

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, 1974

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 1 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.

## ANNEX 1

### ADDITION OF NEW CHAPTERS X AND XI TO, AND AMENDMENTS TO THE APPENDIX TO, THE ANNEX TO THE INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974

1 The following new chapter X is added to the Annex:

#### "CHAPTER X

#### SAFETY MEASURES FOR HIGH SPEED CRAFT

##### Regulation 1

##### Definitions

For the purpose of this chapter:

1 "High Speed Craft Code (HSC Code)" means the International Code of Safety for High Speed Craft adopted by the Maritime Safety Committee of the Organization by resolution MSC.36(63), 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 "High speed craft" is a craft capable of a maximum speed in metres per second (m/s) equal to or exceeding:

$$3.7 \sqrt{0.1667}$$

where:  $\sqrt{}$  = displacement corresponding to the design waterline (m<sup>3</sup>).

3 "Craft constructed" means a craft the keel of which is laid or which is at a similar stage of construction.

4 "Similar stage of construction" means a stage at which:

- .1 construction identifiable with a specific craft begins; and
- .2 assembly of that craft has commenced comprising at least 50 tonnes or 1% of the estimated mass of all structural material, whichever is the less.

##### Regulation 2

##### Application

1 This chapter applies to high speed craft constructed on or after 1 January 1996, as follows:

- .1 passenger craft which do not proceed in the course of their voyage more than 4 h at operational speed from a place of refuge when fully laden; and

- .2 cargo craft of 500 gross tonnage and upwards which do not proceed in the course of their voyage more than 8 h at operational speed from a place of refuge when fully laden.

2 Any craft, irrespective of the date of construction, which undergoes repairs, alterations, modifications and outfitting related thereto shall continue to comply with at least the requirements previously applicable to the craft. Such a craft, if constructed before 1 January 1996, shall, as a rule, comply with the requirements for a craft constructed on or after that date to at least the same extent as it did before undergoing such repairs, alterations, modifications or outfitting. Repairs, alterations and modifications of a major character, and outfitting related thereto, shall meet the requirements for a craft constructed on or after 1 January 1996 in so far as the Administration deems reasonable and practicable.

### Regulation 3

#### Requirements for high speed craft

1 Notwithstanding the provisions of chapters I to IV and regulation V/12, a high speed craft which complies with the requirements of the High Speed Craft Code in its entirety and which has been surveyed and certified as provided for in that Code shall be deemed to have complied with the requirements of chapters I to IV and regulation V/12. For the purpose of this regulation, the requirements of the Code shall be treated as mandatory.

2 The certificates and permits issued under the High Speed Craft Code shall have the same force and the same recognition as the certificates issued under chapter I."

2 The following new chapter XI is added to the Annex:

### "CHAPTER XI

#### SPECIAL MEASURES TO ENHANCE MARITIME SAFETY

##### Regulation 1

##### Authorization of recognized organizations

Organizations referred to in regulation I/6 shall comply with the guidelines developed by the Organization.

##### Regulation 2

##### Enhanced surveys

Bulk carriers as defined in regulation IX/1.6 and oil tankers as defined in regulation II-1/2.12 shall be subject to an enhanced programme of inspections in accordance with the guidelines adopted by the Assembly of the Organization by resolution A.744(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.

### Regulation 3

#### Ship identification number

- 1 This regulation applies to all passenger ships of 100 gross tonnage and upwards and to all cargo ships of 300 gross tonnage and upwards.
- 2 Every ship shall be provided with an identification number which conforms to the IMO ship identification number scheme adopted by the Organization.
- 3 The ship's identification number shall be inserted on the certificates and certified copies thereof issued under regulation I/12 or regulation I/13.
- 4 For ships constructed before 1 January 1996, this regulation shall take effect when a certificate is renewed on or after 1 January 1996.

### Regulation 4

#### Port State control on operational requirements

- 1 A ship when in a port of another Contracting Government is subject to control by officers duly authorized by such Government concerning operational requirements in respect of the safety of ships, when there are clear grounds for believing that the master or crew are not familiar with essential shipboard procedures relating to the safety of ships.
  - 2 In the circumstances defined in paragraph 1 of this regulation, the Contracting Government carrying out the control shall take such steps as will ensure that the ship shall not sail until the situation has been brought to order in accordance with the requirements of the present Convention.
  - 3 Procedures relating to the port State control prescribed in regulation I/19 shall apply to this regulation.
  - 4 Nothing in the present regulation shall be construed to limit the rights and obligations of a Contracting Government carrying out control over operational requirements specifically provided for in the regulations."
- 3 Amendments to the Appendix to the Annex:

- .1 Form of Safety Certificate for Passenger Ships

#### PASSENGER SHIP SAFETY CERTIFICATE

The text of footnote 3 is replaced by the following:

"In accordance with the IMO Ship Identification Number Scheme, adopted by the Organization by resolution A.600(15)."

- .2 Form of Safety Construction Certificate for Cargo Ships

#### CARGO SHIP SAFETY CONSTRUCTION CERTIFICATE

The text of footnote 3 is replaced by the following:

"In accordance with the IMO Ship Identification Number Scheme, adopted by the Organization by resolution A.600(15)."

.3 Form of Safety Equipment Certificate for Cargo Ships

CARGO SHIP SAFETY EQUIPMENT CERTIFICATE

The text of footnote 3 is replaced by the following:

"In accordance with the IMO Ship Identification Number Scheme, adopted by the Organization by resolution A.600(15)."

.4 Form of Safety Radio Certificate for Cargo Ships

CARGO SHIP SAFETY RADIO CERTIFICATE

The text of footnote 2 is replaced by the following:

"In accordance with the IMO Ship Identification Number Scheme, adopted by the Organization by resolution A.600(15)."

.5 Form of Exemption Certificate

EXEMPTION CERTIFICATE

The text of footnote 2 is replaced by the following:

"In accordance with the IMO Ship Identification Number Scheme, adopted by the Organization by resolution A.600(15)."

## ANNEX 2

### ADDITION OF A NEW CHAPTER IX TO THE ANNEX TO THE INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974

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.

## 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 recognized 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."