

第 32/2017 號行政長官公告**Aviso do Chefe do Executivo n.º 32/2017**

國際海事組織海上安全委員會於二零一三年六月二十一日在第九十二屆會議上，透過第MSC.353 (92) 號決議通過了《國際船舶安全營運和防止污染管理規則》（《國際安全管理（ISM）規則》）修正案，該修正案於二零一五年一月一日在國際法律秩序上生效，包括對中華人民共和國及澳門特別行政區生效；

基於此，行政長官根據第3/1999號法律《法規的公佈與格式》第六條第一款的規定，命令公佈包含上指修正案的國際海事組織海上安全委員會第MSC.353 (92) 號決議的中文及英文正式文本。

《國際安全管理（ISM）規則》公佈於二零一四年九月二十六日第三十九期《澳門特別行政區公報》第二組副刊。

二零一七年七月十日發佈。

行政長官 崔世安

Considerando que, em 21 de Junho de 2013, na sua 92.^a sessão, o Comité de Segurança Marítima da Organização Marítima Internacional, através da resolução MSC.353(92), adoptou emendas ao Código Internacional de Gestão para a Segurança da Exploração dos Navios e para a Prevenção da Poluição (Código Internacional de Gestão para a Segurança (Código ISM)), e que tais emendas entraram em vigor na ordem jurídica internacional, incluindo a República Popular da China e a sua Região Administrativa Especial de Macau, em 1 de Janeiro de 2015;

O Chefe do Executivo manda publicar, nos termos do n.º 1 do artigo 6.º da Lei n.º 3/1999 (Publicação e formulário dos diplomas), a resolução MSC.353(92) do Comité de Segurança Marítima da Organização Marítima Internacional, que contém as referidas emendas, nos seus textos autênticos em línguas chinesa e inglesa.

O Código ISM encontra-se publicado no Suplemento do *Boletim Oficial da Região Administrativa Especial de Macau* n.º 39, II Série, de 26 de Setembro de 2014.

Promulgado em 10 de Julho de 2017.

O Chefe do Executivo, *Chui Sai On*

第MSC.353 (92) 號決議

(2013年6月21日通過)

《國際船舶安全營運和防止污染管理規則》（《國際安全管理（ISM）規則》）修正案

海上安全委員會，

憶及《國際海事組織公約》關於本委員會職能的第二十八條第（二）款，

注意到大會以第A.741（18）號決議通過了《國際船舶安全營運與防止污染管理規則》（《國際安全管理（ISM）規則》）（以下簡稱《安管規則》），根據《1974年國際海上人命安全公約》（《安全公約》）（以下稱該公約）第IX章，該規則具有強制性，

還注意到關於《安管規則》修正程序的該公約第VIII（b）條和第IX/1.1條，

在其第九十二屆會議上，審議了按照該公約第VIII（b）（i）條提出並散發的《安管規則》修正案，

1. 按照該公約第VIII（b）（i）條，通過《安管規則》修正案，其文本載於本決議之附件；
2. 按照該公約第VIII（b）（vi）（2）（bb）條，決定上述修正案將於2014年7月1日視為已被接受，除非在該日期之前，有三分之一以上的該公約締約國政府或其合計商船隊佔世界商船總噸位不少於50%的締約國政府表示反對該修正案；

3. 請該公約締約國政府注意，按照該公約第VIII（b）（vii）（2）條，修正案在根據上述第2段被接受後，將於2015年1月1日生效；
4. 要求秘書長遵照該公約第VIII（b）（v）條，將本決議及其附件中的修正案文本的核證無誤副本分發給所有該公約締約國政府；
5. 還要求秘書長將本決議及其附件的副本分發給非該公約締約國政府的本組織會員。

附件

《國際船舶安全營運和防止污染管理規則》（《國際安全管理（ISM）規則》）修正案

A 部分-實施

6 資源和人員

1 現有第 6.2 段由下列文字替代：

“6.2 公司應確保每艘船舶：

- .1 按照國內和國際規定，配備合格、持證並健康的船員；
- .2 適當配員以滿足船上各種安全操作要求。”

12 公司驗證、檢查和評價

2 在現有第 12.1 段之後加入以下新的第 12.2 段，並將現有第 12.2 至 12.6 段重新編為第 12.3 至 12.7 段：

“12.2 公司應對其實施的所有《安管規則》相關活動是否與本規則要求的公司職責相符進行定期驗證。”

RESOLUTION MSC.353(92)
(Adopted on 21 June 2013)

**AMENDMENTS TO THE INTERNATIONAL MANAGEMENT CODE FOR THE
SAFE OPERATION OF SHIPS AND FOR POLLUTION PREVENTION
(INTERNATIONAL SAFETY MANAGEMENT (ISM) CODE)**

THE MARITIME SAFETY COMMITTEE,

RECALLING Article 28(b) of the Convention on the International Maritime Organization concerning the functions of the Committee,

NOTING resolution A.741(18), by which the Assembly adopted the *International Management Code for the Safe Operation of Ships and for Pollution Prevention (International Safety Management (ISM) Code)* (hereinafter referred to as "the ISM Code"), which has become mandatory under chapter IX of the International Convention for the Safety of Life at Sea (SOLAS), 1974 (hereinafter referred to as "the Convention"),

NOTING ALSO article VIII(b) and regulation IX/1.1 of the Convention concerning the procedure for amending the ISM Code,

HAVING CONSIDERED, at its ninety-second session, amendments to the ISM Code proposed and circulated in accordance with article VIII(b)(i) of the Convention,

1. ADOPTS, in accordance with article VIII(b)(iv) of the Convention, amendments to the ISM Code, the text of which is set out in the annex to the present resolution;
2. DETERMINES, in accordance with article VIII(b)(vi)(2)(bb) of the Convention, that the amendments shall be deemed to have been accepted on 1 July 2014 unless, prior to that date, more than one third of the Contracting Governments to the Convention or Contracting Governments the combined merchant fleets of which constitute not less than 50% 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, the amendments shall enter into force on 1 January 2015 upon their acceptance in accordance with paragraph 2 above;
4. REQUESTS the Secretary-General, in conformity with article VIII(b)(v) of the Convention, to transmit certified copies of the present resolution and the text of the amendments contained in the annex to all Contracting Governments to the Convention;
5. ALSO REQUESTS the Secretary-General to transmit copies of this resolution and its annex to Members of the Organization, which are not Contracting Governments to the Convention.

ANNEX

**AMENDMENTS TO THE INTERNATIONAL MANAGEMENT CODE
FOR THE SAFE OPERATION OF SHIPS AND FOR POLLUTION PREVENTION
(INTERNATIONAL SAFETY MANAGEMENT (ISM) CODE)****PART A – IMPLEMENTATION****6 RESOURCES AND PERSONNEL**

1 The existing text of paragraph 6.2 is replaced with the following:

"6.2 The Company should ensure that each ship is:

- .1 manned with qualified, certificated and medically fit seafarers in accordance with national and international requirements; and
- .2 appropriately manned in order to encompass all aspects of maintaining safe operations on board."

12 COMPANY VERIFICATION, REVIEW AND EVALUATION

2 The following new paragraph 12.2 is inserted after existing paragraph 12.1 and the existing paragraphs 12.2 to 12.6 are renumbered as 12.3 to 12.7:

"12.2 The Company should periodically verify whether all those undertaking delegated ISM-related tasks are acting in conformity with the Company's responsibilities under the Code."

二零一七年七月十日於行政長官辦公室

辦公室主任 柯嵐

Gabinete do Chefe do Executivo, aos 10 de Julho de 2017. —

A Chefe do Gabinete, *O Lam*.



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