

第 20/2016 號行政長官公告

中華人民共和國默認接受國際海事組織海上環境保護委員會及海上安全委員會分別於二零一三年五月十七日及二零一三年六月二十一日透過第MEPC.237(65)號決議和第MSC.349(92)號決議通過的《被認可組織規則》(《RO規則》), 該規則於二零一五年一月一日生效, 同時對中華人民共和國, 包括對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《RO規則》的第MEPC.237(65)號決議及第MSC.349(92)號決議的中文及英文文本。

二零一六年三月二十五日發佈。

行政長官 崔世安

Aviso do Chefe do Executivo n.º 20/2016

Considerando que a República Popular da China aceitou tacitamente o Código para as Organizações Reconhecidas (Código RO), adoptado, respectivamente, em 17 de Maio de 2013 e em 21 de Junho de 2013 pelo Comité de Protecção do Meio Marinho e pelo Comité de Segurança Marítima da Organização Marítima Internacional, através da resolução MEPC.237(65) e da resolução MSC.349(92), e que tal Código entrou em vigor em 1 de Janeiro de 2015, estando vigente na República Popular da China, incluindo a Região Administrativa Especial de Macau;

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 MEPC.237(65) e a resolução MSC.349(92) que contêm o Código RO, nos seus textos em línguas chinesa e inglesa.

Promulgado em 25 de Março de 2016.

O Chefe do Executivo, *Chui Sai On*.

第MEPC.237 (65) 號決議

(2013年5月17日通過)

《被認可組織規則》 (《RO規則》)

海上環境保護委員會，

憶及《國際海事組織公約》有關各防止和控制海洋污染公約賦予海上環境保護委員會（本委員會）的職能的第三十八第（一）款，

還憶及第A.739（18）號決議《向代表主管機關的組織授權的指南》以及第A.789（19）號決議《代表主管機關的經認可組織的檢驗和發證職能規範》，根據《經1978年議定書修訂的1973年國際防止船舶造成污染公約》（《防污公約》）附則I第2章和附則II第3章和根據《1974年國際海上人命安全公約》和《1988年載重線議定書》，已具有強制性，

認識到需要更新上述決議，將被認可組織的所有適用要求合併為一份海事組織強制性文書，並幫助以協調一致的方式全面實施海事組織文書為評估和授權被認可組織所規定的要求，

還認識到需要有一份規則，在國家法律允許的範圍內，提供一種標準的方式，協助各國主管機關履行對其所認可組織進行認可、授權和監督的責任，

注意到第MEPC.238(65)號決議，本委員會特別以它通過了《1973年國際防止船舶造成污染公約1978年議定書》（以下稱《1978年議定書》）的附則I和附則II，以使《被認可組織規則》（《RO規則》）的第1和2部分具有強制性，

在其第65屆會議上，審議了《被認可組織規則》的建議文本，

考慮到在《1974年安全公約》、《1988年載重線議定書》和《防污公約》下具有強制性的《被認可組織規則》需要保持高度一致，

1. 通過《被認可組織規則》（《RO規則》），其文本載於本決議附件；
2. 請《1978年議定書》的所有締約國注意，《被認可組織規則》將在（《防污公約》）附則I和附則II各自的修正案生效後於2015年1月1日生效；
3. 要求秘書長將本決議及其附件中的《RO規則》文本的核證無誤副本分發給《1978年議定書》的所有締約國；
4. 進一步要求秘書長將本決議及其附件的副本分發給所有非《1978年議定書》締約國的本組織會員；
5. 建議有關各國政府將《RO規則》第3部分的建議性規定作為相關標準的依據，除非其本國要求至少具有同等的規定。

第MSC.349 (92) 號決議

(2013年6月21日通過)

《被認可組織規則》 (《RO規則》)

海上安全委員會，

憶及《國際海事組織公約》關於本委員會的職能的第二十八條第(二)款，

還憶及經第 MSC.208 (81) 號決議修正的第A.739 (18) 號決議《向代表主管機關的組織授權的指南》以及第A.789 (19) 號決議《代表主管機關的經認可組織的檢驗和發證職能規範》，根據《1974年國際海上人命安全公約》(以下稱“1974年安全公約”)第XI-1章，根據《1966年國際載重線公約1988年議定書》(以下稱“1988年載重線議定書”)附則B的附則I第1章，以及根據《防污公約》附則I和附則II，已具有強制性，

認識到需要更新上述決議，將被認可組織的所有適用要求合併為一份國際海事組織強制性文書，並有助於達到以協調一致的方式全面實施國際海事組織文書對被認可組織評估和授權所規定的要求，

還認識到需要有一份規則，在國家法律允許的範圍內，提供一種標準的方式協助各國主管機關履行對其所認可組織進行認可、授權和監控的責任，

注意到第MSC.350 (92) 和MSC.356 (92) 號決議特地分別通過了《1974年安全公約》和《1988年載重線議定書》的修正案，以使《被認可組織規則》(《RO規則》)第1部分和第2部分的規定根據《1974年安全公約》和《1988年載重線議定書》具有強制性，

還注意到第MEPC.237(65)號決議，海上環境保護委員會以它通過了《RO規則》，

進一步注意到第MEPC.238(65)號決議，海上環境保護委員會以它通過了《防污公約》附則I和附則II的修正案，以使《RO規則》第1部分和第2部分的規定根據《防污公約》附則I和附則II具有強制性，

在其第92屆會議上審議了《RO規則》的建議文本，

考慮到在《防污公約》、《1974年安全公約》和《1988年載重線議定書》下具有強制性的《RO規則》需保持高度一致，

1. 通過《RO規則》，其文本載於本決議附件；
2. 請《1974年安全公約》各締約國政府和《1988年載重線議定書》各締約國注意，在《1974年安全公約》和《1988年載重線議定書》各自的修正案生效後，《RO規則》將於2015年1月1日生效；
3. 要求秘書長將本決議及其附件中的《RO規則》文本的核證無誤副本分發給《1974年安全公約》所有締約國政府和《1988年載重線議定書》各締約國；
4. 進一步要求秘書長將本決議及其附件的副本分發給所有非《1974年安全公約》締約國政府或《1988年載重線議定書締約國》的本組織會員；
5. 建議有關各國政府將《RO規則》第3部分的建議性規定作為相關標準的依據，除非其本國要求至少具有同等的規定。

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《被認可組織規則》（RO規則）

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序言

本組織以第MSC.349（92）號決議和第MEPC.237（65）號決議通過了《被認可組織規則》（《RO規則》）。

本規則：

- .1 為各船旗國提供一個標準，藉此將有助於實現協調一致的全球實施國際海事組織（海事組織）文書規定的要求，以便評估和授權被認可組織；
- .2 為各船旗國提供協調、透明和獨立的機制，它可有助於以有效的方式對被認可組織進行一致的監管；和
- .3 澄清經授權成為船旗國被認可組織的責任和總體授權範圍。

第1部分

總則

1 目的

本規則作為國際標準和綜合性文書，包含對各組織進行認可和授權的最低評估準則以及船旗國監管導則。

2 範圍

2.1 本規則適用於：

- .1 船旗國擬認可或已認可代其按照海事組織強制性文書和國家法律進行法定發證和服務的所有組織；和
- .2 擬認可一個組織代其按照海事組織強制性文書進行法定發證和服務的所有船旗國。

2.2 本規則規定：

- .1 一個組織為取得船旗國的認可須滿足的強制性要求（第1部分）；
- .2 被認可組織在代表授權船旗國進行法定發證和服務時須滿足的強制性要求（第2部分）；
- .3 船旗國在對被認可組織授權時須遵守的強制性要求（第2部分）；和
- .4 船旗國監管被認可組織導則（第3部分）。

2.3 本規則明確了適用於被認可組織的職能、組織機構和控制要求。被認可組織按照海事組織強制性文書，諸如但不限於《安全公約》、《防污公約》和《載重線公約》，進行法定發證和服務。

2.4 本規則所有要求是通用的，適用於所有被認可組織，無論其類型、規模和所提供的法定發證和服務如何。

2.5 受本規則約束的被認可組織不必提供所有類型的法定發證和服務並可在有限範圍內得到認可，但本規則的要求應以一種與有限認可範圍相兼容的方式加以適用。如本規則的任何要求因被認可組織所提供服務的範圍而不適用，應由船旗國明確列出並記錄於被認可組織的質量管理體系內。

3 內容

本規則由三部分組成。第1部分為一般規定。第2部分為海事組織相關文書和適用國際標準中已有的對船旗國和被認可組織的強制性規定。第3部分為船旗國監管被認可組織導則。

4 授權

4.1 船旗國可授權經認可符合本規則規定的組織代其按照海事組織強制性文書及其本國法律進行法定發證和服務。

4.2 船旗國所授權的職能不得超出被認可組織的能力。就此而

言，船旗國在授權時須考慮本規則的附錄2。

4.3 各船旗國應相互合作，確保其所授權的被認可組織遵守本規則的各項規定。

5 送交資料

各船旗國須向海事組織秘書長交存一份被認可組織清單，以及一份關於授予被認可組織的具體責任和條件的通知，以分發給各相關方供其官員參考。

6 參考文件

本規則以下列參考文件為依據：

- .1 海事組織強制性文書及海事組織導則和建議案（即規則、導則和本組織建議的標準），
- .2 ISO 9000:2005《質量管理體系－基礎和術語》；
- .3 ISO 9001:2008《質量管理體系－要求》；
- .4 ISO/IEC 17020:1998《各類檢查機構運作通用要求》；
- .5 ISO 19011:2002《質量和/或環境管理體系審核導則》；
- .6 國際船級社協會（IACS）質量管理體系要求（QMSR）；
和
- .7 國家法律。

第2部分

組織的認可和授權要求

1 術語和定義

1.1 被認可組織（RO）係指經船旗國評估認定為符合《RO規則》本部分的組織。

1.2 授權係指授權被認可組織代表船旗國按協議或等效法律安排

進行法定發證和服務，其中考慮到本規則附錄3“協議應包含的要素”。

1.3 法定發證和服務係指根據主權國家政府制定的法律、法規和規則所簽發的證書及提供的服務。包括導致或支持船旗國或代表船旗國簽發作為符合國際公約或國家法律要求的證據的證書的審圖、檢驗和/或審核。包括船旗國按照《安全公約》第XI-1/1條規定認可的組織所簽發的證書，在這些證書內可根據被認可組織與船旗國認可協議的條款納入符合該被認可組織對結構和機電的要求的證明。

1.4 評估係指為確定受評估實體滿足相關規範和規則的要求而進行的任何活動。

1.5 相關方係指能證明在檢驗和發證過程中有正當利益關係的任何個人或法人實體，主要包括被認可組織的客戶、船東、船舶營運人、船廠、設備製造商、航運界利益集團或協會、海上保險利益集團或協會、貿易協會、政府監管機構或其他政府機構及非政府組織。

1.6 場所係指進行檢驗和檢驗管理，或審圖，或過程管理的地點。

1.7 現場係指驗船師為履行某一特定合同或一系列合同而常駐的地點，包括但不限於港口、船廠、商行和公司。所有現場法定發證和服務均應受到場所的控制。

1.8 垂直合同審核（VCA）係指一種針對合同/訂單的生產過程的特定審核，包括現場對進行中的檢驗、審核或審圖工作，包括相關分包過程（適用時）的見證。垂直合同審核在檢驗場所或現場（檢驗站/審圖辦公室/現場）進行，以驗證在該合同/訂單的特定工作的服務實踐中及互動中（相關支持過程包括諸如前部分的檢驗或與檢驗相關的測厚）正確運用了相關要求。審圖的垂直合同審核可以針對已完成的工作進行。

2 對被認可組織的一般要求

2.1 通則

船旗國對一個組織授權，須確認該組織的能力，證明該組織能夠提供高標準服務且能夠遵守本規則和適用國家法律的要求。

2.2 規範和規則

被認可組織須為船舶及其相關重要工程系統的設計、建造和認證，制定、公佈並系統性維護其規範或規則（須有英文版），並提供充分的研究能力確保適當更新已公佈的標準。

2.3 獨立

被認可組織及其人員不得從事可能與其在法定發證和服務方面的獨立判斷和誠信有衝突的任何活動。被認可組織及其負責進行法定發證和服務的人員不得是接受法定發證和服務的項目的設計方、製造方、供應方、安裝方、採購方、所有人、用戶或維護保養方，也不得是上述任何一方授權的代表。被認可組織的收入不得主要依靠單獨一個商業企業。

2.4 公正

2.4.1 被認可組織人員在進行法定發證和服務時，不得受到可能影響其判斷的任何壓力。須實施程序防止該組織外部的人員或組織對所進行服務的結果產生影響。

2.4.2 所有潛在客戶須均能得到被認可組織提供的法定發證和服務，且無任何不當經濟條件或其他條件。被認可組織的運作程序須以無歧視方式執行。

2.5 誠信

被認可組織須受道德行為原則的約束，這些原則須載於一份道德準則中。該道德準則須認識到與授權相關的固有責任，包括提供適當服務的保證。

2.6 適任能力

被認可組織須使用適任驗船師和審核員進行法定發證和服務。這些驗船師和審核員須具有相應資格並經正規培訓和授權，能在其工作責任範圍內履行其僱主應盡的所有職責和活動。

2.7 責任

被認可組織須對其工作會影響被認可組織服務質量的人員明確其責任、權限、資格和相互關係並形成文件。

2.8 透明度

2.8.1 透明度反映了獲取或披露被認可組織代表船旗國進行的法定發證和服務的所有相關資料的原則。

2.8.2 被認可組織須按與船旗國溝通/合作部分中所述，與船旗國交流信息。

2.8.3 經被認可組織發證船舶的狀態信息，須向公眾提供。

3 管理和組織

3.1 通則

被認可組織須基於本規則的規定，建立和實施質量管理體系並須不斷改進其有效性。

3.2 質量、安全和防污染方針

被認可組織須明確其關於質量、安全和防污染的方針和目標及對此所作承諾並形成文件。特別是，被認可組織管理層須：

- .1 確保制定上述方針和目標；
- .2 確保上述方針和目標適合於該組織的目的；
- .3 將上述方針和目標，包括適用於法定證書和服務的規定，傳達給組織並確保其在該組織內得到理解；
- .4 確保充分的可用資源；

- .5 包括承諾遵守所有適用要求並不斷改進質量管理體系的有效性；
- .6 進行管理評審；這包括評審質量目標的框架；和
- .7 評審質量方針、目標和質量管理體系的持續適宜性。

3.3 文件化要求

3.3.1 質量管理體系須包括下列內容文件化：

- .1 質量方針和質量目標；
- .2 質量手冊（參見3.4節）；
- .3 本規則和授權船旗國法律所要求的程序和記錄；
- .4 確保有效規劃、運行和控制被認可組織過程的程序；
- .5 適用於被認可組織授權領域的規範和規則；
- .6 接受法定發證和服務的船舶清單；
- .7 其他認為必需的過程程序文件（包括向驗船師和管理人員提供入級、法定和相關事項最新資料的通函或信函）；
- .8 明確或進一步闡述服務過程的詳細說明和圖表；和
- .9 發證所涵蓋活動的相應預估報告、檢查清單和證書。

3.3.2 質量管理體系還須包括外部文件，如：

- .1 本文書所轄活動所需的國家和國際標準；
- .2 海事組織的公約和決議；
- .3 對被認可組織授權所適用的國家航運規則和標準；
- .4 提交被認可組織驗證和/或批准的文件和數據；和
- .5 被認可組織界定為具有重要性的具體函件。

3.4 質量手冊

被認可組織須制定和保持一份質量手冊，其中包括：

- .1 質量管理體系的範圍，包括任何除外的細節和理由；

- .2 管理層關於其質量方針、質量目標和質量承諾的聲明；
- .3 被認可組織活動領域和能力的說明；
- .4 組織結構及其總部的一般資料（名稱、地址、電話號碼等，以及法律地位）；
- .5 被認可組織與其母公司或相關組織的關係的有關信息（如適用）；
- .6 組織機構圖；
- .7 管理層指派一人負責該組織質量管理體系的聲明；
- .8 相關的崗位職責說明；
- .9 人員資格和培訓的政策聲明；
- .10 為質量管理體系編製的形成文件的程序或對其引用；
- .11 質量管理體系過程之間的相互作用的表述；和
- .12 質量管理體系所要求的所有其他文件的說明。

3.5 文件控制

3.5.1 質量管理體系所要求的文件須予以控制。文件控制的規定須適用於任何類型的文件，包括但不限於電子介質，以及該電子介質會影響服務或所錄數據可靠性的信息技術應用程序。

3.5.2 須編製形成文件的程序，以界定以下方面所需的控制：

- .1 在文件簽發前審批其適宜性；
- .2 必要時對文件進行評審與更新，並再次批准；
- .3 確保文件的更改和現行修訂狀態得到識別；
- .4 確保在使用處可獲得適用文件的有關版本；
- .5 確保文件保持清晰、易於識別；
- .6 確保被認可組織所確定的規劃和運行質量管理體系所需的外來文件得到識別，並控制其分發；和

.7 防止作廢文件的非預期使用，如為任何目的保留作廢文件，對這些文件進行適當的標識。

3.6 記錄控制

3.6.1 須建立記錄，以提供符合本規則要求和質量管理體系有效運行的證據。記錄須予以控制。

3.6.2 被認可組織須編製成文程序，以界定記錄的標識、貯存、保護、檢索、保存和處置所需的控制。記錄須保持清晰、易於識別和檢索。

3.6.3 被認可組織須確保記錄得到保持，證明達到了已進行的法定發證和服務所涵蓋的規定標準以及質量管理體系的有效運行。除 3.6.4.2 中所規定者外，記錄須至少在被認可組織提供法定發證和服務的時期內保存。3.6.4.2 中規定的船舶記錄須在被認可組織為該船提供法定發證和服務的時期過後至少再保存 3 年，或更長時間（如船旗國和被認可組織的協議中有此規定）。

3.6.4 記錄須至少包括與以下有關的方面：

- .1 規範和規則的編製及相關研究；
- .2 通過下列方式執行規範和規則和法定要求：
 - .1 與設計有關的文件和（或）圖紙的驗證和（或）批准；
 - .2 材料和設備的認可和檢驗；
 - .3 建造和安裝檢驗；
 - .4 營運檢驗；和
 - .5 證書的簽發；
- .3 船舶清單；和
- .4 質量管理體系要求的和授權船旗國制定的任何附加要求所需的所有其他記錄。

3.7 規劃

3.7.1 被認可組織須確保在其組織內部的相關職能和層級上建立質量目標，包括為滿足法定發證和服務的要求所需目標。

3.7.2 質量目標須可衡量，並與質量方針一致。

3.7.3 被認可組織在進行規劃時，須審議下列要素，並將結果用於評估其標準和程序的有效性及其對人命財產安全和海洋環境的影響：

- .1 對質量管理體系進行規劃以滿足海事組織強制性文書(包括但不限於本規則)、其質量管理體系和授權船旗國國家立法的要求；
- .2 在規劃及實施質量管理體系的變更時，質量管理體系的完整性得到保持；
- .3 客戶和其他相關方的需求和期望得到考慮，例如海事組織、船旗國和業界協會的反饋；
- .4 基於來自港口國檢查、事故、損失趨勢的統計數據，以及內、外用戶的反饋信息的服務有效性；
- .5 基於內部審核、不符合項和內部意見反饋的，質量管理體系流程的績效；
- .6 從以往實踐中汲取的、和來自對檢驗報告的檢查、事故調查或外部來源的經驗和教訓；和
- .7 識別改進機會的其他信息來源。

3.7.4 被認可組織須識別和規劃質量管理體系所需要的過程，確定這些過程的順序和相互作用。

3.7.5 被認可組織須確定要遵循的要求和用以確保過程運行和控制的準則（包括接受準則），並評估所需資源。

3.7.6 被認可組織須規劃和開發法定發證和服務所需過程。對法定發證和提供服務所作規劃須與質量管理體系其他過程的要求相一致。

3.7.7 被認可組織在規劃提供法定發證和服務時，須酌情確定：

- .1 法定發證和服務的質量目標和要求；
- .2 制定流程和文件並按具體活動提供資源的需要；
- .3 所需的驗證、確認、監督、衡量、檢查和試驗活動以及接受準則；和
- .4 為法定發證和服務滿足質量體系的要求、本規則和授權船旗國國家立法的要求提供證據所需的記錄。

3.7.8 該規劃的產出，其形式須適合於被認可組織的組織結構和運行方法。該規劃的產出須考慮：

- .1 制定改進計劃的責任和權限；
- .2 所需技能和知識；
- .3 改進方式、方法和工具；
- .4 資源要求；
- .5 對替代規劃的需求；
- .6 業績指標；和
- .7 對文件化和記錄的需求。

3.8 組織

3.8.1 被認可組織的相對規模、機構、經驗和能力須與船旗國准予進行的法定發證和服務的種類和程度相稱。

3.8.2 被認可組織須證明其在技術、行政和管理方面的適任性和能力，可確保及時提供優質服務。

3.8.3 被認可組織須指派其管理層的一名成員，該成員，無論在其他方面的職責如何，須具有的職責和權限包括：

- .1 確保建立、實施和保持質量管理體系所需要的過程；
- .2 確保建立、實施和保持有效提供法定發證和服務所需要的過程；
- .3 向最高管理者報告質量管理體系的運行情況；法定發證和服務的提供以及任何改進的必要；和
- .4 確保在整個被認可組織內促進對所有要求的認識。

3.8.4 被認可組織須確保職責和權限在被認可組織內部得到界定和傳達。

3.9 溝通

3.9.1 內部溝通

被認可組織須確保在被認可組織內部確立適當的溝通過程，並確保就質量管理體系的有效性和所提供的法定發證和服務進行溝通。

3.9.2 與船旗國溝通/合作

3.9.2.1 被認可組織須建立與授權船旗國溝通的適當程序，主要處理下列事項；

- .1 船旗國在授權方面所規定的信息；
- .2 船級（船級的授予、變更和撤消），如適用；
- .3 船舶並非在所有方面保持適航，如繼續航行會危及船舶或船上人員或對海洋環境造成不當危害威脅的情況；
- .4 在授權船旗國要求時須提供的關於對其入級船舶發佈的所有過期檢驗、過期建議或過期船級條件、營運條件或營運限制的信息；和
- .5 授權船旗國規定的其他信息。

3.9.2.2 被認可組織須允許船旗國參與其規範和/或規則的制定。

3.9.2.3 被認可組織須確定、建議，以及如經船旗國同意，實施與船旗國就下列事項進行溝通的有效安排：

- .1 查詢、合同或處理其他事務，包括修正案；和
- .2 船旗國反饋，包括與法定發證和服務相關的符合性問題。

3.9.3 被認可組織 (RO) 之間的合作

3.9.3.1 被認可組織須在船旗國規定的框架下，與其他被認可組織合作並分享相關經驗，以使為船旗國進行法定發證和服務的相關過程標準化。

3.9.3.2 被一個或多個船旗國認可的組織，在該船旗國或這些船旗國規定的框架下，須就可能影響其他被認可組織代表所述船旗國簽發的全部或部分證書的有效性的法定發證和服務，建立並保持相應的技術和安全方面的合作過程。各船旗國須尋求相互合作，以儘可能確保其各自框架的相容性。

3.9.3.3 任何船旗國均不得授權其被認可組織對非懸掛其國旗的船舶應用超出海事組織的公約要求和強制性文書的、與其被認可組織的入級規範、要求、程序或進行其他法定發證過程相關的任何要求。

3.9.3.4 如對船舶的檢驗發證從某一被認可組織轉移到另一被認可組織，轉出組織須及時向轉入組織提供該船舶的歷史案卷，其中包括：

- .1 任何過期檢驗；
- .2 任何過期建議和過期船級條件；
- .3 對船舶發佈的營運條件；
- .4 對船舶發佈的營運限制；和
- .5 技術資料、圖紙和文件，並考慮到本組織制定的相關導則。

3.9.3.5 只有在所有過期檢驗合格完成後及以前對船舶簽發的所有過期遺留項目或過期船級條件按轉出組織的規定完成後，轉入組織方可對船舶簽發新的證書。

3.9.3.6 轉入組織自簽發證書起一個月內，須將證書的簽發日期通知轉出組織，並確認完成各項過期檢驗、過期遺留項目和過期船級條件的日期、地點及所採取的行動。

3.9.3.7 被認可組織須就船舶證書轉換需要特殊預防措施的情況，制定和實施適當的共同要求。這些情況須至少包括對15年或以上船齡船舶的發證，以及從未被該船旗國認可的組織轉出的船舶。

3.10 管理評審

3.10.1 通則

被認可組織管理層須按其所計劃（不得超過13個月）的間隔期，評審其質量管理體系，包括評審被認可組織進行的法定發證和服務，以確保其繼續適宜、充分和有效。評審須包括評價質量管理體系改進的機會和變更的需要，包括質量方針和質量目標。

3.10.2 評審輸入

管理評審的輸入須包括下列信息：

- .1 審核結果；
- .2 各相關方的反饋；
- .3 過程績效和符合法定要求的一致性；
- .4 預防和糾正措施的狀況；
- .5 以前管理評審的跟進措施；
- .6 可能影響質量管理體系的變更；和
- .7 改進的建議。

管理評審的任何輸出，包括在整個被認可組織內與質量目標、顧客投訴和活動監控有關的信息，均須用作最高管理層評審的輸入。

3.10.3 評審輸出

3.10.3.1 管理評審的輸出須包括與下列各項有關的任何決定和措施：

- .1 質量管理體系及其過程有效性的改進；
- .2 與授權協議規定的要求有關的服務的改進；和
- .3 資源要求。

3.10.3.2 最高管理層須確保最高管理層質量管理體系評審的結果，包括所得出的質量目標，形成文件，並酌情在整個組織內通報。

3.10.3.3 須保持管理評審記錄。

4 資源

4.1 通則

4.1.1 被認可組織須確定並提供充分的技術、管理和檢驗能力方面的資源，以完成所分配的任務，以及實施質量管理體系並持續改進其有效性和提高提供法定發證和服務的績效所需的資源。

4.1.2 被認可組織須能夠對其評估船舶設計、建造和設備中的豐富經驗以及代表船旗國有效履行法定發證和服務的能力做出文件記錄。

4.1.3 被認可組織須能夠：

- .1 為出版並系統維護船舶及其相關重要工程系統的設計、建造和認證規範和（或）規則作出安排，以及提供充足的研究能力，以確保適當更新已公佈的標準。被認可組織需保持該出版物的最新英文版本；和
- .2 允許船旗國和其他相關方的代表參與其規範和（或）規則的制定。

4.2 人員

4.2.1 被認可組織須始終配備與其入級船隊的規模和構成以及該組織對船舶建造、修理和改建的參與相稱的相當數量的管理、技術、支持和研究人員。被認可組織須能在需要時按本規則的要求和船旗國的

要求，向每一工作地點派出與所要執行的任務相稱的設備和工作人員。

4.2.2 被認可組織管理層須適任並有能力組織、管理和控制法定發證和服務的進行，以驗證符合所委託任務的相關要求，特別是，須：

- .1 擁有數量充足的適任監督、技術評估和檢驗的人員；
- .2 制定和保持適當的程序和須知；
- .3 保持解釋相關文書的最新文件；
- .4 向現場人員提供技術和管理支持；和
- .5 評審檢驗報告和審圖信函是否準確、符合要求，並為持續改進提供反饋。

4.2.3 被認可組織須由合格人員組成以提供所需的服務，並按要求體現充分的地理覆蓋範圍和當地代表性。

4.2.4 被認可組織須僅使用專用驗船師和審核員進行法定發證和服務。這些驗船師和審核員須僅由被認可組織僱用，具有適當資格並經正規培訓和授權，在其工作責任範圍內履行其僱主的所有應盡職責和活動。被認可組織在負責代表船旗國發證的同時，可按本規則第2部分第5.9節，將無線電檢驗分包給非專用驗船師。

4.2.5 被認可組織進行和負責法定發證和服務的人員須至少受過下列正規教育：

- .1 高等學校工科或理科相關專業學歷（至少兩年學制）；或
- .2 海事或航海學校學歷以及擔任持證高級船員的相關航海經驗；和
- .3 與法定發證和服務範圍相稱的英語水平。

4.2.6 其他協助進行法定工作的人員所受教育、培訓和監督須與授權其執行的任務相稱。

4.2.7 被認可組織須有一個文件體系跟蹤人員資格，包括不斷更新他們的與其經授權承擔的任務相應的知識。該體系須由適當培訓課程組成，主要內容包括與提供法定發證和服務相關的國際文書和適用程序，以及實習培訓，該體系須提供圓滿完成培訓的證明文件。作為最低要求，須符合附錄1和2中的規定。

4.3 基礎設施

4.3.1 被認可組織須確定、提供並保持按海事組織強制性文書的要求進行法定發證和服務所需的基礎設施。基礎設施包括（如適用）：

- .1 建築物、工作場所和相關公用事業設備；
- .2 處理設備（硬件和軟件）；和
- .3 支持性設備，包括但不限於運輸、通信、培訓和信息系統。

4.3.2 為驗船師提供的系統（硬件和軟件）須予標識，須進行相關的操作培訓，並形成文件。須特別考慮驗船師在總部辦公室之外工作的情况。

4.4 工作環境

4.4.1 被認可組織須確信工作環境安全有效，可進行法定發證和服務。雖然知道這些環境條件並非由被認可組織提供，但在檢驗開始前須將允許進行檢驗的環境條件明確告知客戶。

4.4.2 被認可組織須確定安全有效進行法定發證和服務所必需的工作程序。須對人員進行個人安全培訓，並形成文件。

4.4.3 須制定在進行法定發證和服務時使用的個人防護設備的要求和驗船師工作時的個人安全程序，並形成文件。

5 法定發證和服務過程

5.1 通則

須認識到，法定發證和服務是船旗國和被認可組織符合性驗

證活動的服務提供開發過程，而非船舶或其設備的設計過程。

5.2 設計和開發

5.2.1 被認可組織須規劃並控制法定發證和服務過程的設計和開發。在設計和開發規劃中，該組織須確定：

- .1 設計和開發階段；
- .2 適合於各服務設計和開發階段的評審、驗證和確認；和
- .3 設計和開發的職責和權限。

5.2.2 被認可組織須允許船旗國和各相關方的代表參與其規範、程序和/或規則的制定及評審，特別是定稿前評審過程。

5.2.3 被認可組織須在其規範和/或程序內包括：

- .1 船旗國規定並通告被認可組織的要求，特別是法定發證和服務的要求；和
- .2 船旗國沒有規定，但按被認可組織決定，特定或預期用途所必需的要求。

5.2.4 實施要求的形式可以是納入被認可組織的內部要求，或使用海事組織或船旗國的原文件。

5.2.5 被認可組織對出於安全原因已撤銷船級或正在變更船級的船舶，不論其船旗如何，在給予船旗國主管當局機會在合理時間內就是否需要全面檢查表達意見前，不得簽發法定證書。

5.3 設計和開發輸入

5.3.1 須確定與服務要求相關的輸入並保持記錄。這些輸入須包括：

- .1 適用的法定和規則要求；
- .2 如適用，源於以前類似設計的信息；
- .3 設計和開發所必需的其他要求，諸如功能和性能要求；和

.4 從被認可組織自身和外部來源獲得的船舶和移動鑽井平台的營運經驗。

5.3.2 須評審輸入的適宜性。要求須完整、明確且不相互衝突。

5.4 設計和開發輸出

在適當階段，須按規劃的安排對規範和標準的設計和開發進行系統性評審，評估結果滿足要求的能力，和識別任何問題並提出必要的措施。

5.5 設計和開發驗證

為確保設計和開發輸出滿足設計和開發輸入的要求，須按規劃的安排進行驗證。驗證結果和任何必要措施的記錄須予保持。

5.6 設計和開發更改的控制

設計和開發的更改須有標識，並保持記錄。更改須酌情予以評審、驗證和確認，並在實施前予以批准。設計和開發更改評審須包括評價更改對各組成部分和已交付產品的影響。更改評審的結果和任何必要措施的記錄須予保持。

5.7 生產和服務提供的控制

5.7.1 被認可組織須確保所有法定發證和服務在受控條件下進行。

5.7.2 受控條件須包括（如適用）：

- .1 具備信息說明所檢驗和發證船舶的狀況和條件；
- .2 具備所需的規範、規則、工作須知和其他適用標準；
- .3 使用合適的設備；
- .4 具備並使用監督和測量設備；
- .5 實施監督和測量；
- .6 實施控制以確保檢驗報告和證書在簽發前後的準確性；和
- .7 安全工作環境。

5.7.3 被認可組織須遵照所有相關國際要求以及本規則要求進行船舶法定發證和服務。在代表船旗國接受原船旗國不明的情況下建造的船舶時，被認可組織須在發證前驗證該船舶符合該船旗國的國家要求。

5.8 客戶財產

被認可組織須確定、驗證、保護和保障客戶為進行法定發證和服務所提供的財產。如果財產遺失、損壞或被發現不適合使用，被認可組織須將此情況報告該財產的所有人並保持相關記錄。

5.9 分包和服務供應方

5.9.1 如被認可組織選擇分包的任何服務對符合要求有影響或接受被認可組織認可的第三方的工作時，被認可組織須確保對此種服務的進行有完全的控制。船旗國可增大對這些分包服務的控制範圍。分包的過程須在被認可組織的質量管理體系內予以明確。就對船旗國的責任而言，接受分包的組織或服務供應方所進行的工作構成了被認可組織的工作並須遵從被認可組織按本規則須遵守的要求。

5.9.2 代表船東或移動鑽井平台業主提供服務的公司，如其服務的結果由被認可組織用於做出對法定發證和服務產生影響的決策，則須由船旗國或被認可組織按其各自的質量管理體系程序或按船旗國要求予以認可和控制。

5.10 監督和測量設備的控制

5.10.1 被認可組織須確定要進行的監督和測量，憶及提供符合適用要求的證據所需的監督和測量設備。

5.10.2 被認可組織須制定流程，確保以符合監督和測量要求的方式進行監督和測量。

5.10.3 如需確保結果有效，測量設備須：

- .1 按規定的間隔時間或在使用前，比照可追溯至國際或國家測量標準的測量標準予以校準或驗證，或校準並驗證，如無此等標準，校準或驗證所用依據須予記錄；
- .2 在必要時予以調整或重新調整；
- .3 具有標識，以確定其校準狀況；
- .4 有防護措施，以避免會使測量結果無效的調整；和
- .5 在搬運、維護保養和存放期間受到保護，以防損壞和變壞。

5.10.4 當發現設備不符合要求時，被認可組織須評估並記錄上次測量結果的有效性。被認可組織須對受到影響的設備採取適當措施。校準和驗證結果的記錄須予保持。

5.10.5 當計算機軟件被用於對特定要求的監督和測量時，須對該軟件滿足預定應用的能力予以確認。須在初次使用前進行確認並在必要時予以重新確認。

5.10.6 被認可組織在製造商、造船廠、修理廠或船東（業主）的場地對測試進行驗證並對此作出報告時，須確保在此過程中所使用的測量裝置有標識並獲得校準證據。被認可組織在對船上安裝的或可用的服務設備的測試進行見證時，須確定使被認可組織確信測量設備具有適當精度的方法。

5.11 投訴

被認可組織須具備成文程序，處理與法定發證和服務相關的投訴。

5.12 申訴

被認可組織須具備成文程序，按照船旗國的要求處理與法定發證和服務相關的申訴。

6 業績衡量、分析和改進

6.1 通則

6.1.1 被認可組織須規劃並實施證實法定發證和服務符合要求所需要的監督、衡量、分析和改進程序，以確保符合質量管理體系，並持續改進質量管理體系的效力。這須包括確定適用的方法，包括統計技術及其應用程度。對被認可組織所採用的衡量須進行定期評審，並須不斷地對數據的準確性和完整性進行驗證。

6.1.2 被認可組織須就法定發證和服務的績效制定關鍵績效指標。

6.2 內部審核

6.2.1 被認可組織須實施審核方案，包括按規劃的時間間隔完成內部審核，以確定經授權的活動是否符合規劃安排，質量管理體系是否得到有效實施和保持，並有一個監控系統監督法定發證和服務。

6.2.2 審核方案須考慮待審核的過程和區域的狀況和重要性，以及以往審核的結果、船旗國的反饋、投訴和申訴，包括港口國和船旗國的檢查。在規劃內部審核時，須考慮到以前收到的投訴（無論是與場所有關的還是一般性的）、以往內部審核的結果和各場所的運行情況。

6.2.3 被認可組織須規定審核的準則、範圍、頻度和方法。審核員須有適當資格並經適當選擇，以確保審核過程客觀公正。審核員不得審核自己的工作。審核的範圍須涵蓋各個場所的法定發證和服務過程，重點驗證每個場所實施質量管理體系和適用工作程序的有效性和效率。審核的週期可根據審核結果確定，須確保每三年對每個場所至少審核一次。對場所的審核還須包括選擇對由場所控制的操作現場進行審核。

6.2.4 須編製形成文件的程序，為審核的規劃和實施、建立記錄和報告結果界定職責和要求。審核及其結果的記錄須予以保持。

6.2.5 負責受審核區域的管理層須確保及時採取必要的糾正和糾正

措施，以消除所發現的不符合項、保留意見項（潛在不符合項）及其根源。

6.3 垂直合同審核

6.3.1 被認可組織須對下列過程進行年度垂直合同審核：

- .1 審圖；
- .2 新造船舶檢驗；
- .3 營運中定期檢驗/審核；和
- .4 型式認可（如適用），或其他材料和設備的檢驗。

6.3.2 完成垂直合同審核的證據及審核結果須予以正式記錄。

6.4 過程的監督和衡量

6.4.1 被認可組織須採用適宜的方法，包括對開展的工作活動進行監督的監控系統，對質量管理體系過程進行監督，並在適用時進行衡量。這些方法須證實這些過程實現持續符合本規則及與船旗國協議要求的能力，特別是：

- .1 符合該被認可組織的規範和/或規則；和
- .2 滿足法定發證和服務的要求。

6.4.2 當未能達到所規劃的結果時，須酌情採取糾正和糾正措施。

6.4.3 實施的方法應考慮的問題諸如、但不限於：

- .1 港口國監督滯留；
- .2 事故；和
- .3 審圖信函和檢驗報告的修改。

6.5 不符合項（包括法定缺陷）的控制、監督和衡量

6.5.1 被認可組織須按法定要求和被認可組織的規範監督和衡量服務的提供，以驗證所有要求已予滿足。這須依據所規劃的安排，在法定發證和服務過程的適當階段進行。符合法定要求及被認可組織規範

的證據須予保持。記錄須指明對符合法定要求及被認可組織規範予以認可或驗證的人員。

6.5.2 被認可組織須作出安排確保不符合項得到識別和控制。處理不符合項的控制和相關責任和權限須在成文程序中予以界定。

6.5.3 如適用，被認可組織須以下列一種或多種方式處理不符合項：

- .1 採取措施，消除所發現的不符合項；
- .2 按船旗國確定的條款，通過批准其使用而放行或接受；
- .3 通過免除或等效（經或未經糾正）而接受時，應在以下所列期間對與規範和規則或法定要求的不符給予考慮：
 - .1 圖紙審批，
 - .2 材料和設備檢驗，
 - .3 建造和安裝期間的檢驗，
 - .4 營運期間的檢驗；
- .4 採取措施，排除其原預期使用或應用；和
- .5 發現不符合項時，採取與不符合項的影響或潛在影響相稱的措施。

6.5.4 在不符合項得到糾正之後，須對其再次驗證，以證實符合要求。

6.5.5 不符合項的性質以及隨後所採取的任何措施，包括免除或等效的記錄，須予以保持。

6.5.6 如發現船舶不適合在對船舶或船上人員無危險的情況下出海，或會對海洋環境造成不當的危害威脅，被認可組織須遵守船旗國詳細闡述須採取的措施的指示。

6.5.7 對涉及被認可組織簽發證書的船舶，特別是為便利糾正所報告的缺陷或其他不符之處，被認可組織須與港口國監督主管機關合

作。

6.5.8 負責簽發相關證書的被認可組織在接到船舶事故報告或發現影響船舶安全，影響船舶救生設備或其他設備的有效性或完整性的缺陷後，須啟動調查以確定是否有必要進行檢驗。

6.6 改進

6.6.1 通則

被認可組織須利用質量方針、質量目標、審核結果、數據分析、糾正措施和預防措施以及管理評審持續改進質量管理體系的有效性。

6.6.2 數據分析

6.6.2.1 數據分析的目的是確定問題的原因，從而為制定有效的糾正和預防措施提供指導。被認可組織須：

- .1 分析來自不同渠道的數據，以針對計劃和目標對績效做出評價，並識別需要改進之處；
- .2 採用有助於評價、控制和改進過程績效的數據分析的統計方法；和
- .3 分析產品要求以及對相關過程、運行和質量記錄的分析。

6.6.2.2 對來自被認可組織各方面的信息和數據須進行綜合和分析，以評估質量管理體系的整體績效。

6.6.2.3 分析結果須形成文件並用於確定：

- .1 趨勢；
- .2 運行績效；
- .3 通過投訴或其他質量指標（港口國監督滯留、船旗國不符合項等）反映出的顧客滿意和/或不滿意；
- .4 過程的效力和/或效率；和

.5 供應方的績效。

6.6.3 信息來源

被認可組織須識別信息來源並為規劃持續性改進、糾正和預防措施制定收集信息的程序。此類信息須主要包括：

- .1 客戶投訴；
- .2 不符合項報告；
- .3 管理評審輸出；
- .4 內部審核報告；
- .5 數據分析輸出；
- .6 相關記錄；
- .7 客戶反饋和滿意度衡量輸出；
- .8 過程衡量；
- .9 自評結果；和
- .10 營運經驗。

6.6.4 糾正措施

6.6.4.1 被認可組織須及時採取措施，為防止再次發生而消除造成不符合項的原因。糾正措施須與所遇到不符合項的影響相適應，並解決其所有實際或潛在影響。

6.6.4.2 須編製形成文件的程序，為以下所列界定要求：

- .1 評審不符合項（包括投訴）；
- .2 確定造成不符合項的原因；
- .3 評估為確保不符合項不再發生的措施的必要性；
- .4 確定和實施所需的措施；
- .5 記錄所採取措施的結果；和
- .6 評審所採取的糾正措施的有效性。

6.6.5 預防措施

6.6.5.1 被認可組織須確定措施，以識別和消除潛在不符合項的原因，防止不符合項的發生。預防措施須與潛在問題的性質和影響程度相適應。

6.6.5.2 須編製形成文件的程序，為以下所列界定要求：

- .1 確定潛在不符合項及其原因；
- .2 評估對防止不符合項發生的措施的需求；
- .3 確定並實施所需的措施；
- .4 記錄所採取措施的結果；和
- .5 評審所採取的預防措施的有效性。

6.6.5.3 這些方法的範例可包括風險分析、趨勢分析、統計程序控制、故障樹分析、失效模式和影響及危害性分析。

7 質量管理體系認證

7.1 被認可組織須制定、實施和保持一個有效的內部質量管理體系，該體系須符合本規則的要求並以國際公認的質量標準的相應部分為依據，且其有效性須不低於ISO 9000系列。

7.2 被認可組織的質量管理體系須由具有資格的機構按適用的國際質量標準予以定期評估和認證，該機構須，經已簽署《國際認可論壇（IAF）多邊互認協議（MRA）》的認可機構認可為符合ISO/IEC 17021:2006標準，且經船旗國認可為：具有不依賴於被認可組織或被認可組織協會所必需的管理方式和適任能力，具有有效並以最高職業標準履行其職責所必需的手段，並保障該機構履職人員的獨立性。

7.3 為持續改進被認可組織和船旗國的服務，海事組織將盡力對被認可組織的認證和審核過程及其實施進行密切監督，以確保其對整個海事界，並特別對被認可組織的持續關聯性和有效性。海事組織將

為該監督制定工作方法和程序規範。

8 對被認可組織的授權

8.1 通則

根據《1974年安全公約》第I/6條、《1966年載重線公約》第 13 條、《防污公約》附則I第6條及《防污公約》附則II第8條和《1969年噸位公約》第6條的規定，船旗國僅可授權被認可組織代表其按這些公約的要求對懸掛其國旗的船舶進行法定發證和服務及確定噸位。該授權不得要求被認可組織執行侵犯另一船旗國權利的行動。

8.2 按授權行使職能的法律依據

船旗國須制定對法定發證和服務的授權進行管理的法律依據。下列事項須予考慮：

- .1 與被認可組織的正式書面協議；
- .2 法令、法規和補充資料；
- .3 解釋；和
- .4 差異和等效解決方案。

8.3 授權的具體事項

船旗國須制定對被認可組織的授權範圍。須考慮下列具體事項：

- .1 船型和船舶尺度；
- .2 公約和其他文書，包括相關國家法律；
- .3 審圖；
- .4 材料和設備的認可；
- .5 檢驗、審核和檢查；
- .6 證書的簽發、簽署和/或換證；
- .7 糾正措施；

- .8 證書的撤銷或取消；和
- .9 報告要求。

8.4 資源

船旗國須確保被認可組織具備足夠的技術、管理和研究能力資源，按本規則第2部分關於代表船旗國的被認可組織最低標準，完成所委託的任務。

8.5 文書

船旗國須向被認可組織提供使各公約具有效力的所有相關國家法律文書，將這些文件的增加、刪除或修訂的內容在生效日期前通知被認可組織，並具體說明船旗國的標準是否在任何方面超出公約的要求。

8.6 須知

8.6.1 船旗國須發佈具體須知，詳述在進行法定發證和服務時須遵守的程序，以及在發現船舶不適航，如繼續航行會危及船舶或船上人員或對海洋環境造成不當危害威脅的情況下須採取的措施。

8.6.2 船旗國須以適當手段確保各被認可組織按本規則的規定相互合作。

8.7 記錄

船旗國須規定被認可組織保持記錄，以為船旗國提供數據，協助解釋公約規定。

第3部分

對被認可組織的監管

1 目的

《RO規則》第3部分為船旗國監管經授權代表其進行法定發證和服務的被認可組織提供指導。第3部分還提供關於監管原則（可包括船舶檢查、審核和監視活動）的指導。

2 範圍

《RO規則》第3部分適用於已授權被認可組織進行法定發證和服務的所有船旗國。第3部分包括船旗國監管規定，並提供非強制性的指導用以協助船旗國制定和實施有效的對被認可組織的監管方案。

3 參考資料

下列文件為參考資料：

- .1 海事組織強制性文書；
 - .2 ISO 9000:2005《質量管理體系－基礎和術語》；
 - .3 ISO 9001:2008《質量管理體系－要求》；
 - .4 ISO/IEC 17020:1998《各類檢查機構運作通用要求》；
 - .5 ISO 19011:2002《質量和/或環境管理體系審核導則》；
- 和
- .6 國家法律。

4 術語和定義

4.1 審核係指一個系統、獨立和文件化的過程，用以取得審核證據並進行客觀評估以確定對審核準則的符合程度。審核的特點是依靠若干原則。這使審核成為支持管理方針和控制的一種有效且可靠的工具，被認可組織能憑藉其提供的信息提高績效。堅持這些原則是提出適宜和充分的審核結論，並使相互獨立工作的審核員能在類似情況下得出類似結論的前提條件。

4.2 審核準則係指一組方針、程序或要求。

- 4.3 審核證據係指與審核準則有關並且能夠證實的記錄、事實陳述或其他資料。審核證據可以是定性的或定量的。
- 4.4 審核發現係指將收集到的審核證據對照審核準則進行評價的結果。審核發現能表明符合、觀察（潛在不符合項）或不符合審核準則或指出改進機會。
- 4.5 審核結論係指審核組在考慮了審核目標和所有審核發現後提供的審核結果。
- 4.6 審核委託方係指申請審核的組織或個人。
- 4.7 受審核方係指經船旗國認可並可由授權船旗國審核的組織。
- 4.8 審核員係指勝任審核工作的人。
- 4.9 審核組係指實施審核，且需要時得到技術專家支持的一名或多名審核員。
- 4.10 技術專家係指向審核組提供特定知識或技術的人員。
- 4.11 審核方案係指針對特定時間段所策劃，並具有特定目的的一組單項或多項審核。審核方案包括規劃、組織和實施審核所需的所有活動。
- 4.12 審核計劃係指對一次審核的活動和安排的描述。
- 4.13 審核範圍係指審核的內容和界限。審核範圍一般包括對實際位置、組織單元、活動和過程以及所涵蓋的時期的描述。
- 4.14 適任能力係指經證實的個人素質和應用知識和技能的本領。
- 4.15 監管係指船旗國為保證被認可組織服務符合海事組織和認可船旗國國家要求而進行的任何活動。
- 4.16 監督係指船旗國見證被認可組織服務或評審被認可組織所用文件的任何行動，其目的是保證被認可組織服務符合海事組織和國家

要求。監督可被視為監管的組成部分。

5 制定監管方案

5.1 監管

船旗國須以足夠的對其被認可組織進行監督和與之溝通的資源，制定或參與監管方案，通過下列方式確保其國際義務得到充分履行：

- .1 行使其進行補充檢驗的權力，確保有權懸掛其國旗的船舶實際符合適用國際文書的要求；
- .2 在其認為必要時進行補充檢驗，確保有權懸掛其國旗的船舶符合對強制性國際要求作出補充的本國要求；和
- .3 配備對船旗國和被認可組織的規範及規則具備良好知識，並可對被認可組織進行有效監管的人員。

5.2 船旗國對授予被認可組織的職責的監察

船旗國對授予被認可組織職責的監察，主要須考慮到下列事項：

- .1 被認可組織質量管理體系的文件；
- .2 內部須知、通函和指南的獲取；
- .3 被認可組織與船旗國船隊相關的文件獲取；
- .4 與船旗國檢查和驗證工作的配合；和
- .5 信息和統計數據的提供，包括但不限於與船旗國船隊有關的損壞和事故。

5.3 驗證和監督

船旗國須建立一個體系確保所提供法定發證和服務的適宜性。該體系應主要包括下列各項：

- .1 與被認可組織溝通的程序；

- .2 被認可組織向船旗國報告和船旗國處理此種報告的
程序。下列報告要求應予考慮：
 - .1 被認可組織應在意識到涉及重大缺陷或嚴重安全相關問題，且該缺陷或問題通常被視為足以滯留船舶並在改正前不得開航的情況時，立即通知船旗國；
 - .2 被認可組織應在意識到船上或船公司內涉及《主管機關實施國際安全管理（ISM）規則導則》（經修正的第A.1022（26）號決議）所界定的嚴重不符合項的情況時，立即通知船旗國；
 - .3 上述通知應含有船公司或船舶的名稱、海事組織編號、船舶登記號（如適用）以及對嚴重不符合項、缺陷或問題的說明；
 - .4 被認可組織應將其所意識到的船上危險事件、事故、機器或結構故障或失效，儘快通知船旗國；和
 - .5 被認可組織應向船旗國書面報告曾由被認可組織進行法定發證和服務的、已從被認可組織入級/發證船舶清單中除名的船舶的名稱和船舶登記號（如適用）。該報告應含有對撤銷船級理由的說明；並應在自撤銷生效起三十（30）天內作出；
- .3 船旗國對船舶的附加檢查；
- .4 與被認可組織之間就可能對完全或部分代表船旗國簽發的證書的有效性產生影響的法定發證和服務進行的與技術和/或安全相關的適當磋商；
- .5 船旗國評估/接受由船旗國接受的獨立審核機構對被認可組織質量管理體系進行的認證；

- .6 對完全或部分有助於符合海事組織強制性文書的法定發證和服務的監督和驗證。船旗國應考慮實施下列各項：
 - .1 船旗國對被認可組織質量管理體系的監管；
 - .2 觀察或系統評審由被認可組織外部並獨立於被認可組織的其他合格人員或組織進行的質量管理體系審核報告；
 - .3 對須接受法定發證和服務的船舶的驗證和檢查；和
 - .4 投訴和反饋系統及對糾正措施的跟進；
- .7 船旗國在接受其未參與建造的船舶時，應確定進行該船法定發證和服務的被認可組織符合本規則；和
- .8 對未確定船旗國的情況下所建造的船舶，在發證前應驗證船旗國的具體要求。

6 審核的原則

6.1 船旗國應確定被認可組織具備有效的質量管理體系。船旗國可依靠經認可的認證機構或等效組織所進行的審核。鼓勵政府間合作制定共同審核機制。

6.2 船旗國審核員還應遵循下列原則：

- .1 道德行為：職業的基礎。對審核而言，誠信、正直、保守秘密和謹慎是最基本的；
- .2 公正表達：真實、準確地報告的義務。審核結果、審核結論和審核報告真實和準確地反映審核活動。報告在審核過程中遇到的重大障礙以及在審核組和受審核方之間未解決的分歧意見；和
- .3 職業素養：審核中認真嚴謹作出判斷。審核員秉憑所執行任務的重要性和審核委託方和其他相關方所給予的信

任，認真行事。具有必要的能力是一個重要的因素。

6.3 與審核有關，按照定義系獨立性和系統性的其他原則：

- .1 獨立性：審核的公正性和審核結論的客觀性的基礎。審核員獨立於受審核的活動，且不帶偏見，無利益衝突。審核員在審核過程中保持客觀的心態，審核結果和結論僅以審核證據為依據；和
- .2 基於證據的方法：在系統性審核過程中，得出可信的和可重現的審核結論的合理方法。審核證據是可證實的。由於審核是在有限時間內並在有限的資源條件下進行的，因此審核證據是建立在可獲得信息的樣本的基礎上。抽樣的合理性與審核結論的可信性密切相關。

6.4 本規則提供的指導基於上述原則。

7 管理監管方案

7.1 通則

7.1.1 船旗國需驗證經認可代其進行法定發證和服務的組織滿足本規則的要求。該驗證的目的是確保被認可組織按本規則及其與船旗國的協議進行法定發證和服務。

7.1.2 船旗國應制定、實施和管理一個對代表其工作的被認可組織實行有效監管的方案。

7.1.3 監管方案應包括各種監督活動，主要可由審核、檢查和審核觀察項（潛在不符合項）構成。船旗國應在仔細評估被認可組織的相關因素以及供船旗國使用的被認可組織法定發證和服務記錄的可獲取程度後，制定對其被認可組織的監管方案。該方案還應從公約的規定方面以及船旗國公佈的國家要求和須知方面對法定發證和服務的提供予以考慮。各種因素應包括：

- .1 船旗國和獨立認證機構對被認可組織進行高級別審核的範圍和頻度，以及被認可組織進行的內部審核的範圍和頻度；
- .2 向船旗國提供審核結果、觀察項（潛在不符合項）和有效糾正措施的程度；
- .3 船旗國對被認可組織的遠程監督的程度，這，可依據船旗國可使用的電子信息的範圍，以若干不同方式體現。遠程監督可包括：
 - .1 評審與被認可組織簽發的法定證書相關的檢驗報告內容；
 - .2 評審在船旗國通過被認可組織規定的截止日期內控制和糾正缺陷和未完成要求的效力；和
 - .3 評審被認可組織按特定國家所發佈的須知，以確定被認可組織準確、全面地執行船旗國的國家要求；
- .4 船旗國登船檢查，以核查發證過程的最終結果，具體關注其本國要求和/或對被認可組織發出的須知；和
- .5 確定為被認可組織責任的港口國滯留和缺陷。

7.1.4 監管方案還應包括計劃和組織監督活動的形式和數量所需的所有活動，和為在規定期限內有效進行監督提供資源。

7.1.5 經指派負責管理監管方案的人員應：

- .1 制定、實施、監督、評審和改進監管方案；和
- .2 確定必要的資源並確保資源按需使用和提供。

7.1.6 監管方案還應包括為開展方案內的監督活動進行規劃、提供資源和制定程序。

7.2 監管方案的目標和範圍

7.2.1 監管方案的目標

7.2.1.1 船旗國應確定監管方案的目標，指導監督活動的規劃和實施。

7.2.1.2 下列目標應予考慮：

- .1 管理的優先重點；
- .2 船旗國的意圖；
- .3 船旗國的系統要求；
- .4 法定、法規和合同要求；
- .5 對被認可組織進行評價的需要；
- .6 船旗國、被認可組織和其他要求；
- .7 其他相關方的需求；和
- .8 船旗國的風險。

7.2.2 監管方案的範圍

7.2.2.1 船旗國的監管方案應反映出船旗國授權方案的規模、性質和複雜度，以及下列因素：

- .1 要進行的監督活動的範圍、目標和持續時間；
- .2 要進行的監督活動的頻度；
- .3 被認可組織的數量、重要性、複雜度、相似性和所在地；
- .4 標準，法定、法規和合同要求以及其他監督準則；
- .5 對被認可組織認證或登記/發證的需要；
- .6 以往監督活動的結論；
- .7 相關方的關注；和
- .8 被認可組織或其運作的重大改變。

7.2.2.2 船旗國可與另外一個或多個對同一被認可組織授權的船旗國達成參與聯合監督/監管活動的書面協議，但各船旗國的要求和各船旗國的績效應在詳細水平上與各船旗國各自執行的監管方案達到同

等水平。反之，任何船旗國均不可受另一船旗國或組織的脅迫而接受由他國監管被認可組織而不由船旗國自己獨自監管，除非船旗國以書面協議選擇如此辦理或該國法律如此規定。此種協議的副本，應向海事組織提交，供各成員國參考。

7.3 監管方案的責任、資源和程序

7.3.1 監管方案的責任

7.3.1.1 船旗國負責管理其監管方案。船旗國應使用了解監管要求和審核原則並掌握審核技術的適任人員。這些人員應具有管理技能，對所監督活動有相關的技術和業務上的了解。

7.3.1.2 經指派負責管理監管方案的人員應：

- .1 制定監管方案的目標和範圍；
- .2 制定責任和程序，並確保提供資源；
- .3 確保監管方案的實施；
- .4 確保保持適當的監管方案記錄；和
- .5 監督、評審和改進監管方案。

7.3.2 監管方案的資源

船旗國在確定監管方案所需資源時，應考慮下列各項：

- .1 制定、實施、管理和改進監管活動所需的財務資源；
- .2 審核技術；
- .3 實現並保持人員適任能力以及改進監管績效的過程；
- .4 可利用具備適合特定監管方案目標的適任能力的人員和技術專家；
- .5 監管方案的範圍；和
- .6 旅途時間、食宿和其他監管需求。

7.3.3 監管方案的程序

7.3.3.1 船旗國監管方案的程序應明確以下內容：

- .1 監管活動的規劃和日程安排；
- .2 保證派出人員的適任能力；
- .3 選擇合適人員並分配其任務和職責；
- .4 實施監督活動；
- .5 進行跟蹤，如適用；
- .6 保持監管方案記錄；
- .7 跟蹤監管方案的業績和有效性；和
- .8 報告監管方案的總體成效。

7.3.3.2 授權計劃有限的船旗國，可單用一個程序處理上述活動。

7.3.4 *監管方案的實施*

船旗國監管方案的實施應包括下列因素：

- .1 向相關方傳達監管方案的目標；
- .2 協調監管方案的相關監督活動和安排其日程；
- .3 制定和保持評價指派的人員及其持續專業發展的過程；
- .4 選擇和任命指派的人員；
- .5 提供監管方案、尤其是相應監督活動所需資源；
- .6 按監管方案堅定地執行監督活動；
- .7 確保對監督活動記錄的控制；
- .8 確保評審和批准監督活動報告，並確保將其分發各相關方；和
- .9 確保後續行動，如適用。

7.3.5 *監管方案的記錄*

7.3.5.1 船旗國的監管記錄應予保持以證明監管方案的實施，並應包括下列各項：

- .1 監督活動的所有相關記錄，如：
 - .1 計劃；
 - .2 報告；
 - .3 不符合項報告；
 - .4 糾正和預防措施報告；和
 - .5 跟蹤報告，如適用；
- .2 監管方案評審結果；和
- .3 與人員相關的記錄，涵蓋諸如
 - .1 所指派人員的能力和績效評估；
 - .2 監督和（或）審核組的選擇；和
 - .3 能力的保持和提高。

7.3.5.2 記錄應予保存並以適宜的方式予以保護。

7.4 監管方案的監督和評審

7.4.1 船旗國監管方案的實施應經受監督，並按適當的時間間隔經受評審，以評估其目標是否已達到並確定改進的時機。

7.4.2 船旗國應制定並利用績效指標監督其被認可組織監管方案的有效性。下列因素應予考慮：

- .1 所指派人員實施監管方案的能力；
- .2 符合《RO規則》、監督活動及時間安排的要求；和
- .3 客戶、被認可組織和所指派人員的反饋。

7.4.3 船旗國在評估被認可組織績效時應考慮下列績效指標：

- .1 被認可組織的港口國績效；
- .2 被認可組織的內部審核結果；
- .3 第三方組織（ACBs）進行的質量管理體系審核的結果；
- .4 以往績效監督的結果；和

.5 接受被認可組織檢驗和認證的船舶的狀況/符合性。

7.4.4 船旗國應定期評價其實施必需的管理過程、程序和資源以滿足其所加入的公約要求的義務的整體績效。

7.4.5 評估船旗國績效的其他措施可主要包括下列各項：

- .1 港口國監督滯留率；
- .2 船旗國檢查結果；
- .3 事故統計；
- .4 溝通和通知的過程；
- .5 年度損失統計（不包括推定全損（CTL））；和
- .6 可能適用的為確定人員、資源和管理程序是否足以履行船旗國義務的其他績效指標。其他績效衡量指標可由下列各項構成：
 - .1 船隊的損失和事故率，用以確定所選時間段的趨勢；
 - .2 經驗證的滯留船舶情況數量與船隊規模之比；
 - .3 經驗證的按船旗國授權簽發或簽注證書的持證人員不適任或違規情況的數量；
 - .4 對港口國缺陷報告或干預的響應；
 - .5 對非常嚴重和嚴重事故的調查以及從中汲取的教訓；
 - .6 所承諾的技術和其他資源；
 - .7 船隊所屬船舶的檢查、檢驗和控制結果；
 - .8 對職業事故的調查；
 - .9 經修正的《防污公約》下的事件和違約的數量；和
 - .10 暫停或撤銷證書、簽注和認可的數量。

7.4.6 對監管方案的評審還應考慮：

- .1 監督所得結果和趨勢；

- .2 與程序的符合性；
- .3 相關方的進化需求和期望；
- .4 監管方案記錄；
- .5 替代的或新的審核實踐或監督活動；和
- .6 審核組之間在相似情況下表現的一致性。

7.4.7 監管方案的評審結果會導致採取糾正和預防措施並改進監管方案。

附錄 1

對被認可組織技術人員的培訓和資格要求

A1.1 定義

A1.1.1 檢驗人員係指經授權進行檢驗並決定是否已符合要求的人員。

A1.1.2 審圖人員係指經授權進行設計評估並決定是否符合要求的人員。

A1.1.3 審核人員係指經授權進行審核並決定是否已符合要求的人員。

A1.1.4 學員係指在教員/導師監督下接受理論和實習培訓的人員。

A1.1.5 教員係指經指定的具備某一相關領域經驗的人員或精通某一特殊領域的專家，他們經被認可組織認可，通過課堂教學、專題研討會或個別培訓方式提供理論培訓。

A1.1.6 導師係指被認可組織職員中在相關活動領域具備適當經驗和能力、合格並經指定在該領域中協助、諮詢和指導學員的實習培訓直至後者合格的人員。

A1.1.7 技術人員係指具備資格作為檢驗人員或審圖人員或海事管理體系審核人員進行技術活動的人員。

A1.1.8 支持人員係指在船級和法定工作方面協助檢驗和/或審圖人員的人員。

A1.2 學員准入要求 被認可組織進行和負責法定工作的人員須至少滿足第2部分第4.2.5節中界定的正規教育要求。

A1.3 培訓模塊

A1.3.1 被認可組織須為要進行的每種相關檢驗類別、審圖活動類別和審核界定所需的適任能力標準。

A1.3.2 被認可組織須界定為滿足就檢驗、審圖和海事管理體系審核人員界定的適任能力所需要的理論和實踐培訓模塊。培訓模塊須至少涵蓋下列各項：

- .1 學習和適任能力的目標；
- .2 培訓範圍；和
- .3 評價標準和合格要求。

A1.3.3 通過研習培訓模塊，學員須獲得和培養按船旗國要求、被認可組織的規範和規則及國際公約和規則適用於不同船型和不同種類工作的總體知識和了解。

A1.4 檢驗和審圖人員的理論培訓

A1.4.1 理論培訓的目標是確保在各活動領域方面，充分熟悉規範、技術標準或法規以及針對具體檢驗種類或船型的任何附加要求。

A1.4.2 理論培訓須包括：

- .1 理論培訓通用模塊；和
- .2 特定專業理論培訓的特殊模塊。

A1.4.3 理論培訓通用模塊須包括下列方面的通用主題：

- .1 海事組織及海事主管機關的活動和職能；
- .2 船級社的活動和職能；
- .3 船舶和移動鑽井平台的入級；
- .4 船級和法定檢驗完成後簽發的證書和報告種類；
- .5 質量管理體系；
- .6 個人安全規定；和
- .7 法律及道德問題。

A1.4.4 檢驗和審圖人員的理論培訓大綱須記錄於培訓計劃內，並按活動領域（檢驗種類或類別，船型，諸如船體、機器、電氣工程之類

的科目)制定。

A1.4.5 如某一特定活動領域方面的正規教育背景存在某一空白，理論培訓須擴大範圍。

A1.4.6 如檢驗或審圖人員通過其加入被認可組織前的以往工作經驗已獲得特定資格，培訓計劃可縮減。

A1.4.7 個人培訓計劃內容的增加或減少須有記載。

A1.4.8 如活動領域擴大，須相應制定培訓計劃並有記載。

A1.4.9 理論培訓可通過課堂教學、專題研討會、個別培訓、自學或電腦輔助培訓方式取得。

A1.5 檢驗和審圖人員的實習培訓（各證書的具體標準見附錄2）

A1.5.1 通則

實習培訓須確保學員有充分能力獨立進行檢驗或設計評估工作。

A1.5.2 審圖人員

A1.5.2.1 實習培訓須與設計評估的複雜度（審查船舶的技術設計、審查材料和設備的技術文件）相稱並須在導師的監督下進行。

A1.5.2.2 所進行的實習培訓須有記錄。

A1.5.3 檢驗人員

A1.5.3.1 實習培訓須與檢驗的複雜度（檢驗種類或類別、船型、具體科目（船體、機器和電氣工程））相稱並須在導師的監督下進行。

A1.5.3.2 具體檢驗的選擇取決於專業/所要授予的資格，並須酌情包括下列船級和法定檢驗類別：

- .1 新造船舶；
- .2 營運船舶和移動式鑽井平台；和
- .3 材料和設備。

A1.5.3.3 所進行的實習培訓須有記錄。

A1.5.4 檢驗和審圖人員的考試和測驗

A1.5.4.1 通過理論培訓獲得的能力，須以筆試或口試或以適當的電腦測驗予以證明。

A1.5.4.2 考試和測驗須酌情涵蓋學員學習的各組模塊。

A1.5.4.3 通過實習培訓獲得的能力，須以下述方式予以證明：

- .1 驗船師須在導師監督下，以驗船師圓滿完成與能力相關的檢驗予以證明。要求驗船師能夠回答導師為確認其理解程度而認為有必要提出的相關技術問題。導師評審的結果須在各培訓記錄內注明；和
- .2 審圖人員須以人員對照相關入級規範和法規圓滿完成圖紙鑑定並經審圖人員導師通過評審驗證予以證明。導師評審的結果須在各培訓記錄內注明。

A1.5.4.4 適任者須完成理論培訓考試或證明實踐能力。

A1.5.4.5 在考試和測驗期間，須允許學員使用相關工作文件（規範、公約、核查清單等）。

A1.5.5 審核人員

A1.5.5.1 理論培訓

A1.5.5.1.1 理論培訓應針對下列各項：

- .1 管理體系審核的原理和實踐；
- .2 《國際安全管理規則》的要求及其解釋和應用；
- .3 海事組織、船旗國、船級社和海事界組織建議的強制性規範和規則以及適用的規則、指南和標準；和
- .4 船上基本操作，包括應急部署和回應。每一題目所花時間以及需包括的詳細程度將取決於學員的資格和經驗、其

在每一主題方面的現有能力和所要進行的培訓審核數量。

A1.5.5.1.2 培訓可為模塊結構，在此情況下提供理論培訓的時間不得超過12個月。

A1.5.5.1.3 如合適，一些要素可通過遠程學習和在線學習之類方式提供。但是，理論培訓總天數須至少有50%為課堂教學以備討論和辯論，並使考生受益於教員的經驗。

A1.5.5.2 考試

A1.5.5.2.1 確認已達到學習目標，須在理論培訓結束時或每一模塊結束時(如果培訓並非以單一培訓課程提供)，以筆試予以證明。

A1.5.5.2.2 如果學員未通過筆試或筆試的任一部分，允許進行一次復試。對於未通過復試的考生，將要求其再次接受相應理論培訓後，方可允許其再參加一次考試。

A1.5.5.2.3 通過筆試的考生須得到一份證書、聲明或其他記錄，其中載明達到何種適任能力以及相應培訓的起止日期。

A1.5.5.3 實習培訓

A1.5.5.3.1 經授權進行國際安全管理審核的人員，須在被認可組織規定的監督下，已至少完成最低數量的培訓審核。

A1.5.5.3.2 被認可組織須制定程序，確保並證明已達到所要求的適任能力。

A1.6 資格

A1.6.1 在學員完成理論和實習培訓並合格後，向其授予獨立工作的適當權限。對其有資格進行的活動（檢驗種類、船型、設計認可種類等）予以明確。

A1.6.2 被認可組織為授予資格所採用的標準須在適當的質量管理體

系文件中記載。

A1.7 培訓效果評估

A1.7.1 培訓效果的評估方法可包括按被認可組織的體系定期進行監督、測驗等。

A1.7.2 被認可組織為培訓效果評估所採用的標準，須在適當的質量管理體系文件中予以記載。

A1.7.3 須提供培訓效果評估的證據。

A1.8 資格保持

A1.8.1 被認可組織為資格的保持或更新所採用的標準須符合並記載於適當的質量管理體系文件中。

A1.8.2 資格的更新可用下列方法進行：

- .1 自學（自主學習）；
- .2 在被認可組織下屬機構和/或總部舉辦的不同學習班和研討會；
- .3 被認可組織的規範或國際公約、規則等有重大變更時舉行特別技術研討會（如有要求則進行考試）；和
- .4 某些活動領域內各種具體工作或特定檢驗種類的專題培訓，通過活動監督或因長期缺乏實踐經驗而確定。

A1.8.3 按這些標準保持資格，須在年度績效審核時予以驗證。

A1.9 活動監督

A1.9.1 目的

活動監督的目的：

- .1 評估個人是否適任並能獨立進行對其授權和分配的工作且符合被認可組織的方針和實踐；
- .2 確定在調整整個組織的技術服務方面持續改進的需求；和

- .3 確定在對人員的指導過程中和/或為其提供工具方面進行改進的需求。

A1.9.2 監督

A1.9.2.1 總部、區域或地方辦事處可啟動活動監督。活動監督須由在所監督的檢驗或審核方面具備資格的人員進行。

A1.9.2.2 活動監督的程度，對每位從事檢驗或審核工作的驗船師或審核員的工作，須為每隔一個日曆年至少監督一次。如有檢驗和審核都做的人員，對這兩種工作的活動均須每隔一個日曆年至少監督一次。在兩年週期內，對合格的驗船師，只需監督一種檢驗，對合格的審核員，只需監督一種審核。對審圖人員，須每隔一個日曆年至少監督一次。

A1.9.2.3 在監督之後，負責監督的驗船師或審核員須對活動做出報告。

A1.9.2.4 如有必要提出意見或有發現，須將其包括在報告內供評審和採取糾正措施。

A1.9.3 方法

A1.9.3.1 活動監督須由經授權承擔活動監督的人員進行。

A1.9.3.2 準備工作須包括熟悉活動監督期間與所要見證活動相關的過程、要求和手段（例如軟件）。

A1.9.3.3 監督過程須包括評審個人工作的相關績效信息。這可包括：報告和證書的準確性、達到目標、收到的投訴、港口國監督滯留反饋。

A1.9.3.4 為監督所選擇的檢驗、審核或審圖活動，須涵蓋在親臨現場期間可監督的最大範圍的活動和資格。

A1.9.3.5 監督須包括，但不限於評估個人的下列事項：

- .1 個人安全意識；
- .2 對相關要求的理解和應用；
- .3 技術能力；
- .4 對相關要求的理解；和
- .5 報告和溝通的標準。

A1.9.4 報告

在監督之後，須做出報告及有關下列各項的結論：

- .1 所評估的個人是否能進行對其所授權和分配的工作(包括特別積極方面)；
- .2 任何改進領域；和
- .3 任何建議培訓要求。

A1.9.5 評估

監督報告須交管理層評估。管理層將確定對個人繼續授權或為獲得進一步授權而可能需要的培訓要求。報告須每年度完成並評審。

A1.9.6 實施

被認可組織須：

- .1 用文件記載活動監督方法，包括如何報告情況；
- .2 用文件記載如何實現承擔活動監督的授權；
- .3 用文件記載超過活動監督時限的後果和採取的措施；
- .4 保存記錄以便證明所有相關人員已在規定的時間內接受監督；和
- .5 保存記錄以便通過分析活動監督證明整個組織的技術性能水平和可能的改進活動的效果。

A1.10 支持人員的培訓

支持人員須接受與授權其執行的任務相稱的培訓和/或監督。

A1.11 記錄

須保持每位驗船師/審圖人員的記錄，載明：

- .1 正規教育背景；
- .2 加入被認可組織前的職業經歷；
- .3 已完成理論培訓的證據；
- .4 已完成實習培訓的證據；
- .5 考試和測驗的證據；
- .6 受僱於被認可組織期間的職業經歷；和
- .7 知識的定期更新。

附錄2

被認可組織代表船旗國行使檢驗和發證職能的規範

A2.1 範圍

A2.1.1 本文件含有被認可組織的最低規範，就與簽發國際證書相關的發證和檢驗而言，這些組織被認為有能力代表船旗國開展法定工作。

A2.1.2 該體系的原則是將所需規定分為不同的基本模塊，以便為各發證和檢驗職能選擇相關模塊。

A2.2 基本模塊涵蓋的關注領域

- .1 管理；
- .2 技術鑑定；
- .3 檢驗；
- .4 資格和培訓。

A2.2.1 管理

模塊1A： 管理職能

被認可組織管理層須勝任並具備能力和實力，組織、管理和控制執行檢驗和發證職能，以驗證符合所委託任務的相關要求，特別是，須：

- .1 擁有足夠數量的適任監督、技術評估和檢驗人員；
- .2 為制定和保持適當程序和須知作出規定；
- .3 為保持相關文書的解釋的最新文本作出規定；
- .4 向現場人員提供技術和管理支持；和
- .5 為評審檢驗報告和提供經驗反饋作出規定。

A2.2.2 技術鑑定

模塊2A： 船體結構

被認可組織須勝任並具備適當能力和實力，進行下列各項相關技術評估和/或計算：

- .1 總縱強度；
- .2 諸如板材和扶強材的局部強度；
- .3 結構應力、疲勞和屈曲分析；和
- .4 材料、焊接和材料接合的其他相關方法，以遵守關於設計、構造和安全的相關規範和公約要求。

模塊2B： 機器系統

被認可組織須勝任並具備適當能力和實力，進行下列各項相關技術評估和/或計算，以遵守關於設計、構造和安全的相關規範和公約要求：

- .1 推進、輔機和操舵裝置；
- .2 管路；和
- .3 電氣和自動化系統。

模塊2C： 分艙和穩性

被認可組織須勝任並具備適當能力和實力，進行下列各項相關技術評估和/或計算：

- .1 完整和破損穩性；
- .2 傾斜試驗評估；
- .3 穀物裝載穩性；和
- .4 水密和風雨密完整性。

模塊2D： 載重線

被認可組織須勝任並具備適當能力和實力，進行下列各項相關技術評估和/或計算：

- .1 幹舷計算；和

- .2 幹舷核定條件。

模塊2E： 噸位

被認可組織須勝任並具備適當能力和實力，進行與噸位計算相關的技術評估和/或計算。

模塊2F： 結構防火

被認可組織須勝任並具備適當能力和實力，進行下列各項相關技術評估和/或計算：

- .1 結構防火和火區隔離；
- .2 可燃材料的使用；
- .3 脫險通道；和
- .4 通風系統。

模塊2G： 安全設備

被認可組織須勝任並具備適當能力和實力，進行下列各項相關技術評估和/或計算：

- .1 救生設備和裝置；
- .2 導航設備；
- .3 探火和失火報警系統及設備；
- .4 滅火系統和設備；
- .5 防火控制圖；
- .6 引航員梯和引航員升降器；
- .7 號燈、號型和聲響信號；和
- .8 惰性氣體系統。

模塊2H： 防止油類污染

被認可組織須勝任並具備適當能力和實力，進行下列各項相關技術評估和/或計算：

- .1 油類排放的監測和控制；

- .2 油和壓載水隔離；
- .3 原油洗艙；
- .4 專用壓載艙的保護位置；
- .5 泵系、管路和排放佈置；和
- .6 船上油污應急計劃（SOPEP）。

模塊2I： 防止有毒液體物質污染

被認可組織須勝任並具備適當能力和實力，進行下列各項相關技術評估和/或計算：

- .1 船舶可載運物質的清單；
- .2 泵排系統；
- .3 掃艙系統；
- .4 洗艙系統及設備；和
- .5 水下排放佈置。

模塊2J： 無線電

被認可組織須勝任並具備適當能力和實力，進行下列各項相關技術評估：

- .1 無線電話；
- .2 無線電報；和
- .3 全球海上遇險與安全系統。

或者，被認可組織按所制定的成文方案認可和監督的專業無線電裝置檢查服務公司可進行這些服務。該方案要包括該公司及其無線電技術人員須滿足的具體要求的定義。

模塊2K： 散裝運輸危險化學品

被認可組織須勝任並具備適當能力和實力，進行下列各項相關技術評估和/或計算：

- .1 船舶佈置和船舶倖存能力；

- .2 貨物圍護和構造材料；
- .3 貨物溫度控制和貨物過駁；
- .4 液貨艙透氣系統和環境控制；
- .5 人員保護；操作要求；和
- .6 船舶可載運化學品的清單。

模塊2L： 散裝運輸液化氣體

被認可組織須勝任並具備適當能力和實力，進行下列各項相關技術評估和/或計算：

- .1 船舶佈置和船舶倖存能力；
- .2 貨物圍護和構造材料；
- .3 處理壓力容器和液體、蒸汽及壓力管路系統；
- .4 液貨艙透氣系統和環境控制；
- .5 人員保護；
- .6 以貨物為燃料；和
- .7 操作要求。

A2.2.3 檢驗

模塊3A： 檢驗職能

被認可組織須勝任並具備適當能力和實力，按照被認可組織內部質量管理體系在受控條件下進行所要求的檢驗，並按要求充分體現地理覆蓋範圍和當地代表性。員工要做的工作在本組織制定的檢驗導則的相關部分中予以說明。

A2.2.4 資格和培訓

模塊4A： 一般資格

被認可組織進行和負責法定工作的人員須至少滿足第2部分第4.2.5節的要求。

模塊4B： 無線電檢驗資格

被認可組織按所制定的成文方案認可和監督的專業無線電裝置檢查服務公司可進行檢驗。該方案要包括該公司及其無線電技術人員須滿足的具體要求的定義，特別是至少涵蓋下列各項內部輔導培訓的要求：

- .1 無線電話；
- .2 無線電報；
- .3 全球海上遇險與安全系統；和
- .4 初次和換證檢驗。

進行檢驗的無線電技術人員最低限度須圓滿完成相關技術學校至少一年的培訓、其僱主的內部輔導培訓計劃和具有至少一年的無線電助理技術員經歷。對被認可組織的專職無線電驗船師，適用如上同等要求。

A2.3 各種證書的相關規定

A2.3.1 客船安全證書

初次發證，換證檢驗

A2.3.1.1 適用模塊 1A、 2A、 2B、 2C、 2D、 2F、 2G、 2J、 3A、 4A 和 4B。

A2.3.1.2 對此發證，該體系須酌情分別涵蓋技術鑑定和支持人員（TS）以及現場驗船師（FS）下列問題的輔導實習培訓：

- .1 TS：經修正的《1974年安全公約》。
- .2 FS：經修正的《1974年安全公約》：
 - .1 初次檢驗、報告和簽發證書，和
 - .2 換證檢驗、報告和簽發證書。

A2.3.2 貨船構造安全證書

初次發證，年度/中間、換證檢驗

A2.3.2.1 適用模塊1A、2A、2B、2C、2F、3A和4A。

A2.3.2.2 對此發證，該體系須酌情分別涵蓋技術鑑定和支持人員（TS）以及現場驗船師（FS）下列問題的輔導實習培訓：

- .1 TS：《1974年安全公約》第II-1、II-2和XII章及其修正案和適當入級規範。
- .2 FS：相關技術檢驗（船級檢驗或類似檢驗），新造船舶：
 - .1 船體結構和設備；和
 - .2 機器及系統的安裝和測試。
- .3 FS：相關技術檢驗（船級檢驗或類似檢驗），營運船舶：
 - .1 年度/中間檢驗；
 - .2 換證檢驗；和
 - .3 船底檢驗。
- .4 FS：經修正的《1974年安全公約》第II-1、II-2和 XII章：
 - .1 初次檢驗、報告和簽發證書；
 - .2 年度/中間檢驗和報告；和
 - .3 換證檢驗、報告和簽發證書。

A2.3.3 貨船設備安全證書**初次發證，年度、定期、換證檢驗**

A2.3.3.1 適用模塊1A、2G、3A和4A。

A2.3.3.2 對此發證，該體系須酌情分別涵蓋技術鑑定和支持人員（TS）以及現場驗船師（FS）下列問題的輔導實習培訓：

- .1 TS：經修正的《1974年安全公約》第II-1、II-2、III和V章，以及經修正的《1972年避碰規則公約》的適用部分。
- .2 FS：經修正的《1974年安全公約》第II-1、II-2、III和V

章，以及經修正的《1972年避碰規則公約》的適用部分：

- .1 初次檢驗、報告和簽發證書；
- .2 年度/定期檢驗和報告；和
- .3 換證檢驗、報告和簽發證書。

A2.3.4 貨船無線電安全證書

初次發證，定期、換證檢驗

A2.3.4.1 適用模塊1A、2J、3A和4B。

A2.3.4.2 對此發證，該體系須分別涵蓋技術鑑定和支持人員（TS）以及現場驗船師（FS）下列問題的輔導實習培訓：

- .1 TS：經修正的《1974年安全公約》第IV章。
- .2 FS：參照模塊4B。

A2.3.5 國際安全管理規則認證

初次發證，年度/中間驗證，換證發證

A2.3.5.1 除2E（噸位）外的所有模塊，適用於被認可組織有能力識別並評估公司安全管理體系及船舶須符合的強制性規範和規則。

A2.3.5.2 對此發證，該體系須符合《主管機關實施國際安全管理規則的導則》中所含對《國際安全管理規則》審核員的資格和培訓要求。

A2.3.6 國際載重線證書

初次發證，定期、換證檢驗

A2.3.6.1 適用模塊1A、2A、2C、2D、3A和4A。

A2.3.6.2 對此發證，該體系須酌情分別涵蓋技術鑑定和支持人員（TS）以及現場驗船師（FS）下列問題的輔導實習培訓：

- .1 TS：按《1966年國際載重線公約》的核定條件計算幹舷和審圖。
- .2 FS：相關技術檢驗（入級檢驗或類似檢驗），新造船隻：

- .1 船體結構檢驗；
 - .2 船體貫穿件和關閉裝置；和
 - .3 穩性/傾斜試驗。
- .3 FS：相關技術檢驗（入級檢驗或類似檢驗），營運船舶：
- .1 年度檢驗；
 - .2 換證檢驗；和
 - .3 船底檢驗。
- .4 FS：測量載重線/初次檢驗報告。
- .5 FS：核定條件/初次檢驗報告。
- .6 FS：載重線標誌驗證/初次檢驗報告。
- .7 FS：載重線年度檢驗。
- .8 FS：載重線換證檢驗、報告和簽發證書。

A2.3.7 國際防止油類污染證書

初次發證，年度、中間、換證檢驗

A2.3.7.1 適用模塊1A、2A、2B、2C、2H、3A和4A。

A2.3.7.2 對此發證，該體系須酌情分別涵蓋技術鑑定和支持人員（TS）以及現場驗船師（FS）下列問題的輔導實習培訓：

- .1 TS：按《防污公約》附則I審批圖紙和手冊。
- .2 FS：經修正的《防污公約》附則I：
 - .1 初次檢驗、報告和簽發證書；
 - .2 年度/中間檢驗和報告；和
 - .3 換證檢驗、報告和簽發證書。

A2.3.8 國際防止散裝運輸有毒液體物質污染證書

初次發證，年度、中間、換證檢驗

A2.3.8.1 適用模塊1A、2A、2B、2C、2I、3A和4A。

A2.3.8.2 對此發證，該體系須酌情分別涵蓋技術鑑定和支持人員（TS）以及現場驗船師（FS）下列問題的輔導實習培訓：

- .1 TS：《防污公約》附則II及適當規則審批圖紙和手冊。
- .2 FS：《防污公約》附則II及適當規則：
 - .1 初次檢驗、報告和簽發證書；
 - .2 年度/中間檢驗和報告；和
 - .3 換證檢驗、報告和簽發證書。

A2.3.9 國際散裝運輸危險化學品適裝證書

初次發證，年度、中間、換證檢驗

A2.3.9.1 適用模塊1A、2A、2B、2C、2K、3A和4A。

A2.3.9.2 對此發證，該體系須酌情分別涵蓋技術鑑定和支持人員（TS）以及現場驗船師（FS）下列問題的輔導實習培訓：

- .1 TS：按《國際散裝運輸危險化學品船舶構造和設備規則》（《國際散化規則》）審批圖紙和手冊。
- .2 FS：《國際散化規則》：
 - .1 初次檢驗、報告和簽發證書；
 - .2 年度/中間檢驗和報告；和
 - .3 換證檢驗、報告和簽發證書。

A2.3.10 國際散裝運輸液化氣體適裝證書

初次發證，年度、中間、換證檢驗

A2.3.10.1 適用模塊1A、2A、2B、2C、2L、3A和4A。

A2.3.10.2 對此發證，該體系須酌情分別涵蓋技術鑑定和支持人員（TS）以及現場驗船師（FS）下列問題的輔導實習培訓：

- .1 TS：按《國際散裝運輸液化氣體船舶構造和設備規則》（《國際氣體船規則》）審批圖紙和手冊。

.2 FS：《國際氣體船規則》：

- .1 初次檢驗、報告和簽發證書；
- .2 年度/中間檢驗和報告；和
- .3 換證檢驗、報告和簽發證書。

A2.3.11 國際噸位證書（1969）

初次發證

A2.3.11.1 適用模塊1A、2E和4A。

A2.3.11.2 對此發證，該體系須酌情分別涵蓋技術鑑定和支持人員（TS）以及現場驗船師（FS）下列問題的輔導實習培訓：

- .1 TS：按下列文件丈量和計算噸位：
 - .1 《1969年噸位丈量公約》；和
 - .2 國際海事組織相關決議。
- .2 FS：標誌檢驗和報告。

附錄 3

協議中要包括的要素

船旗國和被認可組織之間的正式書面協議或等效協議應至少涵蓋下列各項：

- 1 適用範圍：
- 2 目的：
- 3 一般條件：
- 4 根據授權行使職能：
 - .1 按一般授權承擔的職責
 - .2 按特別（追加）授權承擔的職責
 - .3 被認可組織的法定活動和其他相關活動的關係
 - .4 與港口國合作，以便利糾正所報告的被認可組織權限內的港口國監督缺陷或差異的職責。
- 5 經授權職能的法律依據：
 - .1 法令、法規和補充規定
 - .2 解釋
 - .3 差異和等效解決方案。
- 6 向船旗國報告：
 - .1 一般授權情況下的報告程序
 - .2 特別授權情況下的報告程序
 - .3 關於船舶入級的報告（船級的授予、變更和撤消），如適用
 - .4 船舶並非在所有方面保持適航，如繼續航行會危及船舶或船上人員或對環境造成過度危害威脅的情況報告
 - .5 其他報告。

- 7 制定規範和/或規則-信息：
 - .1 制訂規定和/或規則方面的合作-聯絡會議
 - .2 規定和/或規則及信息的交流
 - .3 語言和格式。
- 8 其他條件：
 - .1 報酬
 - .2 行政訴訟的規定
 - .3 保密
 - .4 賠償責任¹
 - .5 財務責任
 - .6 生效
 - .7 終止
 - .8 違反協議
 - .9 爭議解決
 - .10 使用分包商
 - .11 發佈協議
 - .12 修正。
- 9 船旗國對被認可組織授權的規範：
 - .1 船型和船舶尺度
 - .2 公約和其他文書，包括相關國家立法
 - .3 審圖
 - .4 材料和設備的認可
 - .5 檢驗

¹ 船旗國法律可能要求被認可組織及其參與或負責落實法定發證和服務的僱員，就最終和肯定由船旗國對法庭中證明係由其被認可組織的任何疏忽行為或不作為所造成的損失或損害而承擔的責任，具備專業賠償或專業責任保險。對此，船旗國還可能考慮對該保險或其他補償安排包含的責任和賠償水平做出限制。

- .6 簽發證書
 - .7 糾正措施
 - .8 撤銷證書
 - .9 報告。
- 10 船旗國對授權給被認可組織的職責的監管：
- .1 質量保證體系文件記錄
 - .2 查閱內部須知、通函和導則
 - .3 船旗國查閱被認可組織有關該船旗國船隊的文件記錄
 - .4 配合船旗國的檢查和驗證工作
 - .5 提供關於船旗國船隊的諸如損壞和事故的信息和統計數據。

RESOLUTION MEPC.237(65)
(Adopted on 17 May 2013)

CODE FOR RECOGNIZED ORGANIZATIONS (RO CODE)

THE MARINE ENVIRONMENT PROTECTION COMMITTEE,

RECALLING Article 38(a) of the Convention on the International Maritime Organization concerning the functions of the Marine Environment Protection Committee (the Committee) conferred upon it by international conventions for the prevention and control of marine pollution,

RECALLING ALSO resolution A.739(18) entitled *Guidelines for the authorization of organizations acting on behalf of the Administration* and resolution A.789(19) entitled *Specifications on the survey and certification functions of recognized organizations acting on behalf of the Administration*, which have become mandatory under both chapter 2 of annex I and chapter 3 of annex II to the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating hereto (MARPOL), and under the 1974 SOLAS Convention and the 1988 Load Lines Protocol,

RECOGNIZING the need to update the aforementioned resolutions, gather all the applicable requirements for recognized organizations in a single IMO mandatory and assist in achieving harmonized and consistent global implementation of requirements established by IMO instruments for the assessment and authorization of recognized organizations,

RECOGNIZING ALSO the need for a code to provide, as far as national laws allow, a standard approach to assist the Administrations in meeting their responsibilities in recognizing, authorizing and monitoring their recognized organizations,

NOTING resolution MEPC.238(65), by which it adopted, inter alia, amendments to Annexes I and II of the Protocol of 1978 relating to the International Convention for the Prevention of Pollution from Ships, 1973 (hereafter referred to as the 1978 Protocol) to make the provisions of part 1 and part 2 of the Code for recognized organizations (RO Code) mandatory under MARPOL,

HAVING CONSIDERED, at its sixty-fifth session, the text of the proposed Code for recognized organizations,

CONSIDERING that it is highly desirable for the Code for recognized organizations to be made mandatory under the 1974 SOLAS Convention, the 1988 Load Lines Protocol and MARPOL to remain identical,

1. ADOPTS the Code for recognized organizations, the text of which is set out in the annex to the present resolution;
2. INVITES all Parties to the 1978 Protocol to note that the RO Code will take effect on 1 January 2015 upon the entry into force of the respective amendments to Annex I and Annex II of MARPOL;
3. REQUESTS the Secretary-General to transmit certified copies of the present resolution and the text of the RO Code contained in the annex to all Parties to the 1978 Protocol;
4. FURTHER REQUESTS the Secretary-General to transmit copies of this resolution and the annex to all Members of the Organization which are not Parties to the 1978 Protocol;
5. RECOMMENDS Governments concerned to use the recommendatory provisions contained in part 3 of the RO Code as a basis for relevant standards, unless their national requirements provide at least an equivalent degree.

**RESOLUTION MSC.349(92)
(Adopted on 21 June 2013)**

CODE FOR RECOGNIZED ORGANIZATIONS (RO CODE)

THE MARITIME SAFETY COMMITTEE,

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

RECALLING ALSO resolution A.739(18) entitled *Guidelines for the authorization of organizations acting on behalf of the Administration*, as amended by resolution MSC.208(81), and resolution A.789(19) entitled *Specifications on the survey and certification functions of recognized organizations acting on behalf of the Administration*, which have become mandatory under chapter XI-1 of the International Convention for the Safety of Life at Sea (SOLAS), 1974 (hereinafter referred to as "the 1974 SOLAS Convention"), under chapter I of annex I to annex B of the Protocol of 1988 relating to the International Convention on Load Lines, 1966 (hereinafter referred to as "the 1988 Load Lines Protocol"), and under Annex I and Annex II of the MARPOL Convention,

RECOGNIZING the need to update the aforementioned resolutions, gather all the applicable requirements for recognized organizations in a single IMO mandatory instrument and assist in achieving harmonized and consistent global implementation of requirements established by IMO instruments for the assessment and authorization of recognized organizations,

RECOGNIZING ALSO the need for a code to provide, as far as national laws allow, a standard approach to assist the Administrations in meeting their responsibilities in recognizing, authorizing and monitoring their recognized organizations,

NOTING resolutions MSC.350(92) and MSC.356(92), by which it adopted, inter alia, amendments to the 1974 SOLAS Convention and to the 1988 Load Lines Protocol, respectively, to make the provisions of part 1 and part 2 of the Code for recognized organizations (RO Code) mandatory under the 1974 SOLAS Convention and the 1988 Load Lines Protocol,

NOTING ALSO resolution MEPC.237(65) by which the Marine Environment Protection Committee adopted the RO Code,

NOTING FURTHER resolution MEPC.238(65) by which the Marine Environment Protection Committee adopted amendments to Annex I and Annex II of the MARPOL Convention to make the provisions of part 1 and part 2 of the RO Code mandatory under Annex I and Annex II of the MARPOL Convention,

HAVING CONSIDERED, at its ninety-second session, the text of the proposed RO Code,

CONSIDERING that it is highly desirable for the RO Code made mandatory under the MARPOL Convention, the 1974 SOLAS Convention and the 1988 Load Lines Protocol to remain identical,

1. ADOPTS the RO Code, the text of which is set out in the annex to the present resolution;

2. INVITES Contracting Governments to the 1974 SOLAS Convention and Parties to the 1988 Load Lines Protocol to note that the RO Code will take effect on 1 January 2015 upon the entry into force of the respective amendments to the 1974 SOLAS Convention and 1988 Load Lines Protocol;
3. REQUESTS the Secretary-General to transmit certified copies of the present resolution and the text of the RO Code contained in the annex to all Contracting Governments to the 1974 SOLAS Convention and Parties to the 1988 Load Lines Protocol;
4. ALSO REQUESTS the Secretary-General to transmit copies of this resolution and the annex to all Members of the Organization which are not Contracting Governments to the 1974 SOLAS Convention or Parties to the 1988 Load Lines Protocol;
5. RECOMMENDS Governments concerned to use the recommendatory provisions contained in part 3 of the RO Code as a basis for relevant standards, unless their national requirements provide at least an equivalent degree of safety.

ANNEX
CODE FOR RECOGNIZED ORGANIZATIONS (RO CODE)

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PREAMBLE

The *Code for Recognized Organizations (RO Code)* was adopted by the Organization by resolutions MSC.349(92) and MEPC.237(65).

This Code:

- .1 provides flag States with a standard that will assist in achieving harmonized and consistent global implementation of requirements established by the instrument of the International Maritime Organization (IMO) for the assessment and authorization of recognized organizations (ROs);
- .2 provides flag States with harmonized, transparent and independent mechanisms, which can assist in the consistent oversight of ROs in an efficient and effective manner; and
- .3 clarifies the responsibilities of organizations authorized as ROs for a flag State and overall scope of authorization.

PART 1

GENERAL

1 PURPOSE

The Code serves as the international standard and consolidated instrument containing minimum criteria against which organizations are assessed towards recognition and authorization and the guidelines for the oversight by flag States.

2 SCOPE

2.1 The Code applies to:

- .1 all organizations being considered for recognition or that are recognized by a flag State to perform, on its behalf, statutory certification and services under mandatory IMO instruments and national legislation; and
- .2 all flag States that intend to recognize an organization to perform, on their behalf, statutory certification and services under mandatory IMO instruments.

2.2 The Code establishes:

- .1 the mandatory requirements that an organization shall fulfil to be recognized by a flag State (part 1);
- .2 the mandatory requirements that an RO shall fulfil when performing statutory certification and services on behalf of its authorizing flag States (part 2);
- .3 the mandatory requirements that flag States shall adhere to when authorizing an RO (part 2); and
- .4 guidelines for flag State oversight of ROs (part 3).

2.3 The Code defines the functional, organizational and control requirements that apply to ROs conducting statutory certification and services performed under mandatory IMO instruments, such as, but not limited to, SOLAS, MARPOL and the Load Lines Conventions.

2.4 All requirements of the Code are generic and applicable to all ROs, regardless of their type and size and the statutory certification and services provided.

2.5 ROs subject to this Code need not offer all types of statutory certification and services and may have a limited scope of recognition, provided that the requirements of this Code are applied in a manner that is compatible with the limited scope of recognition. Where any requirement of this Code cannot be applied due to the scope of services delivered by an RO, this shall be clearly identified by the flag State and recorded in the RO's quality management system.

3 CONTENTS

The Code consists of three parts. Part 1 contains general provisions. Part 2 contains mandatory provisions for the flag State and RO as already contained in relevant IMO instruments and applicable international standards. Part 3 contains guidelines for the oversight of ROs by flag States.

4 DELEGATION OF AUTHORITY

4.1 A flag State may delegate authority to an organization recognized as complying with the provisions of this Code to perform, on its behalf, statutory certification and services under mandatory IMO instruments and its national legislation.

4.2 The flag State shall not authorize functions beyond RO's capabilities. In this respect, the flag State shall take into consideration appendix 2 of this Code for authorization.

4.3 Flag States should cooperate with each other with the objective of ensuring that ROs to whom they delegate authority adhere to the provisions of this Code.

5 COMMUNICATION OF INFORMATION

The flag State shall communicate to, and deposit with, the Secretary-General of IMO a list of ROs for circulation to the interested parties for information of their officers, and a notification of the specific responsibilities and conditions of the authority delegated to ROs.

6 REFERENCES

The Code is based on the following referenced documents:

- .1 mandatory IMO instruments and IMO Guidelines and recommendations (i.e. Codes, guidelines and standards recommended by the Organization);
- .2 ISO 9000:2005, Quality Management Systems – Fundamentals and vocabulary;
- .3 ISO 9001:2008, Quality Management Systems – Requirements;
- .4 ISO/IEC 17020:1998, General criteria for the operation of various types of bodies performing inspection;
- .5 ISO 19011:2002, Guidelines for quality and/or environmental management systems auditing;

- .6 International Association of Classification Societies (IACS) Quality Management System Requirements (QMSR); and
- .7 national legislation.

PART 2

RECOGNITION AND AUTHORIZATION REQUIREMENTS FOR ORGANIZATIONS

1 TERMS AND DEFINITIONS

1.1 *Recognized organization (RO)* means an organization that has been assessed by a flag State, and found to comply with this part of the RO Code.

1.2 *Authorization* means the delegation of authority to an RO to perform statutory certification and services on behalf of a flag State as detailed in an agreement or equivalent legal arrangement taking into account the "Elements to be included in an Agreement" as set out in appendix 3 of this Code.

1.3 *Statutory certification and services* means certificates issued, and services provided, on the authority of laws, rules and regulations set down by the Government of a sovereign State. This includes plan review, survey, and/or audit leading to the issuance of, or in support of the issuance of, a certificate by or on behalf of a flag State as evidence of compliance with requirements contained in an international convention or national legislation. This includes certificates issued by an organization recognized by the flag State in accordance with the provisions of SOLAS regulation XI-1/1, and which may incorporate demonstrated compliance with the structural, mechanical and electrical requirements of the RO under the terms of its agreement of recognition with the flag State.

1.4 *Assessment* means any activity to determine that the assessed entity fulfils the requirements of the relevant rules and regulations.

1.5 *Interested parties* means any person or legal entity who can demonstrate a justified interest in the survey and certification process and includes, inter alia, clients of the RO, shipowners, ship operators, shipbuilders, equipment manufacturers, shipping industry interests or associations, marine insurance interests or associations, trade associations, governmental regulatory bodies or other governmental services and non-governmental organizations.

1.6 *Location* is a place from which surveys are carried out and managed, or where plan approval is carried out, or from which processes are managed.

1.7 *Site* is the place at which a surveyor is based to cover a specific contract or a series of contracts including; but not limited to, a port, shipyard, firm, and company. All statutory certification and services at sites are to be controlled by a location.

1.8 A *Vertical Contract Audit (VCA)* is a contract/order specific audit of production processes, including witnessing work during attendance at a survey, audit or plan approval in progress and, as applicable, including relevant sub-processes. A VCA is carried out at a location or a site (Survey Station/Approval Office/Site) to verify the correct application of relevant requirements in service realization for the specific work in that contract/order, and their interactions (relevant sub-processes include e.g. previous part surveys or UTM processes connected to the survey). Plan approval VCA may be carried out for completed tasks.

2 GENERAL REQUIREMENTS FOR RECOGNIZED ORGANIZATIONS

2.1 General

Delegation of authority by a flag State to an organization shall be subject to the confirmation of the capability of that organization to demonstrate that it has the capacity to deliver high standards of service and its compliance with the requirements of this Code and applicable national legislation.

2.2 Rules and regulations

The RO shall establish, publish and systematically maintain its rules or regulations, a version of which shall be provided in the English language, for the design, construction and certification of ships and their associated essential engineering systems as well as provide for adequate research capability to ensure appropriate updating of the published criteria.

2.3 Independence

The RO and its staff shall not engage in any activities that may conflict with their independence of judgement and integrity in relation to their statutory certification and services. The RO and its staff responsible for carrying out the statutory certification and services shall not be the designer, manufacturer, supplier, installer, purchaser, owner, user or maintainer of the item subject to the statutory certification and services, nor the authorized representative of any of these parties. The RO shall not be substantially dependent on a single commercial enterprise for its revenue.

2.4 Impartiality

2.4.1 The personnel of ROs shall be free from any pressures, which might affect their judgement in performing statutory certification and services. Procedures shall be implemented to prevent persons or organizations external to the organization from influencing the results of services carried out.

2.4.2 All potential customers shall have access to statutory certification and services provided by the RO without undue financial or other conditions. The procedures under which the RO operates shall be administered in a non-discriminatory manner.

2.5 Integrity

The RO shall be governed by the principles of ethical behaviour, which shall be contained in a Code of Ethics. The Code of Ethics shall recognize the inherent responsibility associated with a delegation of authority to include assurance of adequate performance of services.

2.6 Competence

The RO shall perform statutory certification and services by the use of competent surveyors and auditors who are duly qualified, trained and authorized to execute all duties and activities incumbent upon their employer, within their level of work responsibility.

2.7 Responsibility

The RO shall define and document the responsibilities, authorities, qualifications and interrelation of personnel whose work affects the quality of its services.

2.8 Transparency

2.8.1 Transparency reflects the principle of access to, or disclosure of, all information related to the statutory certification and services carried out by the RO on behalf of a flag State.

2.8.2 The ROs shall communicate information to the flag State as described in the section on communication/cooperation with the flag State.

2.8.3 Information concerning the status of ships certified by ROs shall be made available to the public.

3 MANAGEMENT AND ORGANIZATION

3.1 General

The RO shall, based on the provisions of this Code, develop and implement a quality management system and shall continually improve its effectiveness.

3.2 Quality, safety and pollution prevention policy

The RO shall define and document its policy and objectives for, and commitment to, quality, safety and pollution prevention. In particular, the RO's management shall:

- .1 ensure that the policy and objectives are established;
- .2 ensure the policy and objectives are appropriate for the purpose of the organization;
- .3 communicate the policy and objectives; including provisions applicable to the statutory certification and services, to the organization and ensure that it is understood within the organization;
- .4 ensure sufficient availability of resources;
- .5 include a commitment to comply with all applicable requirements and continually improve the effectiveness of the quality management system;
- .6 conduct management reviews; which includes a framework for reviewing quality objectives; and
- .7 review the quality policy, objectives and the quality management system for continuing suitability.

3.3 Documentation requirements

3.3.1 The quality management system shall include the following documentation:

- .1 quality policy and quality objectives;
- .2 quality manual (refer to section 3.4);
- .3 procedures and records required by this Code and the national legislation of the recognizing flag State;
- .4 procedures to ensure the effective planning, operation, and control of the RO's processes;
- .5 rules and regulations as applicable to the RO's areas of authorization;

- .6 list of ships for which statutory certification and services are provided;
 - .7 other documented process procedures that are considered necessary (these include any circulars or letters, which provide the surveyors and administrative staff with up-to-date information on classification, statutory and related matters);
 - .8 specifications and diagrams defining or amplifying service processes; and
 - .9 pro-forma reports, checklists and certificates appropriate to the activities covered by this certification.
- 3.3.2 The quality management system shall also include external documents, such as:
- .1 national and international standards necessary for the activities governed by this instrument;
 - .2 IMO Conventions and resolutions;
 - .3 national shipping regulations and standards appropriate to the authorization of the RO;
 - .4 documents and data submitted to the RO for verification and/or approval; and
 - .5 specified correspondence defined by the RO to be of an important nature.

3.4 Quality manual

The RO shall establish and maintain a quality manual that includes:

- .1 scope of the quality management system, including details of, and justification for any exclusions;
- .2 management statement on its policy and objectives for, and commitment to, quality;
- .3 description of the RO's areas of activity and competence;
- .4 general information about the organization and its head office (name, address, phone number, etc., and legal status);
- .5 information on the RO's relationship to its parent or associated organizations (where applicable);
- .6 charts describing the organization's structure;
- .7 management statement assigning a person designated who is responsible for the organization's quality management system;
- .8 relevant job descriptions;
- .9 policy statement on qualification and training of personnel;
- .10 documented procedures established for the quality management system, or reference to them;

- .11 description of the interaction between processes of the quality management system; and
- .12 description of all other documents required by the quality management system.

3.5 Control of documents

3.5.1 Documents required by the quality management system shall be controlled. The provision of document control shall apply to any type of document, including but not limited to; electronic media and IT applications where said electronic media may affect the reliability of the service or of the recorded data.

3.5.2 A documented procedure shall be established to define the controls needed to:

- .1 approve documents for adequacy prior to issue;
- .2 review and update as necessary and re-approve documents;
- .3 ensure that changes and the current revision status of documents are identified;
- .4 ensure that relevant versions of applicable documents are available at points of use;
- .5 ensure that documents remain legible and readily identifiable;
- .6 ensure that documents of external origin determined by the RO to be necessary for the planning and operation of the quality management system are identified and their distribution is controlled; and
- .7 prevent the unintended use of obsolete documents, and to apply suitable identification if they are retained for any purpose.

3.6 Control of records

3.6.1 Records shall be established to provide evidence of conformity to requirements of this Code and of the effective operation of the quality management system. The records shall be controlled.

3.6.2 The RO shall establish a documented procedure to define the controls needed for the identification, storage, protection, retrieval, retention, and disposition of records. Records shall remain legible, readily identifiable and retrievable.

3.6.3 The RO shall ensure that records are maintained, demonstrating achievement of the required standards in the terms covered by the statutory certification and services performed as well as the effective operation of the quality management system. Records, other than those set out in 3.6.4.2, shall be retained at least for the period for which statutory certification and services are provided by the RO. Records specified in 3.6.4.2 for a ship shall be retained for a minimum period of three years beyond the period for which statutory certification and services are provided by the RO to that ship, or a longer period if specified in the agreement between the flag State and the RO.

3.6.4 Records shall include at least those relevant to:

- .1 rules and regulations development and associated research;
- .2 the application of the rules and regulations and statutory requirements through:
 - .1 verification and/or approval of documents and/or drawings relevant to the design;
 - .2 approval and survey of materials and equipment;
 - .3 survey during construction and installation;
 - .4 survey during service; and
 - .5 issuance of certificates;
- .3 the list of ships; and
- .4 all other records required by this quality management system and any additional requirements established by the recognizing flag State.

3.7 Planning

3.7.1 The RO shall ensure that quality objectives, including those needed to meet the requirements for statutory certification and services are established at relevant functions and levels within the organization.

3.7.2 The quality objectives shall be measurable and consistent with the quality policy.

3.7.3 The RO shall in its planning consider the elements identified below, and use the result to evaluate the effectiveness of its standards and procedures and their impact on safety of life and property and the marine environment:

- .1 that the planning of the quality management system is carried out in order to meet the requirements of the mandatory IMO Instruments, including but not limited to this Code, its quality management system and the authorizing flag State's national legislation;
- .2 that the integrity of the quality management system is maintained when changes to the quality management system are planned and implemented;
- .3 that the needs and expectations of the customers and other interested parties are taken into account, e.g. feedback from IMO, flag States and industry associations;
- .4 the effectiveness of services based on statistics from port State control, casualties, loss trends and feedback obtained from internal and external users;
- .5 the performance of the quality management system processes based on feedback from internal audits, non-conformities and internal comments;

- .6 lessons learned from previous experience and deriving from an examination of survey reports, casualty investigations or external sources; and
- .7 other sources of information which identifies opportunities for improvement.

3.7.4 The RO shall identify and plan the processes required for the quality management system, and determine the sequence and interaction of these processes.

3.7.5 The RO shall determine the requirements to be complied with and the criteria to ensure both the operation and control of these processes, including the criteria for acceptance, and evaluate the resources needed.

3.7.6 The RO shall plan and develop the processes required for statutory certification and services. Planning of the delivery of statutory certification and services shall be consistent with the requirements of other processes of the quality management system.

3.7.7 In planning the delivery of statutory certification and services, the RO shall determine the following as appropriate:

- .1 quality objectives and requirements for statutory certification and services;
- .2 the need to establish processes and documents, and to provide resources specific to the activity;
- .3 required verification, validation, monitoring, measurement, inspection and test activities and the criteria for acceptance; and
- .4 records needed to provide evidence that statutory certification and services meet the quality management system requirements; the requirements set out in the Code and the national legislation of the recognizing flag State.

3.7.8 The output of this planning shall be in a form suitable for the RO's structure and method of operations. The output of the planning should consider:

- .1 responsibility and authority for developing improvement plans;
- .2 skills and knowledge needed;
- .3 improvement approaches, methodology and tools;
- .4 resource requirements;
- .5 alternative planning needs;
- .6 indicators for performance achievements; and
- .7 the need for documentation and records.

3.8 Organization

3.8.1 The relative size, structure, experience, and capability of the RO shall be commensurate with the type and degree of the statutory certification and services authorized by the flag State.

3.8.2 The RO shall demonstrate that it has the technical, administrative, and managerial competence and capacity to ensure the provision of quality services in a timely manner.

3.8.3 The RO shall appoint a member of its management who, irrespective of other responsibilities, shall have responsibility and authority that includes:

- .1 ensuring that processes needed for the quality management system are established, implemented, and maintained;
- .2 ensuring that processes required for the effective delivery of statutory certification and services are established, implemented and maintained;
- .3 reporting to top management on the performance of the quality management system; the delivery of statutory certification and services and any need for improvement; and
- .4 ensuring the promotion of awareness of all requirements throughout the RO.

3.8.4 The RO shall ensure that the responsibilities and authorities are defined and communicated within the RO.

3.9 Communication

3.9.1 Internal communication

The RO shall ensure that appropriate communication processes are established within the RO and that communication takes place regarding the effectiveness of the quality management system and statutory certification and services provided.

3.9.2 Communication/cooperation with flag State

3.9.2.1 The RO shall establish appropriate communication processes with the authorizing flag State that, inter alia, address the following:

- .1 information specified by the flag State in terms of authorization;
- .2 classification of ships (assignments of class, changes and withdrawals), as applicable;
- .3 cases where a ship did not in all respects remain fit to proceed to sea without danger to the ship or persons on board or presenting unreasonable threat of harm to the marine environment;
- .4 information on all overdue surveys, overdue recommendations or overdue conditions of class, operating conditions or operating restrictions issued against their classed ships that shall be made available upon request by the authorizing flag State; and
- .5 other information as so specified by the authorizing flag State.

3.9.2.2 The RO shall allow participation in the development of its rules and/or regulations by the flag State.

3.9.2.3 The RO shall determine, propose and, if agreed by the flag State, implement effective arrangements for communicating with a flag State in relation to:

- .1 enquiries, contracts or other handling, including amendments; and
- .2 flag State feedback, including conformity issues pertaining to statutory certification and services.

3.9.3 Cooperation between ROs

3.9.3.1 Under the framework established by the flag State, the ROs shall cooperate and share relevant experience with other ROs with the view to standardizing processes concerning statutory certification and services for the flag State, as appropriate.

3.9.3.2 Under the framework established by a flag State or a group of flag States, the organizations recognized by this State or these States shall establish and maintain appropriate technical and safety-related cooperation processes regarding statutory certification and services of ships, which may affect the validity of certificates issued by other ROs either in whole or in part on behalf of the said flag State(s). Flag States shall seek to mutually cooperate in order to ensure, as far as practicable, the compatibility of their respective frameworks.

3.9.3.3 No flag State shall mandate its ROs to apply to ships, other than those entitled to fly its flag, any requirement pertaining to their classification rules, requirements, procedures or performance of other statutory certification processes, beyond convention requirements and the mandatory instruments of IMO.

3.9.3.4 In cases of transfer of the certification of the ship from one RO to another, the losing organization shall, without undue delay, provide the gaining organization access to the history file of the ship including:

- .1 any overdue surveys;
- .2 any overdue recommendations and overdue conditions of class;
- .3 operating conditions issued against the ship;
- .4 operating restrictions issued against the ship; and
- .5 technical information, drawings, plans and documents taking into account the relevant guidelines developed by the Organization.

3.9.3.5 New certificates for the ship can be issued by the gaining organization only after all overdue surveys have been satisfactorily completed and all overdue recommendations or overdue conditions of class previously issued in respect of the ship have been completed as specified by the losing organization.

3.9.3.6 Within one month from the issuance of the certificates, the gaining organization shall advise the losing organization of the date of issue of the certificates and confirm the date, place and action taken to satisfy each overdue survey, overdue recommendation and overdue condition of class.

3.9.3.7 ROs shall establish and implement appropriate common requirements concerning cases of transfer of the certification of a ship where special precautions are necessary. Those cases shall, as a minimum, include the certification of ships of 15 years of age or over and the transfer of a ship from an organization not recognized by the flag State of the ship.

3.10 Management review

3.10.1 General

The management of an RO shall review its quality management system; including a review of the RO's performance of statutory certification and services, at planned intervals, which shall not exceed 13 months, to ensure its continuing suitability, adequacy, and effectiveness. This review shall include assessing opportunities for improvement and the need for changes to the quality management system, including the quality policy and quality objectives.

3.10.2 Review input

The input to management review shall include the following information:

- .1 results of audits;
- .2 feedback from interested parties;
- .3 process performance and consistency of compliance with statutory requirements;
- .4 status of preventive and corrective actions;
- .5 follow-up actions from previous management reviews;
- .6 changes that could affect the quality management system; and
- .7 recommendations for improvement.

Any output of management reviews containing information relevant to quality objectives, customer complaints and activity monitoring, throughout the RO, shall be used as input to the top management review.

3.10.3 Review output

3.10.3.1 The output from management review shall include any decisions and actions related to:

- .1 improvement of the effectiveness of the quality management system and its processes;
- .2 improvement of services related to the requirements established in the authorization agreement; and
- .3 resource requirements.

3.10.3.2 Top management shall ensure that the results of the top management review of the quality management system, including the derived quality objectives, are documented and communicated throughout the organization, as appropriate.

3.10.3.3 Records from management reviews shall be maintained.

4 RESOURCES

4.1 General

4.1.1 The RO shall determine and provide the adequate resources in terms of technical, managerial and survey capabilities to accomplish the tasks being assigned and resources needed to implement the quality management system and to continually improve its effectiveness; and to enhance its performance in the delivery of statutory certification and services.

4.1.2 The RO shall be able to document extensive experience in assessing the design, construction and equipment of ships and the capability to effectively perform statutory certification and services on behalf of a flag State.

4.1.3 The RO shall have the capacity to:

- .1 provide for the publication and systematic maintenance of rules and/or regulations for the design, construction and certification of ships and their associated essential engineering systems as well as the provision of an adequate research capability to ensure appropriate updating of the published criteria. The RO is required to maintain an up-to-date version of this publication in the English language; and
- .2 allow participation in the development of its rules and/or regulations by representatives of the flag State and other interested parties.

4.2 Personnel

4.2.1 The RO shall be equipped, at all times, with significant managerial, technical, support and research staff commensurate with the size of the fleet in its class, its composition and the organization's involvement in the construction, repair and conversion of ships. The RO shall be capable of assigning to every place of work, when and as needed, the means and staff commensurate with the tasks to be carried out in accordance with the requirements of this Code and those of the flag State.

4.2.2 The management of an RO shall have the competence, capability and capacity to organize, manage and control the performance of statutory certification and services in order to verify compliance with requirements relevant to the tasks delegated and shall, inter alia:

- .1 possess an adequate number of competent supervisory, technical appraisal and survey personnel;
- .2 develop and maintain appropriate procedures and instructions;
- .3 maintain up-to-date documentation on interpretation of the relevant instruments;
- .4 give technical and administrative support to field staff; and
- .5 review survey reports and plan approval letters for accuracy, compliance with requirements and to provide experience feedback for continual improvement.

4.2.3 The RO shall be established with a qualified staff to provide the required service representing an adequate geographical coverage and local representation as required.

4.2.4 The RO shall perform statutory certification and services by the use of only exclusive surveyors and auditors, being persons solely employed by the RO, duly qualified, trained and authorized to execute all duties and activities incumbent upon their employer, within their level of work responsibility. While still remaining responsible for the certification on behalf of the flag State, the RO may subcontract radio surveys to non-exclusive surveyors in accordance with section 5.9 of part 2 of this Code.

4.2.5 The RO's personnel performing and responsible for statutory certification and services shall have, as a minimum, the following formal education:

- .1 qualifications from a tertiary institution within a relevant field of engineering or physical science (minimum two-year programme); or
- .2 qualifications from a marine or nautical institution and relevant seagoing experience as a certificated ship officer, and
- .3 proficiency in the English language commensurate with the scope of statutory certification and services.

4.2.6 Other personnel assisting in the performance of statutory work shall have education, training and supervision commensurate with the tasks they are authorized to perform.

4.2.7 The RO shall have a documented system to track the qualifications of personnel; including continuous updating of their knowledge as appropriate to the tasks they are authorized to undertake. This system shall comprise appropriate training courses, including, inter alia, international instruments and appropriate procedures related to the delivery of statutory certification and services, as well as practical tutored training; it shall provide documented evidence of satisfactory completion of the training. As a minimum, the provisions in appendices 1 and 2 shall be met.

4.3 Infrastructure

4.3.1 The RO shall determine, provide, and maintain the infrastructure required to perform statutory certification and services in accordance with the requirements of the mandatory IMO instruments. Infrastructure includes, as applicable:

- .1 building, workspaces and associated utilities;
- .2 process equipment (both hardware and software); and
- .3 supporting services, including but not limited to transport, communication, training and information systems.

4.3.2 Systems (hardware and software) provided to the surveyor shall be identified and relevant training on their use shall be carried out and documented. Special consideration should be given to the situation where a surveyor is working out of a home-based office.

4.4 Work environment

4.4.1 The RO shall be satisfied that the work environment is safe and effective to perform statutory certification and services. While it is understood that such environmental conditions are not provided by the RO, the environmental conditions under which the survey will be permitted to take place shall be made clear to the customer prior to survey commencing.

4.4.2 The RO shall determine the necessary working procedures required to perform statutory certification and services safely and effectively. Training of staff on personal safety shall be carried out and documented.

4.4.3 Requirements for personal protective equipment to be used while performing statutory certification and services and procedures for personal safety of surveyors at work shall be established and documented.

5 STATUTORY CERTIFICATION AND SERVICES PROCESSES

5.1 General

It should be recognized that statutory certification and services are service delivery development processes for flag State and RO compliance verification activities rather than the design process for a ship or its equipment.

5.2 Design and development

5.2.1 The RO shall plan and control the design and development of statutory certification and services processes. During the design and development planning, the organization shall determine:

- .1 the design and development stages;

- .2 the review, verification and validation that are appropriate to each service design and development stage; and
- .3 the responsibilities and authorities for design and development.

5.2.2 The RO shall allow participation in the development and review of its rules, procedures and/or regulations, specifically in the review process prior to finalization, by representatives of the flag State and interested parties.

5.2.3 The RO shall include in its rules and/or procedures:

- .1 requirements specified and communicated to ROs by the flag State, specifically for statutory certification and services;
- .2 requirements not stated by the flag State but necessary for specified or intended use, as determined by the RO.

5.2.4 Implementation of requirements may be in the form of adoption into the RO's internal requirements or by use of the original documents from IMO or the flag State.

5.2.5 The RO shall not issue statutory certificates to a ship, irrespective of its flag, which has been declassified or is changing class for safety reasons, before giving the opportunity to the competent Administration of the flag State to give its opinion within a reasonable time as to whether a full inspection is necessary.

5.3 Design and development inputs

5.3.1 Inputs relating to service requirements shall be determined and records maintained. These inputs shall include:

- .1 applicable statutory and regulatory requirements;
- .2 where applicable, information derived from previous similar designs;
- .3 other requirements essential for design and development, such as functional and performance requirements; and
- .4 in-service experience with ships and mobile offshore drilling units obtained from within the RO itself and external sources.

5.3.2 The inputs shall be reviewed for adequacy. Requirements shall be complete, unambiguous and not in conflict with each other.

5.4 Design and development outputs

At suitable stages, systematic reviews of design and development of rules and standards shall be performed in accordance with planned arrangements to evaluate the ability of the results to meet requirements; and to identify any problems and propose necessary actions.

5.5 Design and development verification

Verification shall be performed in accordance with planned arrangements to ensure that the design and development outputs have met the design and development input requirements. Records of the results of the verification and any necessary actions shall be maintained.

5.6 Control of design and development changes

Design and development changes shall be identified and records maintained. The changes shall be reviewed, verified and validated, as appropriate, and approved before implementation. The review of the design and development changes shall include evaluation of the effect of the changes on the constituent parts and product already delivered. Records of the results of the review of changes and any necessary actions shall be maintained.

5.7 Control of production and service provisions

5.7.1 The RO shall ensure that all statutory certification and services are carried out under controlled conditions.

5.7.2 Controlled conditions shall include, as applicable:

- .1 the availability of information that describes the status and condition of ships surveyed and certified;
- .2 the availability of rules, regulations, work instructions, and other applicable standards, as necessary;
- .3 the use of suitable equipment;
- .4 the availability and use of monitoring and measuring equipment;
- .5 the implementation of monitoring and measurement;
- .6 the implementation of controls to ensure the accuracy of survey reports and certificates both before and after issuance; and
- .7 a safe work environment.

5.7.3 An RO shall conduct the statutory certification and services of the ship in conformity with all relevant international requirements and the requirements of this Code. When accepting a ship on behalf of the flag State that was constructed originally without a known flag State the RO shall verify that the ship complies with national requirements of that flag State prior to certification.

5.8 Property of clients

The RO shall identify, verify, protect and safeguard property provided by the clients for performance of statutory certification and services. If property is lost, damaged or otherwise found to be unsuitable for use, the RO shall report this to the property owner and maintain relevant records.

5.9 Subcontracting and service suppliers

5.9.1 Where an RO chooses to outsource any service that affects conformity to requirements or accepts work of a third party approved by the RO, the RO shall ensure that it fully controls the performance of such services. The flag State may increase the scope of control to be applied to these outsourced services. The process for outsourcing shall be defined within the RO's quality management system. For the purpose of accountability to the flag State, the work performed by the sub-contracted organization or service supplier constitutes the work of the RO and shall be subject to the requirements incumbent upon the RO under this Code.

5.9.2 Firms providing services on behalf of the owner of a ship or a mobile offshore drilling unit, the results of which are used by the RO in making decisions affecting the statutory certification and services shall be subject to approval and control by either the flag State or the RO in accordance with the procedures under their respective quality management system or the flag State requirements.

5.10 Control of monitoring and measuring devices

5.10.1 The RO shall determine the monitoring and measurement to be undertaken and the monitoring and measurement equipment needed to provide evidence of conformity to the applicable requirements.

5.10.2 The RO shall establish processes to ensure that monitoring and measurement can be carried out in a manner that is consistent with the monitoring and measurement requirements.

5.10.3 Where necessary to ensure valid results, measuring equipment shall:

- .1 be calibrated or verified, or both, at specified intervals, or prior to use, against measurement standards traceable to international or national measurement standards; where no such standards exist, the basis used for calibration or verification shall be recorded;
- .2 be adjusted or re-adjusted as necessary;
- .3 have identification in order to determine its calibration status;
- .4 be safeguarded from adjustments that would invalidate the measurement result; and
- .5 be protected from damage and deterioration during handling, maintenance, and storage.

5.10.4 The RO shall assess and record the validity of previous measuring results when the equipment is found not to conform to requirements. The RO shall take appropriate action on the equipment affected. Records of results of calibration and verification shall be maintained.

5.10.5 When used in monitoring and measurement of specific requirements, the ability of computer software to satisfy the intended application shall be confirmed. This shall be undertaken prior to initial use and reconfirmed as necessary.

5.10.6 Where an RO is verifying testing at manufacturers, builders, repairers or owners premises and reporting the same, the RO shall ensure that the measuring devices used in the process are identified and that evidence of calibration is obtained. Where an RO is witnessing testing of service equipment installed or available on board a ship, a means shall be established so that the RO is satisfied as to the appropriate accuracy of the measuring equipment.

5.11 Complaints

The RO shall have a documented process to address complaints related to statutory certification and services.

5.12 Appeals

The RO shall have a documented process to address appeals related to statutory certification and services in accordance with the requirements of the flag State.

6 PERFORMANCE MEASUREMENT, ANALYSIS AND IMPROVEMENT

6.1 General

6.1.1 The RO shall plan and implement the monitoring, measurement, analysis and improvement processes needed to demonstrate conformity to statutory certification and services requirements, to ensure conformity of the quality management system, and to continually improve the effectiveness of the quality management system. This shall include the determination of applicable methods, including statistical techniques, and the extent of their use. The measurements employed by the RO shall be reviewed periodically, and data shall be verified on a continual basis for accuracy and completeness.

6.1.2 The RO shall develop key performance indicators with respect to the performance of statutory certification and services.

6.2 Internal audit

6.2.1 The RO shall implement an audit programme, including the completion of internal audits at planned intervals to determine whether the authorized activity conforms to the planned arrangements, that the quality management system is effectively implemented and maintained, and that a supervisory system is in place, which monitors statutory certification and services.

6.2.2 The audit programme shall take into consideration the status and importance of the processes and areas to be audited, as well as the results of previous audits, flag State feedback, complaints and appeals including port State and flag State inspections. When planning the internal audits, consideration shall be given to complaints received in the past (either related to the location or in general) and to the results of previous internal audits and to the operation of the locations.

6.2.3 The RO shall define the audit criteria, scope, frequency, and methods. Auditors shall be suitably qualified and selected in order to ensure objectivity and impartiality of the audit process. Auditors shall not audit their own work. The audit scope shall cover the processes for the statutory certification and services at various locations with a focus on verification of the efficient and effective implementation of the quality management system and applicable work processes at the individual location. The audit periods, which may be established according to the findings, shall ensure that each location is audited at least once per three years. Audits at locations shall also include visits to selected sites, which operate under the control of the location.

6.2.4 A documented procedure shall be established to define the responsibilities and requirements for planning and conducting audits, establishing records and reporting results. Records of audits and their results shall be maintained.

6.2.5 The management responsible for the area being audited shall ensure that any necessary corrections and corrective actions are taken without undue delay to eliminate detected nonconformities, observations (potential non-conformities) and their root causes.

6.3 Vertical Contract Audit

6.3.1 The RO shall carry out Vertical Contract Audits annually for each of the following processes:

- .1 plan approval;
- .2 new construction survey;

- .3 in-service periodical survey/audit; and
- .4 type approval (where applicable) or survey of other materials and equipment.

6.3.2 Evidence of completion of VCAs and findings thereof, shall be formally recorded.

6.4 Monitoring and measurement of processes

6.4.1 The RO shall apply suitable methods for monitoring, including a supervisory system that monitors the work activities carried out, and where applicable, measurement of the quality management system processes. These methods shall demonstrate the ability of the processes to achieve sustained compliance with the requirements of this Code and the agreement with the flag State, in particular that:

- .1 the RO's rules and/or regulations are complied with; and
- .2 the requirements of the statutory certification and services are satisfied.

6.4.2 When planned results are not achieved, correction and corrective action shall be taken, as appropriate.

6.4.3 The implemented methods should consider issues such as, but not limited to:

- .1 port State control detentions;
- .2 casualties; and
- .3 rework of plan approval letters and survey reports.

6.5 Control, monitoring and measurement of non-conformities, including statutory deficiencies

6.5.1 The RO shall monitor and measure the service delivery with statutory requirements and the RO's rules to verify that all requirements have been met. This shall be carried out at appropriate stages of the statutory certification and services process in accordance with the planned arrangements. Evidence of conformity with the statutory requirements and RO rules shall be maintained. Records shall indicate the person(s) approving or verifying compliance with the statutory requirements and the RO's rules.

6.5.2 The RO shall make provisions to ensure that non-conformities are identified and controlled. The controls and related responsibilities and authorities for dealing with non-conformities shall be defined in a documented procedure.

6.5.3 Where applicable, the RO shall deal with a non-conformity by one or more of the following ways:

- .1 by taking action to eliminate the detected non-conformity;
- .2 by authorizing its use, release or acceptance under the terms determined by the flag State;
- .3 when accepting with or without correction by exemption or equivalence, consideration should be given to the non-conformities with rules and regulations or statutory requirements during:
 - .1 drawing approval,
 - .2 survey of materials and equipment,

- .3 survey during construction and installation,
- .4 survey during service;
- .4 by taking action to preclude its original intended use or application; and
- .5 by taking action appropriate to the effects, or potential effects, of the non-conformity when a non-conformity is detected.

6.5.4 When a non-conformity is corrected, it shall be subject to reverification to demonstrate conformity to the requirements.

6.5.5 Records of the nature of non-conformities and any subsequent actions taken, including exemption or equivalences obtained, shall be maintained.

6.5.6 The RO shall comply with the instructions of the flag State detailing actions to be followed in the event that a ship is found not fit to proceed to sea without danger to the ship or persons on board, or presenting unreasonable threat of harm to the marine environment.

6.5.7 The ROs shall cooperate with port State control Administrations where a ship to which the RO issued the certificates is concerned, in particular, in order to facilitate the rectification of reported deficiencies or other discrepancies.

6.5.8 The RO responsible for issuing the relevant certificate shall, upon receiving a report of an accident or discovering a defect to a ship which affects the safety of the ship or the efficiency or completeness of its life saving appliances or other equipment, cause investigations to be initiated to determine whether a survey is necessary.

6.6 Improvement

6.6.1 General

The RO shall continually improve the effectiveness of its quality management system through the use of the quality policy, quality objectives, audit results, analysis of data, corrective and preventive actions and management review.

6.6.2 Data analysis

6.6.2.1 The objective of data analysis is to determine the cause of problems to guide effective corrective and preventive action. The RO shall:

- .1 analyse data from various sources to assess performance against plans and goals and to identify areas for improvement;
- .2 make use of statistical methodologies for data analysis, which can help in assessing, controlling, and improving performance of processes; and
- .3 analyse the product requirements, as well as analysis of relevant processes, operations and quality records.

6.6.2.2 Information and data from all parts of the RO shall be integrated and analysed to evaluate the overall performance of the quality management system.

6.6.2.3 The results of analysis shall be documented and used to determine:

- .1 trends;
- .2 operational performance;

- .3 customer satisfaction and/or dissatisfaction through complaints or other quality indicators (PSC detentions, flag State non-conformities, etc.);
- .4 effectiveness and/or efficiency of processes; and
- .5 performance of suppliers.

6.6.3 Sources of information

The RO shall identify sources of information and establish processes for collection of information for planning continual improvement, corrective and preventive actions. Such information shall include, inter alia:

- .1 customer complaints;
- .2 non-conformance reports;
- .3 outputs from management reviews;
- .4 internal audit reports;
- .5 outputs from data analysis;
- .6 relevant records;
- .7 outputs from customer feedback and satisfaction measurements;
- .8 process measurements;
- .9 results of self-assessment; and
- .10 in-service experience.

6.6.4 Corrective action

6.6.4.1 The RO shall without undue delay take action to eliminate the causes of non-conformities in order to prevent recurrence. Corrective actions shall be appropriate to the effects of the non-conformities encountered and address all actual or potential effects of these.

6.6.4.2 A documented procedure shall be established to define requirements for:

- .1 reviewing non-conformities (including complaints);
- .2 determining the cause of non-conformities;
- .3 evaluating the need for action to ensure that non-conformities do not recur;
- .4 determining and implementing action needed;
- .5 records of the results of action taken; and
- .6 reviewing the effectiveness of the corrective action taken.

6.6.5 Preventive action

6.6.5.1 The RO shall take action to identify and eliminate the causes of potential non-conformities in order to prevent their occurrence. Preventive actions shall be appropriate to the nature and effects of the potential problems.

6.6.5.2 A documented procedure shall be established to define requirements for:

- .1 determining potential non-conformities and their causes;
- .2 evaluating the need for action to prevent occurrence of non-conformities;
- .3 determining and implementing action needed;
- .4 records of results of action taken; and
- .5 reviewing the effectiveness of the preventive action taken.

6.6.5.3 Examples of such methodologies may include risk analyses, trend analyses, statistical process control, fault-tree analyses, failure modes and effects and criticality analyses.

7 QUALITY MANAGEMENT SYSTEM CERTIFICATION

7.1 The RO shall develop, implement and maintain an effective internal quality management system that complies with the requirements of this Code and is based on appropriate parts of internationally recognized quality standards no less effective than the ISO 9000 series.

7.2 The RO's quality management system shall be periodically assessed and certified in accordance with the applicable international quality standards by a qualified body, accredited to comply with ISO/IEC 17021:2006 standard by an accreditation body that is signatory to the International Accreditation Forum (IAF) Multinational Recognition Agreement (MRA), recognized by the flag State as having the necessary governance and competences to act independently of the ROs or their associations and having the necessary means to carry out its duties effectively and to the highest professional standards, safeguarding the independence of the persons performing them.

7.3 In pursuance of continually improving RO and flag State services, IMO endeavours to closely monitor the certification and audit process of the RO and its implementation to ensure its continued relevance and validity to the maritime industry in general and to the ROs, in particular. IMO will establish the working methods and rules of procedure for such monitoring.

8 AUTHORIZATION OF RECOGNIZED ORGANIZATIONS

8.1 General

Under the provisions of regulation I/6 of SOLAS 1974, article 13 of LL 66, regulation 6 of MARPOL Annex I and regulation 8 of MARPOL Annex II and article 6 of TONNAGE 69, a flag State may authorize an RO to act on its behalf in statutory certification and services and determination of tonnages only to ships entitled to fly its flag as required by these conventions. Such authorizations shall not require ROs to perform actions that impinge on the rights of another flag State.

8.2 Legal basis of the functions under authorization

The flag State shall establish the legal basis under which the authorization of statutory certification and services is administered. The following items shall be considered:

- .1 the formal written agreement with the RO;
- .2 acts, regulations and supplementary information;

- .3 interpretations; and
- .4 deviations and equivalent solutions.

8.3 Specification of authorization

The flag State shall specify the scope of authorization granted to an RO. The following specifications shall be considered:

- .1 ship types and sizes;
- .2 conventions and other instruments, including relevant national legislation;
- .3 approval of drawings;
- .4 approval of materials and equipment;
- .5 surveys, audits, inspections;
- .6 issuance, endorsement and/or renewal of certificates;
- .7 corrective actions;
- .8 withdrawal or cancellation of certificates; and
- .9 reporting requirements.

8.4 Resources

The flag State shall ensure that an RO has adequate resources in terms of technical, managerial and research capabilities to accomplish the tasks being assigned, in accordance with the minimum standards for ROs acting on behalf of the flag State set out in part 2 of this Code.

8.5 Instruments

The flag State shall provide the RO with access to all appropriate instruments of national law giving effect to the provisions of the conventions, notify the RO of any additions, deletions or revisions thereto in advance of their effective date and specify whether the flag State's standards go beyond convention requirements in any respect.

8.6 Instructions

8.6.1 The flag State shall issue specific instructions detailing the procedures to be followed in carrying out statutory certification and services, and actions to be followed in the event that a ship is found not fit to proceed to sea without danger to the ship or persons on board, or presenting unreasonable threat of harm to the marine environment.

8.6.2 Flag States shall ensure by appropriate means that ROs cooperate with each other in accordance with the provisions of this Code.

8.7 Records

The flag State shall specify that the RO maintain records, which can provide the flag State with data to assist in interpretation of convention regulations.

PART 3

OVERSIGHT OF RECOGNIZED ORGANIZATIONS

1 PURPOSE

Part 3 of the RO Code provides guidance on flag State's oversight of ROs authorized to perform statutory certification and services on its behalf. Part 3 also provides guidance on the principles of oversight that may include ship inspection, auditing, and monitoring activities.

2 SCOPE

Part 3 of the RO code is applicable to all flag States that have authorized ROs to perform statutory certification and services. Part 3 includes flag State oversight provisions and provides guidance, which is non-mandatory, to assist flag States in the development and implementation of an effective oversight programme of ROs.

3 REFERENCES

The following documents are referenced:

- .1 mandatory IMO instruments;
- .2 ISO 9000:2005, Quality Management Systems – Fundamentals and vocabulary;
- .3 ISO 9001:2008, Quality Management Systems – Requirements;
- .4 ISO/IEC 17020:1998, General Criteria for the operation of various types of bodies performing inspection;
- .5 ISO 19011:2002, Guidelines for quality and/or environmental management systems auditing; and
- .6 national legislation.

4 TERMS AND DEFINITIONS

4.1 *Audit* means a systematic, independent, and documented process for obtaining audit evidence and evaluating it objectively to determine the extent to which the audit criteria are fulfilled. Auditing is characterized by reliance on a number of principles. These make the audit an effective and reliable tool in support of management policies and controls, providing information on which an RO can act to improve its performance. Adherence to these principles is a prerequisite for providing audit conclusions that are relevant and sufficient and for enabling auditors working independently from one another to reach similar conclusions in similar circumstances.

4.2 *Audit criteria* means a set of policies, procedures or requirements.

4.3 *Audit evidence* means records, statements of fact, or other information, which are relevant to the audit criteria and verifiable. Audit evidence may be qualitative or quantitative.

4.4 *Audit findings* means results of the evaluation of the collected audit evidence against audit criteria. Audit findings can indicate conformity, observation (potential non-conformity) or non-conformity with audit criteria or opportunities for improvement.

- 4.5 *Audit conclusion* means an outcome of an audit, provided by the audit team, after consideration of the audit objectives and all audit findings.
- 4.6 *Audit client* means an organization or person requesting an audit.
- 4.7 *Auditee* is an organization recognized by a flag State that may be subject to an audit by the authorizing flag State.
- 4.8 *Auditor* means a person with the competence to conduct an audit.
- 4.9 *Audit team* means one or more auditors conducting an audit, supported if required by technical experts.
- 4.10 *Technical expert* means a person who provides specific knowledge or expertise to the audit team.
- 4.11 *Audit programme* means a set of one or more audits planned for a specific period and directed towards a specific purpose. An audit programme includes all activities necessary for planning, organizing, and conducting the audits.
- 4.12 *Audit plan* means a description of the activities and arrangements for an audit.
- 4.13 *Audit scope* means extent and boundaries of an audit. The audit scope generally includes a description of the physical locations, organizational units, activities and processes, as well as the time period covered.
- 4.14 *Competence* means demonstrated personal attributes and demonstrated ability to apply knowledge and skills.
- 4.15 *Oversight* means any activity by a flag State carried out to assure an RO's service complies with IMO and national requirements of the recognizing flag State.
- 4.16 *Monitoring* means any activity by a flag State where a flag State witnesses services by an RO or reviews documentation used by the RO and which is carried out to assure that RO services are in compliance with IMO and national requirements. Monitoring may be considered as a component of oversight.

5 ESTABLISHING AN OVERSIGHT PROGRAMME

5.1 Oversight

The flag State should establish or participate in an oversight programme with adequate resources for monitoring of, and communication with, its RO(s) in order to ensure that its international obligations are fully met, by:

- .1 exercising its authority to conduct supplementary surveys to ensure that ships entitled to fly its flag in fact comply with the requirements of the applicable international instruments;
- .2 conducting supplementary surveys as it deems necessary to ensure that ships entitled to fly its flag comply with national requirements, which supplement the international mandatory requirements; and
- .3 providing staff who have a good knowledge of the rules and regulations of the flag State and the ROs and who are available to carry out effective oversight of the ROs.

5.2 Flag State's supervision of duties delegated to an RO

The flag State's supervision of duties delegated to an RO should consider, *inter alia*, the following:

- .1 documentation of the RO's quality management system;
- .2 access to internal instructions, circulars and guidelines;
- .3 access to the RO's documentation relevant to the flag State's fleet;
- .4 cooperation with the flag State's inspection and verification work; and
- .5 provision of information and statistics; such as, but not limited to, damage and casualties relevant to the flag State's fleet.

5.3 Verification and monitoring

The flag State should establish a system to ensure the adequacy of statutory certification and services provided. Such a system should, *inter alia*, include the following items:

- .1 procedures for communication with the RO;
- .2 procedures for reporting to the flag State by the RO and the processing of such reports by the flag State. The following reporting requirements should be considered:
 - .1 the RO should notify the flag State immediately upon becoming aware of a situation involving a major deficiency, or serious safety-related issue, that would normally be considered sufficient to detain a ship from proceeding to sea pending correction;
 - .2 the RO should notify the flag State(s) immediately upon becoming aware of a situation aboard ship or within a company involving a major non-conformity, as defined in the *Guidelines on the Implementation of the International Safety Management (ISM) Code by Administrations* (resolution A.1022(26), as amended);
 - .3 the notification above should contain the name of the company or ship, the IMO number, the official number, if applicable, and a description of the major non-conformity, deficiency or issue;
 - .4 the RO should inform the flag State, as soon as possible, of any dangerous occurrences, accidents, machinery or structural breakdowns, or failures that they are aware of on a ship; and
 - .5 the RO should report to the flag State in writing the names and official numbers, if applicable, of any ships removed from the RO's list of classed/certified ships for which the RO has performed statutory certification and services. The report should contain a description of the reason(s) for removal from class, and this should be made within thirty (30) days of the removal becoming effective;
- .3 additional ship's inspections by the flag State;

- .4 appropriate technical and/or safety related consultations between ROs regarding statutory certification and services, which may affect the validity of certificates issued either in whole or in part on behalf of the flag State(s);
- .5 the flag State's evaluation/acceptance of the certification of the RO's quality management system by an independent body of auditors accepted by the flag State;
- .6 monitoring and verification of statutory certification and services, which contribute either in whole or in part to compliance with a mandatory IMO instrument. The flag State should consider the implementation of the following:
 - .1 flag State's oversight of RO quality management systems;
 - .2 observation of or systematic review of reports of the quality management system audits conducted by other qualified persons or organizations external to and independent of the RO;
 - .3 verification and inspection of ships that are subject to statutory certification and services; and
 - .4 complaint and feedback system and corrective action follow-up;
- .7 a flag State accepting ships constructed without its involvement should establish that an RO conducting statutory certification and services of the ship conforms to this Code; and
- .8 for ships constructed without an identified flag State, the flag State specific requirements should be verified prior to certification.

6 PRINCIPLES OF AUDITING

6.1 The flag State should be satisfied that the RO has an effective quality management system in place. The flag State may rely upon the audits carried out by an accredited certification body or equivalent organizations. Intergovernmental cooperation in establishing common auditing practices is encouraged.

6.2 A flag State auditor should advance the following principles:

- .1 ethical conduct: the foundation of professionalism. Trust, integrity, confidentiality and discretion are essential to auditing;
- .2 fair presentation: the obligation to report truthfully and accurately. Audit findings, audit conclusions, and audit reports reflect truthfully and accurately the audit activities. Significant obstacles encountered during the audit and unresolved diverging opinions between the audit team and the auditee are reported; and
- .3 due professional care: the application of diligence and judgment in auditing. Auditors exercise care in accordance with the importance of the task they perform and the confidence placed in them by audit clients and other interested parties. Having the necessary competence is an important factor.

- 6.3 Further principles relate to the audit, which is by definition independent and systematic.
- .1 independence: the basis for the impartiality of the audit and objectivity of the audit conclusions. Auditors are independent of the activity being audited and are free from bias and conflict of interest. Auditors maintain an objective state of mind throughout the audit process to ensure that the audit findings and conclusions will be based only on the audit evidence;
 - .2 evidence-based approach: the rational method for reaching reliable and reproducible audit conclusions in a systematic audit process. Audit evidence is verifiable. It is based on samples of the information available, since an audit is conducted during a finite period of time and with finite resources. The appropriate use of sampling is closely related to the confidence that can be placed in the audit conclusions.

6.4 The guidance given in this Code is based on the principles set out above.

7 MANAGING AN OVERSIGHT PROGRAMME

7.1 General

7.1.1 The flag States are required to verify that the organizations recognized to perform statutory certification and services on their behalf fulfil the requirements of this Code. The purpose of this verification is to ensure that the RO is performing its statutory certification and service in compliance with this Code and its agreement with the flag State.

7.1.2 The flag State should develop, implement, and manage an effective oversight programme of the ROs that act on its behalf.

7.1.3 An oversight programme should include various monitoring activities, which may inter alia consist of audits, inspections and audit observations (potential non-conformities). The flag States' oversight programme of their ROs should be developed after carefully assessing the factors associated with the RO as well as the extent of access to the RO's records of statutory certification and services that are made available to the flag State. The programme should also consider the delivery of statutory certification and services with respect to the provisions of the Conventions and with respect to the national requirements and instructions published by the flag State. Factors should include:

- .1 the scope and frequency of high level audits of the RO carried out by flag States and independent accredited bodies, and of internal audits carried out by the RO;
- .2 the extent to which audit findings, observations (potential non-conformities) and corrective actions are made available to the flag State;
- .3 the extent to which remote monitoring of the RO can be undertaken by the flag State which can manifest itself in several different ways depending on the scope of information that is electronically available to the flag State. Remote monitoring can include:
 - .1 review of the contents of survey reports associated with statutory certificates issued by the RO;
 - .2 review of the effectiveness of the control and rectification of deficiencies and outstanding requirements within the deadlines established by the flag State through the RO; and

- .3 review of the RO's country-specific instructions to determine that the flag State's national requirements are properly and completely addressed by the RO;
- .4 flag State inspections carried out on board ships to check the end-result of the certification process, with a specific interest in their national requirements and/or implementation of instructions issued to the RO; and
- .5 port State control detentions and deficiencies allocated to the responsibility of the RO.

7.1.4 An oversight programme should also include all activities necessary for planning and organizing the types and number of monitoring activities, and for providing resources to conduct them effectively and efficiently within the specified periods.

7.1.5 Those assigned the responsibility for managing the oversight programme should:

- .1 establish, implement, monitor, review and improve the oversight programme; and
- .2 identify the necessary resources and ensure they are available and provided, as required.

7.1.6 An oversight programme should also include planning, the provision of resources and the establishment of procedures to conduct monitoring activities within the programme.

7.2 Oversight programme objectives and extent

7.2.1 Objectives of an oversight programme

7.2.1.1 The flag State should establish objectives for an oversight programme, to direct the planning and conduct of monitoring activities.

7.2.1.2 The following objectives should be considered:

- .1 management priorities;
- .2 flag State intentions;
- .3 flag State system requirements;
- .4 statutory, regulatory and contractual requirements;
- .5 need for ROs to be evaluated;
- .6 flag State, ROs, and other requirements;
- .7 needs of other interested parties; and
- .8 risks to the flag State.

7.2.2 Extent of an oversight programme

7.2.2.1 The flag State's oversight programme should reflect the size, nature and complexity of the flag State's authorization programme, as well as the following factors:

- .1 the scope, objective and duration of monitoring activities to be conducted;
- .2 the frequency of monitoring activities to be conducted;
- .3 the number, importance, complexity, similarity, and locations of the ROs;
- .4 standards, statutory, regulatory, and contractual requirements and other monitoring criteria;
- .5 the need for accreditation or registration/certification of ROs;
- .6 conclusions of previous monitoring activities;
- .7 the concerns of interested parties; and
- .8 significant changes to an RO or its operations.

7.2.2.2 A flag State may enter into a written agreement to participate in combined monitoring/oversight activities with another flag State or States that have authorizations with the same RO, provided that the level of detail regarding individual flag State requirements and individual flag State performance are addressed at a level equivalent to an oversight programme conducted by each of the individual flag State. Conversely no flag State may be compelled by another flag State or organization to accept oversight of an RO by others in lieu of conducting its own individual flag State oversight unless it so elects by written agreement or is so provided in the law of that State. A copy of all such agreements should be submitted to IMO for the information of the Member States.

7.3 Oversight programme responsibilities, resources and procedures

7.3.1 Oversight programme responsibilities

7.3.1.1 The flag State is responsible for managing its oversight programme. The flag State should utilize competent individuals that have an understanding of the oversight requirements, audit principles, and the application of audit techniques. They should have management skills as well as technical and business understanding relevant to the activities to be monitored.

7.3.1.2 Those assigned the responsibility for managing the oversight programme should:

- .1 establish the objectives and extent of the oversight programme;
- .2 establish the responsibilities and procedures, and ensure resources are provided;
- .3 ensure the implementation of the oversight programme;
- .4 ensure that appropriate oversight programme records are maintained; and
- .5 monitor, review and improve the oversight programme.

7.3.2 Oversight programme resources

When identifying resources for the oversight programme, the flag State should consider the following:

- .1 financial resources necessary to develop, implement, manage, and improve oversight activities;
- .2 auditing techniques;
- .3 processes to achieve and maintain the competence of staff, and to improve oversight performance;
- .4 the availability of staff and technical experts having competence appropriate to the particular oversight programme objectives;
- .5 the extent of the oversight programme; and
- .6 travelling time, accommodation and other oversight needs.

7.3.3 Oversight programme procedures

7.3.3.1 The flag State's oversight programme procedures should address the following:

- .1 planning and scheduling of oversight activities;
- .2 assuring the competence of assigned personnel;
- .3 selecting appropriate personnel and assigning their roles and responsibilities;
- .4 conducting monitoring activities;
- .5 conducting follow-up, if applicable;
- .6 maintaining oversight programme records;
- .7 monitoring the performance and effectiveness of the oversight programme; and
- .8 reporting on the overall achievements of the oversight programme.

7.3.3.2 For flag States with a limited authorization programme, the activities above may be addressed in a single procedure.

7.3.4 Oversight programme implementation

The implementation of a flag State oversight programme should include the following factors:

- .1 communicating the objectives of the oversight programme to relevant parties;
- .2 coordinating and scheduling monitoring activities relevant to the oversight programme;
- .3 establishing and maintaining a process for the evaluation of assigned personnel and their continual professional development;
- .4 selecting and appointing assigned personnel;

- .5 providing necessary resources to the oversight programme, specifically the corresponding monitoring activities;
- .6 robust execution of monitoring activities according to the oversight programme;
- .7 ensuring the control of records of the monitoring activities;
- .8 ensuring review and approval of monitoring activity reports, and ensuring their distribution to interested parties; and
- .9 ensuring follow-up, if applicable.

7.3.5 Oversight programme records

7.3.5.1 The flag State's monitoring records should be maintained to demonstrate the implementation of the oversight programme and should include the following:

- .1 all records related to monitoring activities, such as:
 - .1 plans;
 - .2 reports;
 - .3 non-conformity reports;
 - .4 corrective and preventive action reports, and
 - .5 follow-up reports, if applicable;
- .2 results of oversight programme review; and
- .3 records related to personnel covering subjects, such as:
 - .1 assigned personnel competence and performance evaluation;
 - .2 monitoring and/or audit team selection; and
 - .3 maintenance and improvement of competence.

7.3.5.2 Records should be retained and suitably safeguarded.

7.4 Oversight programme monitoring and reviewing

7.4.1 The implementation of a flag State oversight programme should be monitored and, at appropriate intervals, reviewed to assess whether its objectives have been met and to identify opportunities for improvement.

7.4.2 The flag State should develop and use performance indicators to monitor the effectiveness of its oversight programme for ROs. The following factors should be considered:

- .1 the ability of assigned personnel to implement the oversight plan;
- .2 conformity with the requirements of the RO Code, monitoring activities, and schedules; and
- .3 feedback from clients, ROs and assigned personnel.

7.4.3 The flag State should consider the following performance indicators when evaluating the performance of the ROs:

- .1 port State performance of ROs;
- .2 results of RO's internal audits;
- .3 results of quality management system audits performed by third-party organizations (ACBs);
- .4 the results of previous performance monitoring; and
- .5 condition/compliance of ships that receive survey and certification from the ROs.

7.4.4 The flag State should, on a periodic basis, evaluate its overall performance with respect to the implementation of administrative processes, procedures and resources necessary to meet its obligations as required by the conventions to which it is party.

7.4.5 Other measures to evaluate the performance of the flag States may include, inter alia, the following:

- .1 port State control detention rates;
- .2 flag State inspection results;
- .3 casualty statistics;
- .4 communication and information processes;
- .5 annual loss statistics (excluding constructive total losses (CTLs)); and
- .6 other performance indicators as may be appropriate, to determine whether staffing, resources and administrative procedures are adequate to meet their flag State obligations. Other performance measurement indicators may consist of the following:
 - .1 fleet loss and accident ratios to identify trends over selected time periods;
 - .2 the number of verified cases of detained ships in relation to the size of the fleet;
 - .3 the number of verified cases of incompetence or wrongdoing by individuals holding certificates or endorsements issued under its authority;
 - .4 responses to port State deficiency reports or interventions;
 - .5 investigations into very serious and serious casualties and lessons learned from them;
 - .6 technical and other resources committed;
 - .7 results of inspections, surveys and controls of the ships in the fleet;
 - .8 investigation of occupational accidents;

- .9 the number of incidents and violations under MARPOL, as amended;
and
- .10 the number of suspensions or withdrawals of certificates,
endorsements and approvals.

7.4.6 The oversight programme review should also consider:

- .1 results and trends from monitoring;
- .2 conformity with procedures;
- .3 evolving needs and expectations of interested parties;
- .4 oversight programme records;
- .5 alternative or new auditing practices or monitoring activities; and
- .6 consistency in performance between audit teams in similar situations.

7.4.7 Results of oversight programme reviews can lead to corrective and preventive actions and the improvement of the oversight programme.

Appendix 1

REQUIREMENTS FOR TRAINING AND QUALIFICATION OF RECOGNIZED ORGANIZATION'S TECHNICAL STAFF

A1.1 Definitions

A1.1.1 *Survey staff* are the personnel authorized to carry out surveys and to conclude whether or not compliance has been achieved.

A1.1.2 *Plan approval staff* are the personnel authorized to carry out design assessment and to conclude whether or not compliance has been achieved.

A1.1.3 *Audit staff* are the personnel authorized to carry out audits and to conclude whether compliance has been achieved.

A1.1.4 *Trainee* is a person receiving theoretical and practical training under the supervision of a trainer/tutor.

A1.1.5 *Trainer* is a designated person having experience within a relevant area or a proficient expert in a special field recognized by the RO to give theoretical training through classroom teaching, special seminars or individual training.

A1.1.6 *Tutor* is a qualified and designated person from among the RO's staff having appropriate experience and capability in the relevant areas of activities in which they assist, consult and supervise the practical training of a trainee until the latter is qualified.

A1.1.7 *Technical staff* are the personnel qualified to carry out technical activity as survey staff or plan approval staff or, Marine Management Systems audit staff.

A1.1.8 *Support staff* are the personnel assisting survey and/or plan approval staff in connection with classification and statutory work.

A1.2 Trainee entry requirements

RO personnel performing, and responsible for, statutory work shall have as a minimum the formal education requirements defined in part 2, section 4.2.5.

A1.3 Modules

A1.3.1 The RO shall define the required competence criteria for each relevant type of survey, and type of plan approval activity and audit to be performed.

A1.3.2 The RO shall define the necessary theoretical and practical training modules required to meet the competence criteria defined for survey, plan approval and marine management systems audit staff. The training modules shall cover as a minimum:

- .1 learning and competence objectives;
- .2 scope of training; and
- .3 evaluation criteria and pass requirements.

A1.3.3 Through studying the training modules, trainees shall acquire and develop general knowledge and understanding applicable to different types of ships and types of work according to the flag State requirements, RO's rules and regulations and international conventions and codes.

A1.4 Theoretical training for survey and plan approval staff

A1.4.1 The objective of theoretical training is to ensure that familiarization with rules, technical standards or statutory regulations and any additional requirement specific to the type of survey or ships is sufficient for the areas of activity.

A1.4.2 Theoretical training shall include:

- .1 general modules for theoretical training; and
- .2 special modules for theoretical training in the particular specialty.

A1.4.3 General modules for theoretical training shall include general subjects with respect to:

- .1 activity and functions of IMO and maritime Administrations;
- .2 activity and functions of classification societies;
- .3 classification of ships and mobile offshore drilling units;
- .4 types of certificates and reports issued on completion of class and statutory surveys;
- .5 quality management system;
- .6 personal safety regulations; and
- .7 legal and ethical issues.

A1.4.4 The programmes of theoretical training for survey and plan approval staff shall be documented in a training plan and developed according to the areas of activity (types or categories of surveys, types of ships, subjects such as hull, machinery, electrical engineering, etc.).

A1.4.5 In case of an existing gap in the formal educational background in some particular field of activity, theoretical training shall be extended.

A1.4.6 In case survey or plan approval staff have obtained particular qualifications through their previous work experience prior to their joining the RO, the training plan may be reduced.

A1.4.7 Additions or reductions in the individual training plans shall be documented.

A1.4.8 In case of extension of areas of activity the training plan shall be developed and documented accordingly.

A1.4.9 Theoretical training may be received through classroom teaching, special seminars, individual training, self-study or computer-assisted training.

A1.5 Practical training for survey and plan approval staff (see appendix 2 for specific criteria for each certificate)

A1.5.1 General

Practical training shall ensure the trainee is sufficiently proficient to carry out survey or design assessment work independently.

A1.5.2 Plan approval staff

A1.5.2.1 Practical training shall be commensurate with the complexity of design assessment (review of technical design of ships, review of technical documentation on materials and equipment) and shall be carried out under the supervision of a tutor.

A1.5.2.2 Practical training carried out shall be recorded.

A1.5.3 Survey staff

A1.5.3.1 Practical training shall be commensurate with the complexity of the survey (types or categories of surveys, types of ships, specific subjects (hull, machinery, and electrical engineering)) and shall be carried out under the supervision of a tutor.

A1.5.3.2 Selection of particular surveys depends on the specialty/qualification to be granted and shall include classification and statutory types of surveys of the following, as appropriate:

- .1 new construction;
- .2 ships and mobile offshore drilling units in operation; and
- .3 materials and equipment.

A1.5.3.3 Practical training carried out shall be recorded.

A1.5.4 Examinations and tests for survey and plan approval staff

A1.5.4.1 Competence gained through the theoretical training shall be demonstrated through written or oral examination or through suitable computer tests.

A1.5.4.2 Examinations and tests shall cover the sets of modules attended by the trainee, as applicable.

A1.5.4.3 With respect to competence gained through practical training being demonstrated by:

- .1 a surveyor, this shall be accomplished by the surveyor satisfactorily completing the surveys associated with the competence whilst under the supervision of the tutor. The surveyor would be expected to be able to answer associated technical questions raised as thought necessary by the tutor to confirm levels of understanding. The results of the tutor's review shall be annotated on the respective training record; and
- .2 a plan approval staff member, this shall be accomplished by the staff member satisfactorily completing the appraisal of drawings against the relevant classification rules and statutory regulations as verified through a review by the tutor of the staff member's work. The results of the tutor's review shall be annotated on the respective training record.

A1.5.4.4 A competent person shall perform examinations of theoretical training or witnessing practical competence.

A1.5.4.5 During examinations and tests, use of the relevant working documents (rules, conventions, checklists, etc.) by the trainee shall be considered allowable.

A1.5.5 Audit staff

A1.5.5.1 Theoretical training

A1.5.5.1.1 Theoretical training should address the following:

- .1 principles and practice of management systems auditing;
- .2 the requirements of the International Safety Management (ISM) Code and its interpretation and application;
- .3 mandatory rules and regulations and applicable codes, guidelines and standards recommended by IMO, flag States, classification societies and maritime industry organization; and
- .4 basic shipboard operations including emergency preparedness and response. The time spent on each topic and the level of detail that it is necessary to include will depend on the qualifications and experience of the trainees, their existing competence in each subject, and the number of training audits to be carried out.

A1.5.5.1.2 The training may be modular in structure, in which case the period over which the theoretical training is delivered shall not exceed 12 months.

A1.5.5.1.3 Where appropriate, some elements may be delivered by means such as distance learning and e-learning. However, at least 50% of the total theoretical training days shall be classroom-based in order to allow for discussion and debate and to allow candidates to benefit from the experience of the trainer.

A1.5.5.2 Examination

A1.5.5.2.1 Confirmation that the learning objectives have been met shall be demonstrated by written examination at the end of the theoretical training, or at the end of each module if the training is not delivered in a single training course.

A1.5.5.2.2 If the trainee fails the written examination, or any part thereof; a single resit will be permitted. A candidate who fails the resit will be required to undergo the corresponding theoretical training again before being allowed to make another attempt at the examination.

A1.5.5.2.3 A candidate who passes a written examination shall receive a certificate, statement or other record indicating which of the competences have been addressed, and the dates on which the corresponding training took place.

A1.5.5.3 Practical training

A1.5.5.3.1 A person authorized to carry out ISM audits shall have completed at least the minimum number of training audits under supervision as specified by the RO.

A1.5.5.3.2 The RO shall establish procedures for ensuring and demonstrating that the required competence has been achieved.

A1.6 Qualification

A1.6.1 After completion of the theoretical and practical training, with positive results, the trainee is granted the appropriate authorizations to work independently. The activities they are qualified to perform (types of surveys, types of ships, types of design approval, etc.) are identified.

A1.6.2 The criteria adopted by the RO for granting qualifications shall be documented in the appropriate quality management system documents.

A1.7 Assessment of training effectiveness

A1.7.1 The methods of training effectiveness assessment may include monitoring, testing, etc., on the regular basis according to the RO's system.

A1.7.2 The criteria adopted by the RO for training effectiveness assessment shall be documented in the appropriate RO quality management system documents.

A1.7.3 Evidence of training effectiveness assessment shall be provided.

A1.8 Maintenance of qualification

A1.8.1 The criteria adopted by the RO for maintenance or updating of qualifications shall be in accordance with and documented in the appropriate RO quality management system documents.

A1.8.2 Updating of qualifications may be done through the following methods:

- .1 self-study (unassisted study);
- .2 different courses and seminars organized in local offices and/or in the main offices of the RO;
- .3 extraordinary technical seminars in case of significant changes in the RO's rules or international conventions, codes, etc. (with examination if required); and
- .4 special training on specific works or type of survey in some areas of the activity, which are determined by activity monitoring or by a long time absence of practical experience.

A1.8.3 Maintenance of qualifications in accordance with these criteria shall be verified at annual performance review.

A1.9 Activity monitoring**A1.9.1 Purpose**

Activity monitoring has the purpose:

- .1 to assess whether the individuals are competent and capable of carrying out their authorized and assigned work independently, consistent with the RO's policies and practices;
- .2 to identify needs for continual improvement in aligning the technical services across the organization; and
- .3 to identify need for improvements in the guidance processes and/or tools provided for the staff.

A1.9.2 Monitoring

A1.9.2.1 Headquarters, regional or local offices, may initiate activity monitoring. It shall be carried out by persons who are qualified in the survey or audit being monitored.

A1.9.2.2 It shall be carried out to the extent that the work of each surveyor or auditor engaged in survey or audit work will be monitored at least once every other calendar year. Where a person carries out both survey and audit work, they shall be monitored in both work activities at least once every other calendar year. Only one type of survey for a qualified surveyor and one type of audit for a qualified auditor need be monitored within the two-year cycle. Persons doing plan approval shall be monitored at least once every other calendar year.

A1.9.2.3 Subsequent to the monitoring, the monitoring surveyor or auditor shall report the activity.

A1.9.2.4 Should any comments be necessary, or findings made, these will be included in the report, for review and corrective action.

A1.9.3 Method

A1.9.3.1 Activity monitoring shall be performed by personnel authorized to undertake activity monitoring.

A1.9.3.2 Preparation shall include familiarization with the processes, requirements and tools (e.g. software) associated with the activity to be witnessed during the activity monitoring.

A1.9.3.3 The monitoring process shall include a review of relevant performance information related to the individual's work. This may include: report and certificate accuracy, meeting objectives, received complaints, PSC detention feedback.

A1.9.3.4 Survey, audit or plan approval activity selected for monitoring shall have an extent such as to cover a maximum possible range of activity and qualifications that can be monitored during the attendance.

A1.9.3.5 Monitoring shall include, but not be limited to, evaluation of the individual's:

- .1 personal safety awareness;
- .2 understanding and application of the relevant requirements;
- .3 technical capabilities;
- .4 understanding of the related requirements; and
- .5 standards of reporting and communication.

A1.9.4 Reporting

Subsequent to the monitoring, a report shall be made with conclusions with respect to:

- .1 whether the individuals assessed are capable of carrying out their authorized and assigned work (including particularly positive aspects);
- .2 any areas of improvement; and
- .3 any recommended training requirements.

A1.9.5 Evaluation

The monitoring report shall be evaluated by management who will determine the individual's continued authorization or possible training requirements to obtain further authorization. The report shall be completed and reviewed annually.

A1.9.6 Implementation

The RO shall:

- .1 document the activity monitoring methodology, including how it is reported;
- .2 document how the authorization to undertake activity monitoring is achieved;
- .3 document consequence and actions to undertake if activity-monitoring timing is exceeded;
- .4 maintain records to demonstrate that all relevant staff has been monitored in the prescribed period; and
- .5 maintain records to demonstrate level of technical performance and the effect of possible improvement activities across the organization through the analysis of activity monitoring.

A1.10 Training of support staff

Support staff shall have training and/or supervision commensurate with the tasks they are authorized to perform.

A1.11 Records

Records shall be maintained for each surveyor/plan approval staff member, indicating:

- .1 formal education background;
- .2 professional experience prior to joining the RO;
- .3 evidence of theoretical training completed;
- .4 evidence of practical training completed;
- .5 evidence of examinations and tests;
- .6 professional experience during employment at the RO; and
- .7 periodical updating of knowledge.

Appendix 2

SPECIFICATIONS ON THE SURVEY AND CERTIFICATION FUNCTIONS OF RECOGNIZED ORGANIZATIONS ACTING ON BEHALF OF THE FLAG STATE

A2.1 SCOPE

A2.1.1 This document contains minimum specifications for organizations recognized as capable of performing statutory work on behalf of a flag State in terms of certification and survey functions connected with the issuance of international certificates.

A2.1.2 The principle of the system described below is to divide the specifications required into different elementary modules with a view to selecting the relevant modules for each function of certification and survey.

A2.2 AREAS OF INTEREST COVERED BY ELEMENTARY MODULES

- .1 Management
- .2 Technical appraisal
- .3 Surveys
- .4 Qualifications and training.

A2.2.1 Management

Module 1A: Management functions

The management of the RO shall have the competence, capability and capacity to organize, manage and control the performance of survey and certification functions in order to verify compliance with requirements relevant to the tasks delegated and shall, inter alia:

- .1 possess an adequate number of competent supervisory, technical appraisal and survey personnel;
- .2 provide for the development and maintenance of appropriate procedures and instructions;
- .3 provide for the maintenance of up-to-date documentation on interpretation of the relevant instruments;
- .4 give technical and administrative support to field staff; and
- .5 provide for the review of survey reports and provision of experience feedback.

A2.2.2 Technical appraisal

Module 2A: Hull structure

The RO shall have the appropriate competence, capability and capacity to perform the following technical evaluations and/or calculations pertaining to:

- .1 longitudinal strength;
- .2 local scantlings such as plates and stiffeners;

- .3 structural stress, fatigue and buckling analyses; and
- .4 materials, welding and other pertinent methods of material-joining, for compliance with relevant rules and convention requirements pertaining to design, construction and safety.

Module 2B: Machinery systems

The RO shall have the appropriate competence, capability and capacity to perform technical evaluations and/or calculations pertaining to:

- .1 propulsion, auxiliary machinery and steering gear;
- .2 piping; and
- .3 electrical and automation systems,

for compliance with relevant rules and convention requirements pertaining to design, construction and safety.

Module 2C: Subdivision and stability

The RO shall have the appropriate competence, capability and capacity to perform technical evaluations and/or calculations pertaining to:

- .1 intact and damage stability;
- .2 inclining test assessment;
- .3 grain loading stability; and
- .4 watertight and weathertight integrity.

Module 2D: Load line

The RO shall have the appropriate competence, capability and capacity to perform the following technical evaluations and/or calculations pertaining to:

- .1 freeboard calculation; and
- .2 conditions of assignment of freeboard.

Module 2E: Tonnage

The RO shall have the appropriate competence, capability and capacity to perform technical evaluations and/or calculations pertaining to tonnage computation.

Module 2F: Structural fire protection

The RO shall have the appropriate competence, capability, and capacity to perform technical evaluations and/or calculations pertaining to:

- .1 structural fire protection and fire isolation;
- .2 use of combustible materials;
- .3 means of escape; and
- .4 ventilation systems.

Module 2G: Safety equipment

The RO shall have the appropriate competence, capability and capacity to perform technical evaluations and/or calculations pertaining to:

- .1 life-saving appliances and arrangements;
- .2 navigation equipment;
- .3 fire detection and fire alarm systems and equipment;
- .4 fire-extinguishing system and equipment;
- .5 fire control plans;
- .6 pilot ladders and pilot hoists;
- .7 lights, shapes and sound signals; and
- .8 inert gas systems.

Module 2H: Oil pollution prevention

The RO shall have the appropriate competence, capability and capacity to perform technical evaluations and/or calculations pertaining to:

- .1 monitoring and control of oil discharge;
- .2 segregation of oil and ballast water;
- .3 crude oil washing;
- .4 protective location of segregated ballast spaces;
- .5 pumping, piping and discharge arrangements; and
- .6 shipboard oil pollution emergency plans (SOPEPs).

Module 2I: NLS pollution prevention

The RO shall have the appropriate competence, capability and capacity to perform technical evaluations and/or calculations pertaining to:

- .1 list of substances the ship may carry;
- .2 pumping system;
- .3 stripping system;
- .4 tank-washing system and equipment; and
- .5 underwater discharge arrangements.

Module 2J: Radio

The RO shall have the appropriate competence, capability and capacity to perform technical evaluations pertaining to:

- .1 radiotelephony;
- .2 radiotelegraphy; and
- .3 GMDSS.

Alternatively, a professional radio installation inspection service company approved and monitored by the RO according to an established and documented programme may perform these services. This programme is to include the definition of the specific requirements the company and its radio technicians shall satisfy.

Module 2K: Carriage of dangerous chemicals in bulk

The RO shall have the appropriate competence, capability and capacity to perform technical evaluations and/or calculations pertaining to:

- .1 ship arrangement and ship survival capacity;
- .2 cargo containment and material of construction;
- .3 cargo temperature control and cargo transfer;
- .4 cargo tank vent systems and environmental control;
- .5 personnel protection; operational requirements; and
- .6 list of chemicals the ship may carry.

Module 2L: Carriage of liquefied gases in bulk

The RO shall have the appropriate competence, capability and capacity to perform technical evaluations and/or calculations pertaining to:

- .1 ship arrangement and ship survival capacity;
- .2 cargo containment and material of construction;
- .3 process pressure vessels and liquid, vapour and pressure piping systems;
- .4 cargo tank vent systems and environmental control;
- .5 personnel protection;
- .6 use of cargo as fuel; and
- .7 operational requirements.

A2.2.3 Surveys

Module 3A: Survey functions

The RO shall have the appropriate competence, capability and capacity to perform the required surveys under controlled conditions as per the RO's internal quality management system and, representing an adequate geographical coverage and local representation as required. The work to be covered by the staff is described in the relevant sections of the appropriate survey guidelines developed by the Organization.

A2.2.4 Qualifications and training

Module 4A: General qualifications

RO personnel performing, and responsible for, statutory work shall meet, as a minimum, the requirements defined in part 2, section 4.2.5.

Module 4B: Radio survey qualifications

A professional radio installation inspection service company, approved and monitored by the RO according to an established and documented programme, may do surveys. This programme is to include the definition of the specific requirements the company and its radio technicians shall satisfy, including, inter alia, requirements for internal tutored training covering at least:

- .1 radiotelephony;
- .2 radiotelegraphy;
- .3 GMDSS; and
- .4 initial and renewal surveys.

Radio technicians carrying out surveys shall have successfully completed, as a minimum, at least one year of relevant technical school training, the internal tutored training programme of his/her employer and at least one year of experience as an assistant radio technician. For exclusive radio surveyors to the RO, equivalent requirements as above apply.

A2.3 SPECIFICATIONS PERTAINING TO THE VARIOUS CERTIFICATES**A2.3.1 Passenger ship safety certificate*****Initial certification, renewal survey***

A2.3.1.1 Module Nos. 1A, 2A, 2B, 2C, 2D, 2F, 2G, 2J, 3A, 4A and 4B apply.

A2.3.1.2 For this certification, the system shall cover practical tutored training on the following issues as appropriate for Technical Appraisal and Support staff (TS) and Field Surveyors (FS), respectively:

- .1 TS: SOLAS 74, as amended.
- .2 FS: SOLAS 74, as amended:
 - .1 initial survey, report, and issuance of certificate; and
 - .2 renewal survey, report and issuance of certificate.

A2.3.2 Cargo ship safety construction certificate***Initial certification, annual/intermediate, renewal surveys***

A2.3.2.1 Module Nos. 1A, 2A, 2B, 2C, 2F, 3A and 4A apply.

A2.3.2.2 For this certification the system shall cover practical tutored training on the following issues as appropriate for Technical Appraisal and Support staff (TS) and Field Surveyors (FS), respectively:

- .1 TS: SOLAS 74 chapters II-1, II-2 and XII with any amendments and appropriate classification rules.

- .2 FS: Pertinent technical surveys (class surveys or similar), newbuilding:
 - .1 hull structure and equipment; and
 - .2 machinery and systems installation and testing.
- .3 FS: Pertinent technical surveys (class surveys or similar), ships in operation:
 - .1 annual/intermediate survey;
 - .2 renewal survey; and
 - .3 bottom survey.
- .4 FS: SOLAS 74 chapters II-1, II-2 and XII, as amended:
 - .1 initial survey, report, issuance of certificate;
 - .2 annual/intermediate survey and report; and
 - .3 renewal survey, report and issuance of certificate.

A2.3.3 Cargo ship safety equipment certificate

Initial certification, annual, periodical, renewal surveys

A2.3.3.1 Module Nos. 1A, 2G, 3A and 4A apply.

A2.3.3.2 For this certification the system shall cover practical tutored training on the following issues as appropriate for Technical Appraisal and Support staff (TS) and Field Surveyors (FS), respectively:

- .1 TS: SOLAS 74 chapters II-1, II-2, III and V, as amended, and applicable aspects of COLREG 72, as amended.
- .2 FS: SOLAS 74 chapters II-1, II-2, III and V, as amended, and applicable aspects of COLREG 72, as amended:
 - .1 initial survey, report and issuance of certificate;
 - .2 annual/periodical survey and report; and
 - .3 renewal survey, report and issuance of certificate.

A2.3.4 Cargo ship safety radio certificate

Initial certification, periodical, renewal surveys

A2.3.4.1 Module Nos. 1A, 2J, 3A and 4B apply.

A2.3.4.2 For this certification the system shall cover practical tutored training on the following issues for Technical Appraisal and Support staff (TS) and Field Surveyors (FS) respectively:

- .1 TS: SOLAS 74 chapter IV, as amended.
- .2 FS: Reference Module 4B.

A2.3.5 International Safety Management Code certification

Initial certification, annual/intermediate verifications, renewal certification

A2.3.5.1 All of the modules, with the exception of 2E (tonnage), apply to the extent that they relate to an RO's ability to identify and evaluate the mandatory rules and regulations with which a company's safety management system and ships shall comply.

A2.3.5.2 For this certification, the system shall comply with the qualification and training requirements for ISM Code assessors contained in the *Guidelines on Implementation of the International Safety Management (ISM) Code by Administrations*.

A2.3.6 International load line certificate

Initial certification, annual, renewal surveys

A2.3.6.1 Module Nos. 1A, 2A, 2C, 2D, 3A and 4A apply.

A2.3.6.2 For this certification, the system shall cover practical tutored training on the following issues as appropriate for Technical Appraisal and Support staff (TS) and Field Surveyors (FS), respectively:

- .1 TS: Calculation of freeboard and approval of drawings for conditions of assignment according to ILLC 1966.
- .2 FS: Pertinent technical surveys (class surveys or similar), newbuilding:
 - .1 hull structural survey;
 - .2 hull penetrations and closing appliances; and
 - .3 stability/inclining test.
- .3 FS: Pertinent technical surveys (class surveys or similar), ships in operation:
 - .1 annual survey;
 - .2 renewal survey; and
 - .3 bottom survey.
- .4 FS: Measurement for load line/initial survey report.
- .5 FS: Conditions for assignment/initial survey report.
- .6 FS: Load line marking verification/initial survey report.
- .7 FS: Load line annual survey.
- .8 FS: Load line renewal survey, report and issuance of certificate.

A2.3.7 International oil pollution prevention certificate

Initial certification, annual, intermediate, renewal surveys

A2.3.7.1 Module Nos. 1A, 2A, 2B, 2C, 2H, 3A and 4A apply.

A2.3.7.2 For this certification, the system shall cover practical tutored training on the following issues as appropriate for Technical Appraisal and Support staff (TS) and Field Surveyors (FS), respectively:

- .1 TS: Approval of drawings and manuals according to MARPOL, Annex I.
- .2 FS: MARPOL, Annex I, as amended:
 - .1 initial survey, report and issuance of certificate;
 - .2 annual/intermediate survey and report; and
 - .3 renewal survey, report and issuance of certificate.

A2.3.8 International pollution prevention certificate for the carriage of noxious liquid substances in bulk

Initial certification, annual, intermediate, renewal surveys

A2.3.8.1 Module Nos. 1A, 2A, 2B, 2C, 2I, 3A and 4A apply.

A2.3.8.2 For this certification the system shall cover practical tutored training on the following issues as appropriate for Technical Appraisal and Support staff (TS) and Field Surveyors (FS), respectively:

- .1 TS: Approval of drawings and manuals according to MARPOL, Annex II and appropriate codes.
- .2 FS: MARPOL, Annex II and appropriate codes:
 - .1 initial survey, report and issuance of certificate;
 - .2 annual/intermediate survey and report; and
 - .3 renewal survey, report and issuance of certificate.

A2.3.9 International certificate of fitness for the carriage of dangerous chemicals in bulk

Initial certification, annual, intermediate, renewal surveys

A2.3.9.1 Module Nos. 1A, 2A, 2B, 2C, 2K, 3A and 4A apply.

A2.3.9.2 For this certification the system shall cover practical tutored training on the following issues as appropriate for Technical Appraisal and Support staff (TS) and Field Surveyors (FS), respectively:

- .1 TS: Approval of drawings and manuals according to International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk (IBC Code).
- .2 FS: IBC Code:
 - .1 initial survey, report and issuance of certificate;
 - .2 annual/intermediate survey and report; and
 - .3 renewal survey, report and issuance of certificate.

A2.3.10 International certificate of fitness for the carriage of liquefied gases in bulk***Initial certification, annual, intermediate, renewal surveys***

A2.3.10.1 Module Nos. 1A, 2A, 2B, 2C, 2L, 3A and 4A apply.

A2.3.10.2 For this certification the system shall cover practical tutored training on the following issues as appropriate for Technical Appraisal and Support staff (TS) and Field Surveyors (FS), respectively:

- .1 TS: Approval of drawings and manuals according to International Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk (IGC Code).
- .2 FS: IGC Code:
 - .1 initial survey, report and issuance of certificate;
 - .2 annual/intermediate survey and report; and
 - .3 renewal survey, report and issuance of certificate.

A2.3.11 International tonnage certificate (1969)***Initial certification***

A2.3.11.1 Module Nos. 1A, 2E and 4A apply.

A2.3.11.2 For this certification the system shall cover practical tutored training on the following issues as appropriate for Technical Appraisal and Support staff (TS) and Field Surveyors (FS), respectively:

- .1 TS: Measurement and computation of tonnage according to:
 - .1 1969 Tonnage Measurement Convention; and
 - .2 Pertinent IMO resolutions.
- .2 FS: Marking survey and report.

Appendix 3

ELEMENTS TO BE INCLUDED IN AN AGREEMENT

A formal written agreement or equivalent between the flag State and the RO should, as a minimum, cover the following items:

- 1 Application
- 2 Purpose
- 3 General conditions
- 4 The execution of functions under authorization:
 - .1 Functions in accordance with the general authorization
 - .2 Functions in accordance with special (additional) authorization
 - .3 Relationship between the organization's statutory and other related activities
 - .4 Functions to cooperate with port States to facilitate the rectification of reported port State control deficiencies or the discrepancies within the organization's purview
- 5 Legal basis of the functions under authorization:
 - .1 Acts, regulations and supplementary provisions
 - .2 Interpretations
 - .3 Deviations and equivalent solutions
- 6 Reporting to the flag State:
 - .1 Procedures for reporting in the case of general authorization
 - .2 Procedures for reporting in the case of special authorization
 - .3 Reporting on classification of ships (assignment of class, alterations and cancellations), as applicable
 - .4 Reporting of cases where a ship did not in all respects remain fit to proceed to sea without danger to the ship or persons on board or presenting unreasonable threat of harm to the environment
 - .5 Other reporting
- 7 Development of rules and/or regulations – Information:
 - .1 Cooperation in connection with development of rules and/or regulations – liaison meetings
 - .2 Exchange of rules and/or regulations and information
 - .3 Language and form
- 8 Other conditions:

- .1 Remuneration
 - .2 Rules for administrative proceedings
 - .3 Confidentiality
 - .4 Liability¹
 - .5 Financial responsibility
 - .6 Entry into force
 - .7 Termination
 - .8 Breach of agreement
 - .9 Settlement of disputes
 - .10 Use of subcontractors
 - .11 Issue of the agreement
 - .12 Amendments
- 9 Specification of the authorization from the flag State to the organization:
- .1 Ship types and sizes
 - .2 Conventions and other instruments, including relevant national legislation
 - .3 Approval of drawings
 - .4 Approval of material and equipment
 - .5 Surveys
 - .6 Issuance of certificates
 - .7 Corrective actions
 - .8 Withdrawal of certificates
 - .9 Reporting

¹ ROs and its employees who are involved in or responsible for delivery of statutory certification and services may be required by the law of the flag State to be covered by professional indemnity or professional liability insurance in the event that liability is finally and definitively imposed on the flag State for loss or damage which is proved in a court of law to have been caused by any negligent act or omission by its RO. In this connection, the flag State may also consider placing a limitation on the level of liability and indemnification to be covered under that insurance or other compensation arrangements.

- 10 The flag State's supervision of duties delegated to the organization:
- .1 Documentation of quality assurance system
 - .2 Access to internal instructions, circulars and guidelines
 - .3 Access by the flag State to the organization's documentation relevant to the flag State's fleet
 - .4 Cooperation with the flag State's inspection and verification work
 - .5 Provision of information and statistics on, e.g. damage and casualties relevant to the flag State's fleet.

第 21/2016 號行政長官公告

中央人民政府命令在澳門特別行政區執行聯合國安全理事會關於阿富汗局勢的第1267 (1999) 號、第1333 (2000) 號及第1390 (2002) 號決議，以及關於恐怖活動對國際和平與安全構成威脅的第1989 (2011) 號及第2083 (2012) 號決議；

聯合國安全理事會關於基地組織及有關個人和實體的第1267 (1999) 號和第1989 (2011) 號決議所設委員會（基地組織制裁委員會）於二零一五年八月十八日更新了基地組織制裁名單；

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，命令公佈聯合國安全理事會基地組織制裁委員會於二零一五年八月十八日更新的基地組織制裁名單的英文原文及其葡文譯本。

二零一六年三月三十一日發佈。

行政長官 崔世安

Aviso do Chefe do Executivo n.º 21/2016

Considerando que o Governo Popular Central ordenou a aplicação na Região Administrativa Especial de Macau das Resoluções do Conselho de Segurança das Nações Unidas n.º 1267 (1999), n.º 1333 (2000) e n.º 1390 (2002), relativas à situação no Afeganistão, e das Resoluções n.º 1989 (2011) e n.º 2083 (2012), relativas às ameaças à paz e segurança internacionais causadas por actos terroristas;

Considerando ainda que, em 18 de Agosto de 2015, o Comité do Conselho de Segurança das Nações Unidas estabelecido pelas Resoluções n.º 1267 (1999) e n.º 1989 (2011) relativo à Al-Qaida e a pessoas singulares e entidades a esta associadas (Comité de Sanções contra a Al-Qaida) procedeu à actualização da lista de sanções contra a Al-Qaida;

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 lista de sanções contra a Al-Qaida, tal como actualizada à data de 18 de Agosto de 2015 pelo Comité de Sanções contra a Al-Qaida do Conselho de Segurança das Nações Unidas, na sua versão original em língua inglesa, acompanhada da tradução para a língua portuguesa.

Promulgado em 31 de Março de 2016.

O Chefe do Executivo, *Chui Sai On*.