
STATUTORY INSTRUMENTS

2014 No. 1512

The Merchant Shipping (International Safety Management (ISM) Code) Regulations 2014

PART 2

Compliance with ISM Code

Duty on ISM company where EU Regulation applies

4. An ISM company must not operate a ship to which the EU Regulation applies unless—
- (a) Article 5 of the EU Regulation; and
 - (b) the requirements in regulation 6;

are complied with in relation to that ship.

Commencement Information

II [Reg. 4](#) in force at 18.7.2014, see [reg. 1\(1\)](#)

Duty on ISM company where EU Regulation does not apply

5.—(1) An ISM company must not operate a ship within paragraph (2) unless the requirements in regulation 6 are complied with in relation to that ship.

- (2) A ship is within this paragraph if it is—
- (a) a passenger ship which is—
 - (i) a high speed craft; or
 - (ii) classified in Class I or II in regulation 2(6) of the Merchant Shipping (Passenger Ship Construction: Ships of Classes I, II and II(A)) Regulations 1998(1);
 - (b) a cargo ship of 500 gross tonnage or more, engaged in international voyages; or
 - (c) a mobile offshore drilling unit of 500 gross tonnage or more, engaged in international voyages.
- (3) A ship is not within paragraph (2) if the EU Regulation applies in relation to that ship.

Commencement Information

I2 [Reg. 5](#) in force at 18.7.2014, see [reg. 1\(1\)](#)

Certification requirements of regulations 4 and 5

- 6.—(1) The requirements referred to in regulations 4 and 5(1) are—
- (a) the ISM company holds a valid Document of Compliance or Interim Document of Compliance in respect of the ship, and a copy is carried on board; and
 - (b) a valid Safety Management Certificate or Interim Safety Management Certificate has been issued in respect of that ship, and the original is carried on board.
- (2) For the purposes of this regulation—
- (a) a copy of a document must display all the endorsements which have been made to the original document;
 - (b) a document is not valid if it has been suspended or cancelled; and
 - (c) a document is not valid in connection with a ship which is not a United Kingdom ship if it does not display endorsements showing satisfactory annual or intermediate audits (as appropriate) as required by the ISM Code.

Commencement Information

I3 Reg. 6 in force at 18.7.2014, see [reg. 1\(1\)](#)

Duty of master

7. The master of a ship to which the EU Regulation applies or which is within regulation 5(2) must operate that ship in accordance with the safety management system on the basis of which the Safety Management Certificate (or Interim Safety Management Certificate, as the case may be) was issued.

Commencement Information

I4 Reg. 7 in force at 18.7.2014, see [reg. 1\(1\)](#)

Designated person

- 8.—(1) In relation to a ship to which the EU Regulation applies or which is within regulation 5(2), the ISM company must—
- (a) designate a person who is to discharge the responsibility described in paragraph (2); and
 - (b) ensure that the designated person—
 - (i) is provided with sufficient authority and resources; and
 - (ii) has appropriate knowledge and sufficient experience of the operation of ships at sea and in port,
 to discharge that responsibility.
- (2) The responsibility of the designated person is—
- (a) to monitor the safe and efficient operation of that ship with particular regard to safety and pollution prevention aspects;
 - (b) to take such steps as are necessary to ensure compliance with the safety management system on the basis of which the Document of Compliance (or Interim Document of Compliance, as the case may be) was issued; and

- (c) to ensure that proper provision is made for the ship to be so manned, equipped and maintained that it is fit to operate in accordance with that safety management system.

Commencement Information

I5 [Reg. 8](#) in force at 18.7.2014, see [reg. 1\(1\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Merchant Shipping (International Safety Management (ISM) Code) Regulations 2014, PART 2.