company representative)
Classification Society		Office
Name of Surveyor:		Date:

List of Contact Points

Classification Society	Office/Department	Person in charge	Fax Number	e-mail address
ABS	Singapore / Dubai / Houston /	H. Juneja S. Blair M. Kelleher	+65 275 0258 +971 4 3555358 +281 877 5932	Hjuneja@eagle.org Sblair@eagle.org Mkelleher@eagle.org
BV	Head Office, Paris DNS/DCE	Claude Maillot	+ 33 1 42 91 52 93	claudemaillot@bureauveritas.com
CCS	Headquarters Classification Division	Mr H Shu	+ 86 10 651 36678	hshu@ccs.org.cn
DNV	DNV Hovik, MTP 863	Mr John Olav Lie	+ 47 67 57 9911	John.Olav.Lie@dnv.com
GL	Head Office Hamburg Marine Management Systems Certification Services	O.Quas	+49 40 36149 200	Qua@germanlloyd.org
KR	Head Office Quality Assurance Centre	Mr Moon Kyu Park	+82 42 862 6039	mkpark@krs.co.kr
LR	Rotterdam Hong Kong Seattle Piraeus	Tony Field Andy Morris Tim Protheroe Apo Poulouvassilis	+ 31 10 20 18 438 + 852 2845 2616 + 1 206 378 0600 + 30 1 452 8955	tony.field@lr.org andy.morris@lr.org tim.protheroe@lr.org apo.poulouvassilis@lr.org
Class NK	Safety Management System Department 1-8-5, Ohno-dai Midori-ku Chiba 267-0056	Mr M Homma	+ 81 43 294 7206	smd@classnk.or.jp
RINA	Head Office	Mr A Zolezi	+39 010 5351369	alberto.zolezi@rina.org
RS		A.S. Mikhailov E.E. Hernburg	+7 812 314 06 79	025@rs-head.spb.ru
CRS	CSM and QS Dept	Zivoje Krstulovic-Opara	+385 21 358 878	fleet.services@crs.tel.hr
IRS	Head Office	I N Bose Principal Surveyor S B Paranjpe Senior Surveyor	+91-22-570 3611 +91-22-570 3611	irsho@bom3.vsnl.net.in irsho@bom3.vsnl.net.in

This list can be updated by the IACS Permanent Secretary, not in accordance with a procedure to amend Procedural Requirements.

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- vii) name of the administration on whose behalf the SMC was issued;
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<p>Conclusion</p> <ul style="list-style-type: none"> - To be reported to Head Office together with relevant Survey Record - No action to be taken 		
<p>Surveyor's Comments</p>		
Date:		Signature(Ship's Master/Company representative)
Classification Society		Office
Name of Surveyor:		Date:

List of Contact Points

Classification Society	Office/Department	Person in charge	Fax Number	e-mail address
ABS	Singapore / Dubai / Houston /	H. Juneja S. Blair M. Kelleher	+65 275 0258 +971 4 3555358 +281 877 5932	Hjuneja@eagle.org Sblair@eagle.org Mkelleher@eagle.org
BV	Head Office, Paris DNS/DCE	Claude Maillot	+ 33 1 42 91 52 93	claudemaillot@bureauveritas.com
CCS	Headquarters Classification Division	Mr H Shu	+ 86 10 651 36678	hshu@ccs.org.cn
DNV	DNV Hovik, MTP 863	Mr John Olav Lie	+ 47 67 57 9911	John.Olav.Lie@dnv.com
GL	Head Office Hamburg Marine Management Systems Certification Services	O.Quas	+49 40 36149 200	Qua@germanlloyd.org
KR	Head Office Quality Assurance Centre	Mr Moon Kyu Park	+82 42 862 6039	mkpark@krs.co.kr
LR	Rotterdam Hong Kong Seattle Piraeus	Tony Field Andy Morris Tim Protheroe Apo Poulouvassilis	+ 31 10 20 18 438 + 852 2845 2616 + 1 206 378 0600 + 30 1 452 8955	tony.field@lr.org andy.morris@lr.org tim.protheroe@lr.org apo.poulouvassilis@lr.org
Class NK	Safety Management System Department 1-8-5, Ohno-dai Midori-ku Chiba 267-0056	Mr M Homma	+ 81 43 294 7206	smd@classnk.or.jp
RINA	Head Office	Mr A Zolezi	+39 010 5351369	alberto.zolezi@rina.org
RS		A.S. Mikhailov E.E. Hernburg	+7 812 314 06 79	025@rs-head.spb.ru
CRS	CSM and QS Dept	Zivoje Krstulovic-Opara	+385 21 358 878	fleet.services@crs.tel.hr
IRS	Head Office	I N Bose Principal Surveyor S B Paranjpe Senior Surveyor	+91-22-570 3611 +91-22-570 3611	irsho@bom3.vsnl.net.in irsho@bom3.vsnl.net.in

This list can be updated by the IACS Permanent Secretary, not in accordance with a procedure to amend Procedural Requirements.

CHECK SHEET FOR SURVEY OF ILO ITEMS

This checklist to be completed during surveys associated with Port State Detentions of Cyprus Registered Vessels

		ILO Reference	YES	NO	N/A
1.	The accommodations and spaces were generally examined in so far as practical and accessible including:				
a.	Are all of the accommodation spaces being used for what they were intended for?	ILO 92, 133 and 147	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b.	Are all of the accommodation rooms and spaces being kept clean and tidy?	ILO 92, 133 and 147	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c.	Is adequate lighting is available throughout the accommodation?	ILO 92, 133 and 147	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d.	If the accommodation heating system working (for vessel's operating in cold climates only)?	ILO 147	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e.	Are the officers and crew sanitary facilities clean?	ILO 92, 133 and 147	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f.	Are crew bathrooms, water closets and sinks operating properly?	ILO 92, 133 and 147	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g.	Is water pressure available to the bathrooms and water closets?	ILO 92, 133 and 147	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h.	Are cockroaches and other insects properly dealt with?	ILO 68 and 147	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i.	Is hot and cold water available?	ILO 92, 133 and 147	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.	The Engine room and other machinery spaces were generally examined in so far as practical and accessible including:				
a.	Are all engine room bilges clean and free of oil?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b.	Is the steering gear compartment clean and free of oil and garbage?	ILO 134 and 147	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c.	Is the engine room clean (no accumulation of oily rags or garbage)?	ILO 134 and 147	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d.	Are acetylene and oxygen bottles stored outside of the accommodation, engine room and other machinery spaces?	ILO 134 and 147	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e.	Is paint and thinners stored outside of machinery spaces in designated storage rooms?	ILO 134 and 147	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.	The food and catering areas were generally examined in so far as practical and accessible including:				
a.	Galley found clean and suitable for preparing food?	ILO 68 and 147	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b.	Are crew provisions in satisfactory condition with no spoilage or unsanitary conditions in stowage or galley?	ILO 68 and 147	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c.	Refrigerated provisions storerooms found clean, of adequate size for the provisions, and the refrigeration machinery considered capable of maintaining the provisions at adequate temperatures?	ILO 68 and 147	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d.	Are drinking water taps in working condition?	ILO 68 and 147	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.	Is the machinery fitted with protective devices (guards) as considered necessary?	ILO 134 and 147	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.	Is the windlass and mooring winches in good order?	ILO 134 and 147	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.	Is the accommodation ladder in good working order and considered safe for use?	ILO 134 and 147	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Note: If any of the above was answered **NO**, contact your _____ for further guidance.

Remarks:

Surveyor