

Only the Danish version is authentic

Notice D IX
1 October 2006

Technical regulation on the
construction and equipment, etc. of
passenger ships on domestic voyages

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Management for the safe operation of ships

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CHAPTER IX

Management for the safe operation of ships

Introduction

This chapter contains the provisions of Annex IX to the International Convention for the Safety of Life at Sea (SOLAS) 1974, as amended, and associated Protocols and Codes. The provisions of this chapter shall apply to all Danish and foreign passenger ships engaged in domestic voyages between Danish ports.

Furthermore, the provisions of this chapter shall apply to Danish and foreign ships engaged in domestic voyages between Danish ports in sea areas A and B in pursuance of Regulation (EC) No. 336/2006 of the European Parliament and of the Council of 15 February 2006 on the implementation of the International Safety Management Code within the Community and repealing Council Regulation (EC) No. 3051/95.

Regulation 1 Definitions

- 1 For the purpose of this chapter, unless expressly provided otherwise:
- 2 “International Safety Management (ISM) Code” means the International Management Code for the Safe Operation of Ships and for Pollution Prevention adopted by the Organization by resolution A.741(18), as may be amended by the Organization, provided that such amendments are adopted, brought into force and take effect in accordance with the provisions of article VIII of the present Convention concerning the amendment procedures applicable to the annex other than chapter I.
- 3 “Company” means the owner of the ship or any other organization or person such as the manager, or the bareboat charterer, who has assumed the responsibility for operation of the ship from the owner of the ship and who on assuming such responsibility has agreed to take over all the duties and responsibilities imposed by the International Safety Management Code.
- 4 “High-speed craft” means a craft as defined in regulation I/2.6.
- 5 “Document of Compliance (DOC)” means a document issued to a shipping company that complies with the requirements of the ISM Code.¹
- 6 “Safety Management Certificate (SMC)” means a certificate issued to a ship stating that the shipping company and its ship are operated in accordance with the approved Safety Management System (SMS).²

Regulation 2 Application

¹ From resolution A.788(19), paragraph 1.1.5.

² From resolution A.788(19), paragraph 1.1.6.

- 1 This chapter applies to passenger ships, including high-speed passenger craft.
- 2 This chapter does not apply to government-operated ships used for non-commercial purposes.

Regulation 3 Safety management requirements

- 1 The company and the ship shall comply with the requirements of the International Safety Management Code.
- 2 The ship shall be operated by a company holding a Document of Compliance referred to in regulation 4.

Regulation 4 Certification

- 1 A Document of Compliance shall be issued to every company which complies with the requirements of the International Safety Management Code. This document shall be issued by the Administration, by an organization recognised by the Administration, or at the request of the Administration by another Contracting Government.

A Document of Compliance is valid for a period of five years from the date of issue provided that an audit is carried out each year by the Administration or by an organization recognised by the Administration. Every five years the document shall be renewed.³

- 2 A copy of the Document of Compliance shall be kept on board the ship in order that the master can produce it on request for verification.
- 3 A Certificate, called a Safety Management Certificate, shall be issued to every ship by the Administration or an organization recognized by the Administration. The Administration or organization recognized by it shall, before issuing the Safety Management Certificate, verify that the company and its shipboard management operate in accordance with the approved safety-management system.

A Safety Management Certificate is valid for a period of five years from the date of issue provided that an audit is carried out at least once during this period by the Administration or by an organization recognised by the Administration. Every five years the document shall be renewed.⁴

Regulation 5 Maintenance of conditions

The safety management system shall be maintained in accordance with the provisions of the International Safety Management Code.

Regulation 6 Verification and control

- 1 The Administration, another Contracting Government at the request of the Administration or an organization recognized by the Administration shall periodically verify the proper functioning of the ship's safety management system.

³ From resolution A.788(19), paragraphs 3.1.5, 3.1.6 and 3.1.7.

⁴ From resolution A.788(19), paragraphs 3.2.2., 3.2.3. and 3.2.4.

- 2 In cases of change of flag State or company, special transitional arrangements shall be made in accordance with the guidelines developed by the Organization.⁵

⁵ Refer to the Guidelines on implementation of the International Safety Management (ISM) Code by Administrations, adopted by the Organization by resolution A.788(19).