



REPUBLIC OF CYPRUS

SHIPPING DEPUTY MINISTRY TO THE PRESIDENT

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To all Recognised Organisations (ROs)

Subject: International Safety Management (ISM) Code - Instructions to Recognised Organisations (ROs)

The Cyprus Flag Administration has imposed additional requirements on the development, implementation and certification of Safety Management Systems since 1998.

2. Attached herewith as Annex 1 is a guidance document entitled "Instructions to Auditors on the Certification of the Safety Management Systems", which is a consolidated edition of these additional requirements based on the contents of previous Circulars and the experience gained by the implementation of the ISM Code. Furthermore, this document has been developed taking into account the amendments of the ISM Code.
3. The Shipping Deputy Ministry to the President will be at the disposal of the Recognised Organisations and of those concerned with the matter for any explanations and clarifications they deemed necessary.
4. The present Circular replaces Circular No. 28/2006.

Costas Iacovou
Permanent Secretary
Shipping Deputy Ministry to the President

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- Maritime Offices of the Department of Merchant Shipping abroad
 - Permanent Secretary, Ministry of Foreign Affairs
 - Diplomatic and Consular Missions of the Republic
 - Honorary Consular Officers of the Republic
 - Cyprus Bar Association
 - Cyprus Shipping Chamber
 - Cyprus Union of Shipowners

Encl.



Annex 1
Instructions to Auditors
on the Certification of the Safety Management Systems

1 Interpretation of the Instructions

The interpretation of the present Instructions remains the exclusive prerogative of the Government of the Republic of Cyprus. Any matter concerning these Instructions should be referred to the Shipping Deputy Ministry to the President (Flag Administration) for guidance or instructions, as the case may be.

2 Changes, Alterations and Additions to the Instructions

When necessary or justified, this Administration, may modify or amend any of the provisions of the present Instructions, lay down new ones or make changes in their application.

3 Notification Procedure

3.1 The RO nominated by the Company will be authorised in writing by this Administration to carry out assessment, verification and certification of the Company's or ship's safety management system (SMS) on behalf of the Republic of Cyprus. As far as the Company is concerned, the authorisation will be general and the type of ships to be recorded on the DoC should be decided by the auditor in consultation with the Company.

3.2 Authorisation will be granted **only** in the following cases:

3.2.1 Interim DoC;

3.2.2 Interim SMC;

3.2.3 Change of the RO / Take over Audit.

3.2.4 Relocation of a Company (change of Company's business address).

3.3 Authorisation will **not** be required in the following cases:

3.3.1 Initial, Annual and Renewal Audit of a Company;

3.3.2 Issuance of a DoC as a result of adding a Type of ship on the existing DoC;

3.3.3 Initial, Intermediate or Renewal Audit of a Ship;

3.3.4 When a Ship or a Company changes its name;

3.4 The RO should verify during a periodical verification that the particulars of the Company / Ship as stated in ISM Form (Declaration of Particulars for the ISM Code) in its latest version, have not been amended; otherwise the RO should inform this Administration accordingly.

4 Reporting Requirements

- 4.1 The RO should forward on a monthly basis copies of the certificates issued and the relevant verification reports of all shipboard or shore based verifications carried out. The aforementioned information shall be communicated in paper or in electronic format or may be provided through an on-line electronic database maintained by the RO.
- 4.2 The RO should notify this Administration and the appropriate Overseas Office of the Shipping of this Administration for any initial, annual, renewal or additional shore based and initial, renewal, intermediate or additional shipboard ISM verifications planned to be carried out in the U.K., the Netherlands, Greece, Germany and Cyprus at least four working days in advance.
- 4.3 The RO should inform this Administration whenever:
- 4.3.1 A Company has failed to arrange a verification (shore based or shipboard) within the appropriate time intervals;
- 4.3.2 A major non-conformity has been identified during a verification which cannot be downgraded by immediate corrective action;
- 4.3.3 A non-conformity has been overdue or upgraded to a major non conformity;
- 4.3.4 An additional shipboard verification has been requested by PSC as a result of a detention.

5 Extension of Certificates

- 5.1 An interim Safety Management Certificate can be extended provided that :
- 5.1.1 The RO has confirmed in writing to this Administration that there is no available auditor in the area where the ship will be at the time of the expiration of the interim SMC;
- or
- 5.1.2 The ship at the time of the expiration of the interim SMC is not in a port in which the initial verification will be carried out;
- or
- 5.1.3 The Company is furnished with an Interim DoC at the time of the expiration of the interim SMC.
- 5.2 Since there is no provision within the ISM Code for extending the Interim DoC, or the appropriate time intervals for Annual and Renewal shore based verifications or Intermediate shipboard verification, this Administration, in general, will not grant such extensions or postponements, unless such cases are properly justified with the existence of special circumstances.

6 Language

- 6.1 Unless the auditor has been, explicitly and in writing, authorised to do otherwise, all reports, records, correspondence and all other documents which are or may be relevant to the assessment, verification and certification of a SMS on behalf of the Government of the Republic of Cyprus should be made and kept in the Greek or English language.

7 Form of Certificates

- 7.1 All certificates (Interim Doc or Doc and Interim SMC or SMC) shall be issued by the RO on behalf of “The Government of the Republic of Cyprus”.
- 7.2 The certificates shall be issued using the format and the contents specified in the Appendix of the ISM Code as amended in the English language or in combined Greek/English language.
- 7.3 The official coat of arms of the Republic of Cyprus is no longer permitted to be used by the RO and shall be replaced by the RO logo on all new certificates issued by the RO on behalf of the Government of the Republic of Cyprus.
- 7.4 When a ship flying the Cyprus flag operates only in an EU Member State, then the RO shall use the forms drawn up in Annex II of the Regulation (EC) No 336/2006.
- 7.5 The Company’s address to be stated on the documents or certificates is the address where all ISM related activities are carried out (business address).
- 7.6 Each of the documents or certificates and each of their certified copies (if any) should be marked with a unique number assigned and controlled by the RO.
- 7.7 The Number of the corresponding DoC is not required to be marked on the respective SMC. The RO is expected to maintain a record of all documents, certificates and certified copies thereof that the auditor has issued and of their distribution.
- 7.8 Certificates may be electronically produced and communicated but should be available on board and ashore in hard copy unless permitted otherwise.
- 7.9 Electronic certificates should have the features specified in our Circular no.14/2018 or any future amendments.

8 Cyprus Additional Requirements

- 8.1 Appendix 2-Specific Guidelines in matter to be addressed in the SMS, of our Circular no. 27/2006 or any future amendments should be taken into account when auditing ships flying the Cyprus flag and their Companies. In addition, there are various other circulars introduced by this Administration which should also be taken into account as additional requirements.
- 8.2 In order to achieve uniformity in the verification and implementation of these requirements, ROs are expected to adhere to the following principles:
 - 8.2.1 **Manual Review:** Verification of Compliance with the entirety of the provisions of Cyprus additional requirements;
 - 8.2.2 **Interim (Shore and Shipboard) Verifications:** Confirmation that the Safety Management Manual (SMM) on board or ashore includes all the Cyprus additional requirements;
 - 8.2.3 **Initial and Renewal (Shore and Shipboard) Verifications:** The scope of the Initial and Renewal verification is to ensure that the auditor covers all requirements of the ISM Code. While doing so the auditor would need to include verification of compliance with the provisions of Cyprus additional requirements, as these are stated in circulars issued by this

Administration, on a sampling basis. The auditor would need to state in the audit report whether the Cyprus additional requirements are correctly implemented;

- 8.2.4 **Annual shore based and Intermediate shipboard Verifications:** The auditor would need to include verification of compliance with the provisions of Cyprus additional requirements, as these are stated in circulars issued by this Administration, on a sampling basis. The auditor would need to state in the verification report whether the Cyprus additional requirements are correctly implemented;
- 8.2.5 **Change of Flag to Cyprus:** In cases that a vessel changing flag to Cyprus, will continue to be operated by the same Company and provided that this Company has a valid DoC on behalf of the Republic of Cyprus, this Administration might accept an SMC to be issued on behalf of the Republic of Cyprus with the same expiry date as the existing SMC (authorisation shall be granted) subject to a shipboard verification for the Additional Cyprus requirements. This shipboard verification should be based upon a sampling process against the Cyprus additional requirements;
- 8.2.6 Initial, Intermediate and Renewal shipboard verifications shall be performed under normal operational conditions only with full crew on-board in accordance with ship's Minimum Safe Manning Document for seagoing operations. No such verification shall be performed if a ship is in dry dock, laid up or otherwise out of service.
- 8.3 In addition to the above, ROs are expected to verify compliance, during Initial, Annual or Renewal shore based audits, to the following requirements related to the International Ship and Port Facility Security (ISPS) Code:
- 8.3.1 **ISPS Exercises:** The relevant provisions of our Circular no. 24/2015 or any future amendments to be adhered, thus the Company should ensure that, for its entire fleet, a ship to shore exercise is carried out involving one (1) ship (under Cyprus flag) or more if so wished, at least once every calendar year, with no more than eighteen (18) months between exercises. Prior the conduct of any exercise, this Administration must be notified in writing by the CSO or the alternate CSO. The records of exercises, including information to be submitted to this Administration, must be available for examination by the attending auditor;
- 8.3.2 **Ship Security Alert System:** The attending auditor to verify that an activation in real mode of the SSAS is carried out annually, the security alert transmitted includes all required information as per the relevant provisions of our Circular no. 24/2015 or any future amendments and that the alert is sent to the dedicated email address (ssas@dms.gov.cy) of this Administration. The records of real SSAs, including confirmations from this Administration, must be available for examination by the attending auditor;
- 8.3.3 **Contact details of the CSO and alternate CSO:** The attending auditor must verify that the contact details of the CSO and Alternate CSO are correct as per SSPs available in the Company's office as per the relevant provisions of our Circular no. 24/2015 or any future amendments. The ISPS C-1 form or future amendments and the relevant notification to this Administration must be kept in the Company's office and must be available for examination by the attending auditor.

9 Re-activation of laid-up or otherwise out of service ship

9.1 Ship out of service for 3 months or less

- 9.1.1 Ship furnished with an Interim SMC prior its de-activation: No action is required unless Interim SMS is expired and the RO must perform an interim verification and a new Interim SMC to be issued valid for not more than 3 months;

9.1.2 Ship furnished with an SMC prior its de-activation: No action is required. If re-activation falls within the window of the intermediate or renewal verification the RO must perform the required verification and the SMC to be endorsed accordingly or a new SMC to be issued with new 5-years validity. If Intermediate verification is overdue or the SMC is expired the RO must perform a renewal verification and a new SMC to be issued with 5-years validity.

9.2 **Ship out of service for more than 3 months but less than 6 months**

9.2.1 Ship furnished with an Interim SMC prior its de-activation: Initial verification to be carried out by the RO, provided that the Company has carried out an internal audit and the Company's safety management system has been functioning effectively for at least three months on board the ship, and an SMC to be issued with 5-years validity. If these conditions are not met, the RO shall extend the validity of the existing interim SMC certificate for not more than 3 months. If the Interim SMC is expired the RO must perform an interim verification and a new Interim SMC to be issued valid for not more than 3 months;

9.2.2 Ship furnished with an SMC prior its de-activation: The RO must perform an additional verification to the extent of an intermediate verification for reactivation and the existing SMC to be endorsed accordingly. If re-activation falls within the window of the intermediate or renewal verification the RO must perform the required verification and the SMC to be endorsed accordingly or a new SMC to be issued with 5-years validity. If the Intermediate verification is overdue or the certificate is expired the RO must perform a renewal verification and a new SMC to be issued with 5-years validity.

9.3 **Ship out of service for more than 6 months**

9.3.1 The existing SMC is invalid. The RO must perform an interim verification and an Interim SMC to be issued valid for not more than 6 months.

10 **Issue and Validity of Certificates**

10.1 Provided that the verification of shore based or shipboard safety management system has been carried out satisfactorily, the RO is empowered and authorised to issue to the Company a DoC (or Interim DoC) or to the ship an SMC (or Interim SMC).

10.2 Provided that the Renewal verification (shore based or shipboard) has been carried out satisfactorily, the RO is empowered and authorised to issue to the Company or the ship a DoC or an SMC, taking into account the provisions of paragraphs 13.10 to 13.14 of the ISM Code as amended.

10.3 In case the Company operates branch offices at other locations, the RO may issue additional certified copies of the Interim DoC or of the DoC, to the Company, which should be kept at these locations.

10.4 The RO is advised that, although the validity of the SMC is conditional upon the validity of the associated DoC, the date of expiry of the SMC need not be the same as the date of expiry of the associated DoC.

10.5 The RO shall determine at each annual (or renewal) verification of the Company, the ship types operated by the Company at the time of the audit. If the RO discovers that the Company no longer operates a ship type listed on the DOC, the auditor is to document an observation on the verification report. If during the next annual (or renewal) verification of the Company the RO verifies that the Company is still not operating the identified ship type, the DOC shall be re-issued, without listing the ship type that is no longer operated. In case of

only one type of ship is listed on the DOC, the DOC is considered invalid and must be withdrawn by the RO. In all cases the RO should notify this Administration accordingly.

- 10.6 The RO should note that the validity of the DoC is subject to compliance with the provisions of section 4.4 of the Revised Guidelines on implementation of the ISM Code by Administrations, Resolution A.1118 (30) or any future revised guidelines.
 - 10.7 Furthermore, the RO should note that the validity of the SMC is subject to compliance with the provisions of section 4.5 of the Revised Guidelines on implementation of the ISM Code by Administrations, Resolution A. 1118 (30) or any future revised guidelines.
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