

DRAFT

MINISTRY OF PORTS, SHIPPING AND WATERWAYS

NOTIFICATION

New Delhi, the _____ 2026

G.S.R. (E).— In exercise of the powers conferred by section 130 of the Merchant Shipping Act, 2025 (24 of 2025), the Central Government hereby makes the following rules, namely the Merchant Shipping (Safety Management) Rules, 2026.

Whereas by virtue of Section 130 of the Merchant Shipping Act, 2025 (24 of 2025), to effectively carry out the provisions of Part VI of the Act and to prescribe the standards of obligations, responsibilities and such other matters to be complied with by vessels, port facilities and companies, the following Rules are promulgated:

1. Short title, commencement and application

(1) These Rules may be called the ***Merchant Shipping (Safety Management) Rules, 2026*** and shall come into force on the date of their publication in the Official Gazette.

(2) These Rules apply to Indian ships and to Indian shipping companies operating—

- a) Passenger ships including passenger high-speed crafts, of any size;
- b) Oil tankers, chemical tankers, gas carriers, bulk carriers, and high-speed cargo crafts of 500 gross tonnage or more;
- c) Other cargo vessels and mobile offshore drilling units of 500 gross tonnage or more;
- d) Indian domestic vessels of 500 gross tonnage or more ;

Application of these rules to ships or vessels registered under the Act, which are not specifically covered under the foregoing provisions, shall be governed to the extent and in the manner as may be prescribed by the Central Government. The Director General may, for the purpose of implementing such prescriptions, issue guidelines or orders as may be necessary or expedient.”

2. Definitions

(1) In these Rules, unless the context otherwise requires—

- a) “**Accident**” means an accident or any involuntary incident, involving injury or damage to life, the environment, safe navigation, vessel or its cargo;
- b) “**Act**” means the Merchant Shipping Act, 2025 (24 of 2025);
- c) “**Auditor**” means any Surveyor authorised under Section 9 of the Act, or any person authorised by the Director General under sub-section (2) of Section 144 of the Act for the purposes of conducting audits of vessels, companies, or port facilities in accordance with the provisions of the Act and these Rules, ;

- d) **“Bulk Carrier”** means a vessel constructed generally with a single deck, top-side tanks and hopper side tanks in cargo spaces, intended primarily to carry dry cargo in bulk, and includes ore carriers and combination carriers;
 - e) **“Chemical tanker”** means a cargo vessel constructed or adapted for the carriage of any hazardous product listed in Chapter 17 of the International Bulk Chemical Code;
 - f) **“Code”** means the International Safety Management Code for the Safe Operation of Ships and Pollution Prevention, as adopted by the IMO;
 - g) **“Company”** as defined under Section 115(a) of the Act;
 - h) **“Director-General”** means the Director General of Maritime Administration under the Government of India;
 - i) **“Designated person ashore” also known as DPA** means a person ashore with direct access to the highest level of management, charged with the responsibility and authority to monitor the safety and pollution-prevention aspects of the operation of each vessel;
 - j) **“Document of Compliance “** means a Certificate of Compliance issued to a Company that complies with the requirements of the Code, by an officer authorized by the Director General who is not below the rank of Deputy Chief Surveyor with the Government of India;
 - k) **“Domestic vessel”** means any vessel that operates in the coastal waters of India, For the purpose of this definition, “coastal waters” shall have the meaning assigned to it under the Act;
 - l) **“Domestic Document of Compliance”** means the Document of Compliance issued to a Company for the safe operation of domestic vessels, by an officer authorised by the Director General, who shall be not below the rank of Deputy Chief Surveyor with the Government of India;
- Explanation:** For the purposes of issuance of Document of Compliance to a Company for operation of any vessel other than domestic vessel; such Company shall demonstrate compliance with the Code.
- m) **“Gas carrier”** means a cargo vessel constructed or adapted for the carriage in bulk of any liquefied gas or other product listed in the International Gas Carrier Code;
 - n) **“High speed craft”** means a craft capable of maximum speed (in metres per second) equal to or exceeding $3.7 \times V^{0.1667}$, where V is the volume of displacement corresponding to the design waterline;
 - o) **“Internal Safety Management System audit”** means a systematic and independent verification process carried out by the Company, as part of its management function, to determine whether the Safety Management System activities and related results are in compliance with the Safety Management System requirements of the company;
 - p) **“Major non-conformity”** means an identifiable deviation that poses a serious threat to the safety of personnel or the vessel , or a serious risk to the

environment, requiring immediate corrective action, or the lack of effective and systematic implementation of a requirement of the Code;

- q) **“Mobile offshore drilling unit”** means a vessel capable of being engaged in drilling operations for the exploration or exploitation of seabed mineral resources;
- r) **“Non-conformity”** means an observed situation where objective evidence indicates the non-fulfillment of a specified requirement of the International Safety Management (ISM) Code;
- s) **“Objective Evidence”** means quantitative or qualitative information, records or statements of fact pertaining of safety or to the existence and implementation of a safety management system element, which is based on observation, measurement or test and which can be verified;
- t) **“Observation”** means a statement of fact made during a Safety management audit and substantiated by objective evidence;
- u) **“Oil tanker”** means a vessel constructed or adapted primarily to carry oil in bulk in its cargo spaces, including combination carriers;
- v) **“Organisation”** also referred to as IMO, means the International Maritime Organization (IMO);
- w) **“Recognized Organization”** or **“RO”** means a Classification Society or other body recognized by the Central Government for the purpose of performing statutory surveys, audits, inspections, approvals and certification functions on behalf of the Government of India;
- x) **“Safety Management Audit”** means a systematic and independent examination to determine whether the Safety Management System activities and related results comply with planned arrangements, and whether these arrangements are implemented effectively and are suitable to achieve the objectives;
- y) **“Safety Management Certificate”** means a document issued to a ship by an officer authorized by the Director General, who is not below the rank of Deputy Chief Surveyor with the Government of India, after verifying and having satisfied that the Company and its shipboard management operate in accordance with the approved Safety Management System;
- z) **“Safety Management System”** means a structured and documented system enabling Company personnel to effectively implement the Company’s Safety and Environment Protection Policy;

aa) **“Vessel”** as defined in section 3(70) of the Act;

(2) All other terms and abbreviations which are used in these rules and not defined in sub-rule(1) above; shall have the same meaning as provided under the Act.

3. Criteria for verification

(1) The Director General shall verify continued compliance by the Company with the requirements of the International Safety Management (ISM) Code by determining that:

(a) the Company's Safety Management System conforms with the Code's requirements; and

(b) the Safety Management System ensures that the following objectives are achieved:

(i) compliance with mandatory rules and regulations; and

(ii) that applicable Code guidelines and standards recommended by the International Maritime Organization (IMO), and the Director General are taken into account.

(2) When mandatory requirements are not subject to statutory surveys or audits as provided under the Act or the rules made thereunder, the Company shall provide specific documented proof demonstrating compliance with the applicable procedures and instructions, and provide objective evidence of their implementation.

4. Obligations of the Company and Owner

(1) The Company shall establish, implement and maintain a Safety Management System in accordance with the Code, ensuring compliance with all applicable safety, environmental and statutory requirements and the Safety Management System shall be documented in a Safety Management Manual or manuals, as may be approved by the Director General.

(2) The Company shall ensure that the Safety Management System provides for achieving the objectives set out in the Code, including safety of life, prevention of injury or loss of life, avoidance of damage to the environment and to property, and continual improvement of safety management skills of personnel.

(3) The Owner shall ensure that the Company has sufficient authority, resources and shore-based support to maintain and implement the Safety Management System; the Owner and Company shall provide the necessary personnel, equipment, procedures and financial resources to ensure safe operation of vessels and pollution prevention.

(4) The Company shall ensure that its vessels are managed in accordance with the Safety Management System and that masters and crew are properly qualified, trained and familiar with the relevant provisions of the Safety Management System and their duties under it.

(5) The Company shall establish and maintain procedures for internal Safety Management System audits at intervals not exceeding twelve (12) months to verify compliance with the Safety Management System, and shall ensure that corrective actions are taken for any non-conformities identified during such audits. In exceptional circumstances, this interval may be exceeded not more than 3 months.

5. Safety Management System requirements

Every Company shall develop, implement and maintain a Safety Management System, approved by the Director General, which shall inter alia include the following elements:

a) A policy that explicitly commits the Company to objectives including:

- (i) ensuring safety at sea, prevention of human injury or loss of life, and avoidance of damage to the environment (particularly the marine environment) and to property;
 - (ii) providing safe practices in vessel operations and a safe working environment;
 - (iii) establishing safeguards against all identified risks;
 - (iv) improving safety management skills of personnel ashore and on board vessels, including preparing for emergencies related to safety and environmental protection.
- b) Clear lines of responsibility, authority and communication within the Company and between vessel and shore personnel, including identification of the Designated Person Ashore (DPA) with access to the highest level of management.
 - c) Procedures for reporting accidents, hazardous occurrences, non-conformities and near misses, and for implementing and recording corrective and preventive actions.
 - d) Procedures for internal Safety Management System audits and management reviews at appropriate intervals, to ensure that the Safety Management System is effectively maintained and continually improved.
 - e) Procedures for emergency preparedness, including drills, exercises and contingency plans for emergencies such as fire, collision, grounding or other incidents.
 - f) Requirements for documentation and record-keeping, including a Safety Management Manual (or manuals) containing the Safety Management System and the instructions, procedures and records necessary for the safe operation of the vessel and for compliance with the Code and these Rules.
 - g) A program for verifying the compliance of each vessel and the Company with mandatory requirements of relevant international conventions, national laws and regulations, and class society rules, including procedures to address any deficiencies identified.

6. Designated Person Ashore (DPA) and Alternate DPA

- (1) Every Company shall designate a person ashore as the Designated Person Ashore (DPA) responsible for ensuring the safe operation of each vessel and for providing a link between the vessel and shore-based management.
- (2) The Designated Person Ashore shall have direct access to the highest level of management and shall be provided with the authority, resources and support necessary to carry out the duties required under the Safety Management System.
- (3) The Company shall also nominate an Alternate Designated Person Ashore who shall assume the duties of the DPA when the primary DPA is absent or otherwise unavailable.
- (4) The Company shall notify the Director General of the name and contact details of the DPA and Alternate DPA and shall notify the Director General of any changes thereto without delay.

(5) The Designated Person Ashore and Alternate Designated Person Ashore shall not be assigned other duties that would conflict with their responsibilities for safety and pollution prevention.

(6) The qualifications, training, and experience required for appointment of the Designated Person Ashore and the Alternate DPA shall be such as may be prescribed by the Director General from time to time, through guidelines or by order, and shall be complied with by every Company applying for or holding a Document of Compliance or Domestic Document of Compliance.

7. Document of Compliance

(1) A Document of Compliance (DOC) shall be issued by the Chief Surveyor in Form 4 of Schedule I of these Rules, to a Company after an initial verification of compliance with the requirements of the Code, for which purpose:

(a) the Auditor shall verify that the establishment and implementation of the Safety Management System meets the objectives specified in rule 3, and on satisfactory completion of such verification the Auditor shall present a report to the Director General; and

(b) where the report is found satisfactory, the Chief Surveyor shall issue a Document of Compliance in Form 4 of Schedule I, valid for five years from the date of assessment (or from the date of satisfactory closure of any major non-conformities).

(2) The DOC shall be valid for the type of vessels for which the initial verification was conducted and,

a) may be extended to cover additional types of vessels after verification that the Company can comply with the Code requirements for such additional vessel types;

b) shall be subject to annual verification by Auditors, within three months before or after each anniversary of its issuance to confirm the effective functioning of the Safety Management System in the Company; and such verification shall include examining and verifying the correctness of statutory and classification records for at least one vessel of each type covered by the Document of Compliance, and verifying corrective actions and modifications to the Safety Management System carried out since the previous verification;

c) the vessel types indicated on the Document of Compliance, including any Interim Document of Compliance; may be endorsed to reflect any limitations in the operations of the vessels described in the SMS.

(3) Renewal verification of a Document of Compliance shall be carried out within three months immediately preceding its expiry.

(4) A Document of Compliance shall not be issued, endorsed or renewed unless all major non-conformities have been fully rectified by the Company and verified by the Auditor.

(5) A copy of the Document of Compliance should be kept on board each vessel covered by the DOC, so that the master may produce it for verification by the

Directorate General of Maritime Administration or a Recognised Organisation, or for the purposes of the control referred to in SOLAS regulation IX/6.2.

8. Safety Management Certificate (SMC)

(1) A Safety Management Certificate (SMC) or an Interim Safety Management Certificate (as the case may be) shall be issued by the Chief Surveyor in Form 3 or Form 1 of Schedule I, respectively, to a vessel after an initial verification of compliance with the Code as follows:

(a) the Auditor shall verify the establishment and implementation of the Safety Management System on board the vessel, including that the Document of Compliance for the Company is applicable to that ship type;

(b) there must be objective evidence that the Company's Safety Management System has been functioning effectively for at least three months on board the vessel; and

(c) if a satisfactory Safety Management System is found on board, the Auditor shall submit a declaration to the Director General recommending issuance of a Safety Management Certificate to the vessel.

(2) A copy of the valid Safety Management Certificate issued to the vessel shall always be made available at the Company's head office.

(3) The issue of a Safety Management Certificate shall be subject to:

- a) the existence of a valid Document of Compliance for that vessel type,
- b) compliance with rule 3, and
- c) maintenance of valid statutory certificates.

(4) A Safety Management Certificate shall not be issued, endorsed or renewed unless all major non-conformities have been rectified on the vessel by the Company and verified by the Auditor. Provided that a Safety Management Certificate may be issued, endorsed or renewed pending rectification of non-conformities, provided such rectification is completed within a period not exceeding three months as may be agreed between the Company and the Auditor, if the non-conformities could not be rectified for reasons beyond the Company's control.

(5) The period of validity of a Safety Management Certificate shall be five years, subject to at least one intermediate verification confirming effective functioning of the Safety Management System, and that any modifications carried out since the previous verification comply with the Code.

(6) A Safety Management Certificate shall be issued from the date of completion of assessment if there are no major non-conformities, or from the date of satisfactory rectification of any major non-conformities, as deemed fit by the issuing authority.

(7) When the renewal verification is satisfactorily completed, the renewed Safety Management Certificate shall be issued, valid for a period not exceeding five years from the expiry date of the previous Safety Management Certificate, prior to extension.

(8) If a vessel, when its Safety Management Certificate expires, is not in a port where it is to be verified, the Chief Surveyor may extend the validity of the Safety Management Certificate only for the purpose of allowing the vessel to complete its voyage to the port of verification, and only if deemed proper and reasonable to do so.

(9) No Safety Management Certificate shall be extended for longer than three months, and a vessel for which an extension is granted shall not, on arrival at the port of verification, depart without having a renewed Safety Management Certificate.

9. Domestic Document of Compliance (DDOC)

(1) A Domestic Document of Compliance (DDOC) shall be issued to a Company in respect of vessels that operate exclusively within the coastal waters of India, subject to the Company's compliance with the applicable provisions of these rules. The types and categories of such vessels, and the specific requirements for issuance of Domestic Document of Compliance, shall be as specified by the Director General through guidelines or by order.

(2) A Domestic Document of Compliance shall be issued by the Chief Surveyor in Form 1 of Schedule II to a Company after an initial verification of compliance with the requirements of the Code and any Central Government guidelines for domestic operations to the extent applicable to such vessels.

(3) The Domestic Document of Compliance shall be valid for the type of domestic vessels on which the initial verification was based and;

- a) may be extended to additional domestic vessel types after verifying the Company's capability to comply with the Government's requirements for those types;
- b) shall be subject to intermediate verification by Auditors, within six months before or after the mid-term date of a 5-year term, to confirm the effective functioning of the Safety Management System in the Company. Such verification shall include examining and verifying the statutory and classification records for at least one vessel of each type covered by the Domestic Document of Compliance, and verifying corrective actions and modifications to the Safety Management System since the previous verification;
- c) the vessel types indicated on the Domestic Document of Compliance may be endorsed to reflect any limitations in the operations of the vessels described in the Safety Management System.

(4) Renewal verification of a Domestic Document of Compliance shall be carried out within three months immediately preceding its expiry.

(5) A Domestic Document of Compliance shall not be issued, endorsed or renewed unless all major non-conformities have been fully rectified by the Company and verified by the Auditor.

(6) A copy of the Domestic Document of Compliance shall be placed on board each covered vessel so that the master may produce it for verification by the Directorate General of Maritime Administration or by a Recognised Organisation.

(7) For inclusion of any new category of domestic vessel, the Company must undergo an additional verification audit. Upon satisfactory completion, the Auditor shall report to the Director General recommending inclusion of the new vessel category in the Company's existing Domestic Document of Compliance

10. Ship Safety Certificate (SSC)

(1) In the case of vessels operating exclusively within the coastal waters of India and managed by a Company holding a valid Domestic Document of Compliance (DDOC), a Ship Safety Certificate shall be issued in lieu of a Safety Management Certificate, upon verification of compliance with the applicable safety management requirements.

(2) The Ship Safety Certificate may be issued as an independent certificate or may be integrated with other applicable safety survey or audit certificates, as may be specified by the Director General through guidelines or by order.

(3) For the purpose of issuing Ship Safety Certificate, a domestic vessel shall undergo a Safety Management System audit during any safety certificate survey (initial, annual, intermediate or renewal) in accordance with the Code and Central Government guidelines as applicable, inter alia:

(a) the Auditor shall verify the establishment and implementation of the Safety Management System on board, including that the Domestic Document of Compliance for the Company is applicable to that vessel type;

(b) there must be objective evidence that the Company's Safety Management System has been functioning effectively on board, including records from internal audits carried out on the vessel.

(4) A copy of the valid Ship Safety Certificate issued under the Act for each Company-managed vessel shall always be made available at the Company's head office.

11. Interim Document of Compliance and Safety Management Certificate

(1) An *Interim Document of Compliance as the case may be*, valid for not more than 12 months, shall be issued by the Chief Surveyor in Form 2 of Schedule I, to facilitate initial implementation of the Code in the following cases:

(a) where a Company is newly established; or

(b) when a Company takes responsibility for operating a vessel type not covered in its Document of Compliance. *Provided* that the Company demonstrates it has a Safety Management System meeting the objectives of rule 3.

(2) An Interim Safety Management Certificate, valid for not more than 6 months, shall be issued by the Chief Surveyor to facilitate initial implementation of the Code in the following cases:

(a) to new vessels on delivery;

(b) when a Company takes responsibility for a vessel which is new to the Company; or

(c) when a vessel changes flag.

(3) An Interim Safety Management Certificate may be issued after verifying that:

- a) the relevant Document of Compliance or Interim Document of Compliance is applicable to the vessel;
- b) the Company's Safety Management Certificate for the vessel includes key elements of the Code and was assessed during the audit for the Interim Document of Compliance;
- c) the Company has scheduled a full-ship audit within three months; the ship's master and officers are familiar with the Safety Management Certificate and its planned implementation;
- d) identified essential instructions have been provided before sailing; and
- e) relevant information on the Safety Management Certificate has been given in a working language understood by the ship's personnel.

Provided that, in exceptional circumstances and upon representation by the Company, the validity of the Interim Safety Management Certificate may be extended for an additional period not exceeding six months.

12. Audits and Verification Procedures

(1) Each Company shall conduct internal Safety Management System audits of their company and vessels, at least annually to verify that the Safety Management System is effectively implemented and maintained. All audit findings and corrective actions shall be documented and retained.

(2) External audits and verifications shall be carried out by the Directorate General or by Recognized Organisations authorized by the Director General, using qualified and trained auditors.

(3) A Company holding a Document of Compliance shall undergo annual external audits by an authorized auditor to confirm that the Safety Management Certificate is being effectively implemented. These audits shall include review of records and procedures on board vessel covered by the Document of Compliance.

(4) Each vessel with a Safety Management Certificate shall undergo periodic external audits by an authorized auditor to confirm that the shipboard implementation of the Safety Management Certificate remains effective. These audits shall occur within the intervals specified for renewal of the Safety Management Certificate.

(5) In the event a major non-conformity is identified during an audit, the Company shall take immediate corrective action and the matter shall be verified by the auditor within a reasonable time. No certificate shall be issued or renewed until such corrective action is completed.

(6) The Director General may require additional audits or surveys if there is evidence of serious non-compliance or if a major incident occurs.

(7) All audit reports, certificates, records of non-conformities and corrective actions shall be retained by the Company and made available to the Director General or auditors as required.

13. Suspension, Withdrawal, and Renewal of Certificates:

(1) The Director General may suspend or withdraw any Document of Compliance (DOC) or Domestic Document of Compliance (DDOC), as the case may be, if the holder fails to comply with these Rules or with the provisions of the Safety Management System, inter alia;

(a) corrective actions are not completed within the stipulated time;

(b) a periodical verification is not requested;

(c) amendments to the Code are not taken into account within the stipulated time period specified by the Director General;

(d) there is evidence of a major non-conformity; provided that a non-conformity from a previous audit, against which corrective action has not been taken within the stipulated time, shall be deemed a major non-conformity.

(e) substantial modification to the Safety Management System is not notified to the Chief Surveyor and verified by the Auditor.

(2) A Safety Management Certificate (SMC) or Ship Safety Certificate (SSC), as the case may be, issued to a vessel may be declared invalid by the Director General, inter alia for:

(a) failure to comply with the provisions of rule 12;

(b) corrective actions not completed within the agreed time schedule;

(c) periodical verification not requested;

(d) failure to comply with amendments to the Code within the stipulated time period specified by the Director General;

(e) evidence of a major non-conformity; provided that any non-conformity from a previous audit not rectified in time shall be deemed a major non-conformity.

(f) substantial modification to the Safety Management System not notified to the Chief Surveyor and verified by the Auditor; or

(g) any other deficiencies or non-conformities as may be specified by the Director General.

(3) The Company or Owner may apply in writing to the Director General for voluntary suspension or withdrawal of any certificate held by the Company or any of its vessels, and may surrender the certificate as directed.

(4) A Document of Compliance or Safety Management Certificate shall cease to be valid if there is a change in the Company or ownership of the vessel, or if the Company or vessel is sold or transferred. A new Document of Compliance or Safety Management Certificate shall be issued to the new Company or Owner as appropriate.

(5) All associated Safety Management Certificates (SMCs) and Ship Safety Certificates (SSCs) shall cease to be valid if Document of Compliance (DOC) or Domestic Document of Compliance (DDOC) is withdrawn.

(6) Any certificate suspended under these Rules may be reinstated only after verification that the grounds for suspension have been rectified to the satisfaction of the Director General.

14. Recognised Organisation

(1) The Central Government may authorise a Recognised Organisation to issue, on its behalf, a Safety Management Certificate for a period of five months or a period as specified by the Director General, after completion of a Code audit to cover the vessel until a full-term certificate is issued by the Central Government.

(2) A Safety Management Certificate issued by a Recognised Organisation may be granted only if no major non-conformities remain and the Auditor formally recommends certification of the vessel.

15. Obligations of the Company pertaining to Audit

(1) Notwithstanding the verification of compliance with the Code, it shall be the responsibility of the Company, including its management, officers and seafarers, to continuously comply with Indian laws and international laws relating to safety and environmental protection, as applicable.

(2) It shall be the duty of the Company to:

(a) familiarize Company employees about the objectives and scope of each audit;

(b) appoint responsible staff to assist the Auditor;

(c) provide relevant documents, records and information needed by the Auditor to ensure an effective and efficient verification process;

(d) provide access and objective evidence as requested by the Auditor(s); and

(e) cooperate with the Auditor to permit the audit objectives to be achieved.

(3) All personnel participating in the audit or verification shall ensure confidentiality of documents pertaining to the certification.

16. Penalties and enforcement:-

(1) Any contravention of these rules or failure to comply with any requirement thereof shall attract penalties as specified in the Act.

(2) Any person who operates any vessel in contravention of the provisions of these Rules, and for which no penalty is prescribed under sub-section (2) of section 281 of the Act, shall be punishable with a fine as provided in sub-section (2) of section 320 of the Act.

(3) Where an offence under these rules is committed by a company or an organization, every director, manager, secretary or other officer of the company who is knowingly a party to the contravention shall also be liable to be proceeded against and punished in accordance with the provisions of the Act.

(4) In addition to penalties, enforcement actions such as detention of the vessel by the proper officer, as provided in the Act, may be taken to prevent a non-compliant vessel from sailing.

(5) The imposition of a penalty or the detention of a vessel under these rules does not absolve the owner or master from rectifying the non-compliance. All deficiencies must be corrected before the vessel resumes operation. Repeated violations by the same vessel or company may lead the Director-General to enhance surveillance on that vessel or company, including more frequent inspections or withdrawal of any privileges.

(6) All fees, penalties or other charges collected under these rules shall be credited to the appropriate government account as per the financial regulations. Non-payment of any due fees for surveys or certificates may be treated as a contravention of these rules after due notice, and may result in suspension of the certificate or other enforcement steps until payment is made.

17. Appeals:- (1) The Chief Surveyor appointed under sub-clause (ii) of clause (d) of sub-section (1) of section 8 of the Act shall have overall responsibility for the uniform implementation of these rules throughout India and shall serve as the first appellate authority for any grievance or appeal raised by a vessel's owner or operator, in regard to audits or certification carried out by the Directorate General of Maritime Administration or by any RO acting on its behalf.

(2) The Director General shall be the second appellate authority for any person or entity aggrieved by an order or decision made under sub-rule (1) and shall also serve as the final adjudicating authority for all matters arising under these rules.

(3) The decision, interpretation or order of the Director General on any such appeal or matter shall be final and binding on all parties concerned, and no further appeal or review shall lie under these rules against such decision.

(4) An appeal must be filed within 30 days from the date of receipt of the decision or order in question; and the appeal shall be in writing and shall set out the grounds of appeal clearly; Provided that appellate authority may allow a longer period for filing the appeal if it is satisfied that the appellant was prevented by sufficient cause from filing within 30 days.

(5) The filing of an appeal shall not automatically stay the operation of the order against which the appeal is made; and, the appellant desirable of obtaining the stay of order pending disposal of the appeal shall separately apply to the appellate authority for a stay on the operation of the order pending the disposal of the appeal, and the authority may grant or refuse such stay having regard to the merits of the case and the implications for safety or environmental protection.

(6) The appellate authority shall give the appellant an opportunity to be heard, which may be in person or as written representations, as the authority deems fit given the circumstances and urgency. The authority may also seek expert advice or constitute a committee of experts to examine the issue if necessary.

(7) After examining the case, the appellate authority shall pass a reasoned order, confirming, modifying, or setting aside the original decision. The decision on appeal shall be communicated to the appellant and to the original authority.

(8) If the appeal is against a suspension or cancellation of a certificate and the appeal is allowed, the certificate may be restored or reissued as the case may be, with

continuity of validity as appropriate and the appeal is dismissed, any interim relief granted will cease and the original order will stand affirmed.

(9) Notwithstanding anything contained in this rule the order in appeal should, where relevant, specify any further remedial actions that need to be taken by the parties.

18. Repeal and savings.

(1) On the date of commencement of these rules, any previous rules or regulations made under the Merchant Shipping Act, 1958 or any other law, in so far as they dealt with matters covered by these rules, shall stand revoked.

(2) Notwithstanding such repeal, any actions taken, certificates issued, or authorizations made under the previous rules shall, in so far as they are not inconsistent with the provisions of these rules, be deemed to have been done or issued under the corresponding provisions of these rules.

(3) All valid certificates and documents issued under the erstwhile rules shall continue in force until their natural expiry, and shall be deemed to be certificates issued under these rules.

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SCHEDULE-I

FORM 1

INTERIM SAFETY MANAGEMENT CERTIFICATE

[Issued by the Chief Surveyor with the Government of India under rule 8(1) and the provisions of the International Convention for the Safety of Life at Sea, 1974]

Name of Ship:
Distinctive Number or letters:
Port of Registry:
Type of Ship*:
Gross Tonnage:
IMO Number:
Name and Address of Company:

Company Identification No:
This is to certify that the requirements of paragraph 14.4 of the ISM Code have been met and that the Document of compliance/Interim Document of Compliance** of the Company is relevant to the ship.
This Interim Safety Management Certificate is valid until..... subject to the Document of Compliance/Interim Document of Compliance** remaining valid.
Completion date of the verification on which this certificate is based.....
Issued at
Date of issue
Certificate No.
.....

Chief Surveyor with the Govt. of India
Directorate General of Maritime
Administration,
Mumbai

(Seal or stamp of issuing authority)

*Insert the type of ship from among the following: Passenger Ship: Passenger High-Speed Craft: Cargo High-Speed Craft: Bulk Carrier: Oil Tanker: Chemical Tanker: Gas Carrier: Mobile Offshore Drilling Unit: Other Cargo Ship.
**Delete as appropriate

The validity of this Interim Safety Management Certificate is extended to.....
Date of extension.....

Chief Surveyor with the Govt. of India
Directorate General of Maritime Administration
Mumbai

(Seal or stamp of the issuing authority)

FORM- 2

INTERIM DOCUMENT OF COMPLIANCE

[Issued by the Chief Surveyor with the Government of India under rule 11 (1) and the provisions of the International Convention for the Safety of Life at Sea, 1974]

Name and Address of the Company:

Company Identification Number:

THIS IS TO CERTIFY THAT the safety management system of the company has been recognized as meeting the objectives of paragraph 1.2.3 of the International Management Code for the Safe Operation of Ships and for Pollution Prevention (ISM Code) for the type(s) of ships listed below:

(Delete as appropriate)

- Passenger ship
- Passenger high-speed craft
- Cargo high-speed craft
- Bulk carrier
- Oil tanker
- Chemical tanker
- Gas carrier
- Mobile offshore drilling unit
- Other cargo ship

This Interim Document of Compliance is valid until.....

Completion date of the verification on which this certificate is based.....

Issued at

Date of issue

Certificate No.....

Chief Surveyor with the Govt. of India
Directorate General of Maritime Administration
Mumbai

(Seal or stamp of issuing authority)

FORM - 3
SAFETY MANAGEMENT CERTIFICATE

[Issued by the Chief Surveyor with the Government of India under rule 8(1) and the provisions of the International Convention for the Safety of Life at Sea, 1974]

Name of Ship:
Distinctive Number or Letters:
Port of Registry:
Type of ship*:
Gross Tonnage:
IMO Number:
Name and Address of Company:

Company Identification Number:.....

THIS IS TO CERTIFY THAT the Safety Management System of the ship has been audited and that it complies with the requirements of the International Management Code for the Safe Operation of ships and for Pollution Prevention (ISM Code), following verification that the Document of Compliance for the Company is applicable to this type of ship.

This Safety Management Certificate is valid until.....subject to periodical verification and the Document of Compliance remaining valid.

Completion date of the verification on which this certificate is based.....

Issued at
Date of issue
Certificate No.

.....
Chief Surveyor with the Govt. of India
Directorate General of Maritime
Administration
Mumbai

(Seal or stamp of issuing authority)

*Insert the type of ship from among the following: Passenger Ship: Passenger High-Speed Craft: Cargo High-Speed Craft: Bulk Carrier: Oil Tanker: Chemical Tanker: Gas Carrier: Mobile Offshore Drilling Unit: Other Cargo Ship.

Certificate No.

Endorsement of Intermediate Verification and Additional Verification (if required)

THIS IS TO CERTIFY THAT at the intermediate verification in accordance regulation 6.1, Chapter IX of the Convention and paragraph 13.8 of the International Safety Management Code, the Safety Management System was found to comply with the requirements of the ISM Code.

Intermediate Verification

Signed.....

(to be completed between second and
official)
third anniversary date)

(signature of the authorized

Place.....

Date.....

(Stamp)

Additional Verification*

Signed.....

(signature of the authorized official)

Place.....

Date.....

(Stamp)

Additional Verification*

Signed.....

(signature of the authorized official)

Place.....

Date.....

(Stamp)

Additional Verification*

Signed.....

(signature of the authorized official)

Place.....

(Stamp)

Date.....

*If applicable. Reference is made to the relevant provisions of Section 3.2 "Initial verification" of the Revised Guidelines on Implementation of the International Safety Management (ISM) Code by Administrations adopted by the Organisation by Resolution A.1118(30).

Certificate No.

Endorsement where the Renewal Verification has been completed and Part B 13.13 of the ISM Code applies

The ship complies with the relevant provisions of part B of the ISM Code, and the Certificate should, in accordance with part B 13.13 of the ISM Code, be accepted as valid until.....

Signed.....

(signature of the authorized

official)

Place.....

Date.....

(Stamp)

Endorsement to extend the validity of the Certificate until reaching the Port of Verification where Part B 13.12 of the ISM Code applies or for a period of grace where Part B 13.14 of the ISM Code applies

This Certificate should, in accordance with part B 13.12 or part B 13.14 of the ISM Code, be accepted as valid until

Signed.....

(signature of the authorized

official)

Place.....

Date.....

(Stamp)

FORM – 4
DOCUMENT OF COMPLIANCE

[Issued by the Chief Surveyor with the Government of India under rule 7(1) and the provisions of the International Convention for the Safety of Life at Sea, 1974]

Name and Address of the Company:

Company Identification Number:.....

THIS IS TO CERTIFY THAT the safety management system of the company has been audited and that it complies with the requirements of the International Management Code for the Safe Operation of Ships and for Pollution Prevention (ISM Code), for the types of ships listed below: (Delete as appropriate)

- Passenger ship
- Passenger high-speed craft
- Cargo high-speed craft
- Bulk carrier
- Oil tanker
- Chemical tanker
- Gas carrier
- Mobile offshore drilling unit
- Other cargo ship

This Document of Compliance is valid till until.....subject to periodical verification.

Completion date of the verification on which this certificate is based.....

Issued at.....

Date of issue.....

Certificate No.

.....

Chief Surveyor with the Govt. of India
Directorate General of Maritime
Administration
Mumbai

(Seal or stamp of issuing authority)

Certificate No.

ENDORESEMENT FOR ANNUAL VERIFICATION

THIS IS TO CERTIFY THAT, at the periodical verification in accordance with regulation 6.1, Chapter IX of the Convention and paragraph 13.4 of the ISM Code, the safety management system was found to comply with the requirements of the said Code.

1st Annual Verification

Signed.....
(signature of the authorized official)
Place.....
Date.....

(Stamp)

2nd Annual Verification

Signed.....
(signature of the authorized official)
Place.....
Date.....

(Stamp)

3rd Annual Verification

Signed.....
(signature of the authorized official)
Place.....
Date.....

(Stamp)

4th Annual Verification

Signed.....
(signature of the authorized official)
Place.....
Date.....

(Stamp)

Additional Verification

Signed.....
(signature of the authorized official)
Place.....
Date.....

(Stamp)

Schedule-II

Form-1

DOMESTIC DOCUMENT OF COMPLIANCE

[Issued by the Chief Surveyor with the Government of India under rule 9 (1)]

Name and Address of the Company:

Company Identification Number:.....

THIS IS TO CERTIFY THAT the safety management system of the company has been audited and that it complies with the requirements of the International Management Code for the Safe Operation of Ships and for Pollution Prevention (ISM Code), for the types of Domestic Vessels listed below:

- (1)
- (2)

This Document of Compliance is valid till until.....subject to periodical verification

Completion date of the verification on which this certificate is based.....

Issued at.....

Date of issue.....

Certificate No.

Chief Surveyor with the Govt. of India
Directorate General of Maritime
Administration
Mumbai

(Seal or stamp of issuing authority)

Certificate No.

ENDORSEMENT FOR PERIODICAL VERIFICATION

THIS IS TO CERTIFY THAT, at the periodical verification in accordance with the Rule 9.2(c).

INTERMEDIATE VERIFICATION

official)

Signed.....
(Signature of the authorised

Place.....

Date.....

(Stamp)

ADDITIONAL VERIFICATION

Signed.....
(Signature of the authorised official)

Place.....

Date.....

(Stamp)

ADDITIONAL VERIFICATION

official)

Signed.....
(Signature of the authorised

Place.....

Date.....

(Stamp)

ADDITIONAL VERIFICATION

Signed.....
(Signature of the authorised official)

Place.....

Date.....

(Stamp)

