

Resolution A.1211(34) (Adopted on 3 December 2025) (Agenda item 9)  
FRAMEWORK AND PROCEDURES FOR THE  
IMO MEMBER STATE AUDIT SCHEME

ASSEMBLY  
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**Resolution A.1211(34)**

**adopted on 3 December 2025  
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**FRAMEWORK AND PROCEDURES FOR THE  
IMO MEMBER STATE AUDIT SCHEME**

THE ASSEMBLY,

RECALLING article 15(j) of the Convention on the International Maritime Organization concerning the functions of the Assembly in relation to regulations and guidelines concerning maritime safety and the prevention and control of marine pollution from ships,

RECALLING ALSO that one of the goals of the Organization is to ensure the consistent and effective implementation of IMO instruments globally and compliance with their requirements and that, through resolution A.1067(28), it established the *Framework and Procedures for the IMO Member State Audit Scheme* (hereinafter referred to as the "Audit Scheme"), and through resolution A.1070(28), it established the IMO Instruments Implementation Code (III Code),

RECOGNIZING that Parties to international conventions have accepted, as part of the ratification process, the obligation under applicable international law to fully meet their responsibilities and to discharge their obligations, as prescribed by the conventions and other instruments to which they are a Party,

RECOGNIZING ALSO the benefits of the audit process in improving the capacity of Member States to meet their obligations under the mandatory IMO instruments to which they are a Party, and fostering greater transparency, accountability and cooperation among Member States,

RECOGNIZING FURTHER the contribution of the Audit Scheme in identifying areas for improvement and facilitating technical assistance and capacity-building initiatives,

REAFFIRMING that it is the primary responsibility of States to establish and maintain an adequate and effective system to exercise control over ships entitled to fly their flag, and to adopt measures to ensure that they comply with the relevant international rules and regulations,

REAFFIRMING ALSO that States, in their port and coastal States capacities, under applicable international law, have obligations and responsibilities in respect of maritime safety and security and protection of the marine environment,

NOTING that the ultimate effectiveness of any IMO instrument depends, inter alia, upon all States:

- (a) becoming Parties thereto;
- (b) implementing and enforcing them fully and effectively; and
- (c) reporting to the Organization, as required,

NOTING ALSO that, while States may realize certain benefits by becoming Parties to instruments aiming at promoting maritime safety and security and the protection of the marine environment, those benefits can only be fully achieved when all Parties carry out their obligations as required by the instruments concerned,

NOTING FURTHER the need to assist Member Governments to improve their capabilities and overall performance in order to be able to comply with the IMO instruments to which they are a Party,

CONSCIOUS of the difficulties some Member States may face in complying fully with all the provisions of the various IMO instruments to which they are a Party,

BEING MINDFUL of the need for any such difficulties to be eliminated to the extent possible and that the Organization has its Integrated Technical Cooperation Programme established to assist for that purpose,

BEING DESIROUS to ensure that all Member States have a common platform and methodology for assessing and improving their capabilities, as well as their overall performance in complying with the provisions of the IMO instruments to which they are a Party,

BEARING IN MIND that the IMO Instruments Implementation Code (III Code) has been made mandatory through relevant IMO instruments and that such audits should be conducted in line with a framework and procedures developed by the Organization,

HAVING CONSIDERED the decision of the Council at its one hundred and thirty-fourth session,

1 ADOPTS the revised Framework and Procedures for the IMO Member State Audit Scheme, set out in the annex to the present resolution;

2 URGES Governments to:

- (a) fully cooperate with all Parties involved in the implementation of audits, in accordance with the said Framework and Procedures, thus contributing to the Organization's efforts to achieve consistent and effective implementation of its instruments; and
- (b) consider contributing resources to ensure the success of the Audit Scheme, which could include, inter alia, qualified auditors and the support they need to carry out their duties once appointed as an audit team leader or member;

3 REQUESTS the Council to monitor the implementation of the Audit Scheme with a view to ensuring that its objectives are achieved and to report to the Assembly, as appropriate;

4 REVOKES resolution A.1067(28) with effect from 30 June 2026.

**ANNEX**

**PART I**

**FRAMEWORK FOR THE IMO MEMBER STATE AUDIT**

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## FRAMEWORK FOR THE IMO MEMBER STATE AUDIT

### 1 PURPOSE

1.1 The purpose of this Framework is to describe the objective, principles, scope, responsibilities and capacity-building aspect of the IMO Member State audit, which together constitute the strategy for the audit scheme.

1.2 This Framework is supported by the Procedures for the IMO Member State audit and the IMO Instruments Implementation Code (III Code).

### 2 APPLICATION

2.1 This Framework applies to all those involved in the Member State audit.

### 3 AUDIT STANDARD

3.1 The audit standard is the IMO Instruments Implementation Code (III Code).

### 4 VISION STATEMENT

4.1 To promote the consistent and effective implementation of applicable IMO instruments and to assist Member States to improve their capabilities, whilst contributing to the enhancement of global and individual Member State's overall performance in compliance with the requirements of the instruments to which it is a Party.

### 5 OBJECTIVE

5.1 The objective of the audit is to determine to what extent Member States are implementing and enforcing the applicable IMO instruments. In order to achieve this, the audit will observe and assess:

- .1 compliance with the audit standard;
- .2 that the Member State has enacted legislation, as appropriate, for the applicable IMO instruments relating to maritime safety and prevention of pollution to which it is a Party;
- .3 the administration and enforcement of the applicable mandatory laws and regulations of the Member State;
- .4 the mechanism and controls in place by which the delegation of authority by a Member State to a recognized organization and for the purposes of implementing convention requirements related to safety and protection of the environment is effected;
- .5 the Member State's control, monitoring and feedback mechanism with respect to its own survey and certification process and, as applicable, of its recognized organization(s); and
- .6 the extent to which the Member State discharges any other obligations and responsibilities under the applicable IMO instruments.

- 5.2 In addition, the audit will:
- .1 foster capacity-building and the provision of targeted technical assistance by identifying areas which would benefit from further development to the extent which technical assistance could assist the Member State, or group of Member States, in discharging their responsibilities;
  - .2 provide the audited Member State with feedback to assist in improving its capacity to implement the applicable IMO instruments;
  - .3 provide all Member States with feedback in generic lessons learned from audits of Member States, so that the benefits can be widely shared, while taking care to preserve the anonymity of the audited Member State; and
  - .4 systematically feedback any lessons learned from the audits, as may be appropriate, for further consideration by the Organization of the effectiveness and appropriateness of its legislation.

## **6 PRINCIPLES**

### **6.1 Sovereignty and universality**

6.1.1 Audits should be positive and constructive in approach and carried out in accordance with the established procedures. Audits should be organized and conducted in such a way which recognizes the sovereignty of a Member State to enact laws and establish implementation and enforcement mechanisms for such laws, consistent with its obligations and responsibilities contained in the IMO instruments to which it is a Party. All Member States should be subject to the same principles, processes and procedures for the conduct of the audit.

### **6.2 Consistency, fairness, objectivity and timeliness**

6.2.1 Audits should be pragmatic, fair and carried out in accordance with an agreed time frame. Recognizing and appreciating that different Member States may have different and equally valid ways of discharging their responsibilities, audits should be conducted by appropriately trained and qualified auditors, in a consistent and objective manner. Consistency and uniformity in the quality of audits must be ensured.

### **6.3 Transparency and disclosure**

6.3.1 Audits will be planned and conducted in a fully transparent manner through the execution of the Memorandum of Cooperation, to be signed between each Member State and the Secretary-General, and detailed audit planning will include the full scope of the audit as contained in this Framework.

6.3.2 Audit interim report, audit records and relevant information and material related to the audit should be confidential and available only to the audited Member State, the audit team and the Secretary-General.

6.3.3 An executive summary report (ESR) should be drafted in a standardized format and submitted to the audited Member State for acceptance.

6.3.4 The ESR, corrective action plan (CAP), audit final report, Member State's report on progress of implementation of CAP and audit follow-up report should be released to all Member States, which include details of the findings and observations, the agreed CAP and the outcome of the verification of effective implementation of the agreed CAP.

6.3.5 The release of the ESR, CAP, audit final report, Member State's report on progress of implementation of CAP and audit follow-up report to the public should be subject to the authorization of the Member State concerned, prior to the audit.

6.3.6 Furthermore, a limited disclosure of information depicting the level of effective implementation of the III Code, should be made available in a graphical form to the public through a web-based platform.

6.3.7 The Secretariat should prepare consolidated audit summary reports (CASRs) in a standardized format, containing findings, observations, related root causes and corrective actions, as well as areas of positive development (including best practices, if any) and areas for further development to facilitate the identification of lessons learned and possible areas for regulatory review and technical assistance. A CASR should be anonymous and be issued on a periodic basis for consideration by the relevant IMO body.

6.3.8 Furthermore, status reports on the implementation of corrective action plans (CAP) by individual Member States should be issued periodically, for consideration by the relevant IMO body.

## **6.4 Cooperation**

6.4.1 Audits should be conducted in such a manner that the Member State being audited can contribute to the audit process within an established time frame.

## **6.5 Continual improvement**

6.5.1 Audits should lead to continual improvement of the implementation and enforcement of the applicable IMO instruments by the Member State. In this regard, the Member State should carry out appropriate and agreed follow-up activities.

## **7 SCOPE**

### **7.1 General**

7.1.1 Under the general provisions of treaty law and of IMO conventions, States are responsible for promulgating laws and regulations and for taking all other steps which may be necessary to give those instruments full and complete effect so as to ensure safety of life at sea and protection of the marine environment.

7.1.2 In taking measures to prevent, reduce and control pollution of the marine environment, States should act so as not to transfer, directly or indirectly, damage or hazards from one area to another or transform one type of pollution into another.

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## 7.2 IMO instruments

7.2.1 Recognizing the foregoing, including paragraph 4.1, the applicable IMO instruments related to the areas listed below should be covered by audits for the purpose of determining how the relevant obligations and responsibilities relating to maritime safety and protection of the environment are carried out by Member States, with a view to further enhancing their performance:

- .1 safety of life at sea;
- .2 prevention of pollution from ships;
- .3 standards of training, certification and watchkeeping for seafarers;
- .4 load lines;
- .5 tonnage measurement of ships; and
- .6 regulations for preventing collisions at sea.

7.2.2 With regard to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, the aspects of that Convention that are specified therein should be covered by audits.

## 7.3 Obligations and responsibilities

7.3.1 The audit should cover those obligations and responsibilities contained in the applicable IMO instruments, to the extent that such instruments have entered into force for the Member State and under which the Member State is required to act in its capacity as flag, port and/or coastal State.

7.3.2 The obligations and responsibilities should be such that measures related to maritime safety and protection of the environment and which are undertaken by the Member State can be audited, in accordance with the audit standard.

## 7.4 Areas to be covered by the audit

7.4.1 The audit will cover the Member State's implementation and enforcement of the applicable IMO instruments in its legislation; the effectiveness of its control and monitoring mechanism; effectiveness in promulgating IMO rules and regulations; enforcement action for the contravention of its laws and regulations; and other obligations and responsibilities under the applicable IMO instruments.

7.4.2 With due regard to the implementation and enforcement of the applicable IMO instruments, the administrative, legal and technical areas which should provide the minimum scope for an audit are:

- .1 jurisdiction;
- .2 organization and authority;
- .3 legislation, rules and regulations;
- .4 promulgation of IMO instruments, rules and regulations;

- .5 enforcement arrangements;
- .6 control, survey, inspection, audit, verification, approval and certification functions;
- .7 selection, recognition, authorization, empowerment and monitoring of recognized organizations, as appropriate, and of nominated surveyors;
- .8 investigations required to be reported to the Organization; and
- .9 reporting to the Organization and other Administrations.

7.4.3 In those instances where work, to give effect to the Member State's responsibilities, is divided between different organizations or offices, audits should address whether the respective tasks are clearly defined and should be conducted on a technical basis with the entities assigned those tasks.

## **8 IMSAS CONTINUOUS MONITORING MECHANISM (ICMM)**

### **8.1 Continuous monitoring framework**

8.1.1 The implementation and enforcement processes under the applicable IMO instruments within a Member State should be monitored continuously to maintain a comprehensive overview of the status of these processes, in line with the III Code and the applicable IMO instruments. A continuous monitoring mechanism (IMSAS Continuous Monitoring Mechanism or ICMM) should be established under the Scheme, utilizing a web-based platform, which will facilitate the ongoing collection, analysis and reporting of data related to Member States' compliance.

### **8.2 Data provision and verification**

8.2.1 Member States should periodically provide data and information on their implementation and enforcement processes under the applicable IMO instruments to the web-based platform for ICMM. The data collected in ICMM platform will undergo verification of information to ensure its completeness, accuracy and reliability. This process will assess the effectiveness of the implementation and enforcement mechanisms of Member States, resulting in a detailed overview of each Member State's responsibilities and obligations under the III Code and the applicable IMO instruments.

### **8.3 Audit scheduling and determination of focus areas**

8.3.1 The information gathered and verified through ICMM should be processed and utilized to establish the overall audit schedule, including the prioritization of audits based on clear, transparent and objective criteria; as well as to determine the areas to be audited during the on-site audit.

## **9 RESPONSIBILITIES**

9.1 The Secretary-General is responsible for:

- .1 administering the audit scheme;
- .2 formal appointment and maintenance of an appropriate list of audit team leaders and auditors;

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- .3 establishing an audit team for each Member State audit;
  - .4 ensuring that audit team leaders and auditors are competent as defined in section 4 of the Procedures;
  - .5 ensuring that audit team members meet required standards of training and experience to achieve consistency in the quality of audits;
  - .6 concluding a Memorandum of Cooperation with the Member State to be audited, prior to the audit;
  - .7 ensuring that the audit team is provided with all pertinent information to facilitate smooth and efficient conduct of the audit;
  - .8 ensuring that the audits are planned in accordance with the overall audit schedule, taking into account audit prioritization methodology established under ICMM;
  - .9 liaising with and assisting developing and least developed countries to gather resources from external sources such as the Integrated Technical Cooperation Programme (ITCP);
  - .10 ensuring that the Member State to be audited is offered the opportunity of arranging a meeting with the audit team leader, using remote methodology, in advance of the actual audit, in order to be provided with information about the scope of the audit, how such an audit is carried out, and all other information needed to enhance understanding and cooperation between the audit team and the Member State to be audited;
  - .11 releasing the ESR, CAP, audit final report, Member State's report on progress of implementation of CAP and the audit follow-up report to all Member States, as well as to the public in those cases where authorization to do so has been received from the audited Member State;
  - .12 ensuring the preparation of CASRs in a standardized format to be issued on a periodic basis in support of the work of the Organization;
  - .13 maintaining appropriate records of the findings and observations of the actual audits of Member States;
  - .14 disclosing limited information depicting the level of effective implementation of the III Code by Member States to the public; and
  - .15 managing the audit scheme and possible follow-ups.
- 9.2 The Member State is responsible for:
- .1 fully facilitating the audit, in accordance with the Memorandum of Cooperation;
  - .2 agreeing with the Secretary-General on the persons who are to be the audit team leader and members of the audit team, as well as on the total membership of the audit team;

- .3 providing all necessary data and information on its implementation and enforcement processes under the applicable IMO instruments to the web-based platform for ICMM to keep it up to date;
- .4 responding to audit team findings by preparing a programme of actions, which may also include observations;
- .5 considering authorizing the release of ESR, CAP, audit final report, Member State's report on progress of implementation of CAP and audit follow-up report, to the public, prior to the audit;
- .6 implementing a programme of actions to address the findings, which should not exceed three years after the completion of the audit, and may also include observations;
- .7 informing the Secretary-General when action to address a finding, and observation if applicable, is completed, through periodical updates on the progress of implementation of CAP and the verification index; and
- .8 providing all required data and information during the audit follow-up process.

9.3 The audit team leader is responsible for:

- .1 the detailed planning of the actual audit, considering the outcome of the prioritization through ICMM;
- .2 ensuring that the audit team is fully acquainted with pertinent information regarding the audit;
- .3 the conduct of audit interviews and meetings, etc., in accordance with the Procedures, and assigning and maintaining overall responsibility over the other team members conducting such interviews, meetings, etc.;
- .4 preparing and completing the audit reports (interim and final) and the mission report;
- .5 reporting details of any finding and/or observation to the audited Member State;
- .6 preparing and agreeing with the Member State the ESR to be submitted to the Secretary-General;
- .7 reviewing the information provided by the Member State through the web-based platform for ICMM;
- .8 assisting in the verification of corrective actions taken by the Member State; and
- .9 conducting an audit follow-up, as appropriate.

## 10 TECHNICAL COOPERATION

10.1 In order to obtain the full benefits from the Scheme, consideration of capacity-development matters are essential, particularly in respect of human and financial resources. Where appropriate, Member States will be assisted in order to prepare for the audit and to address audit findings.

10.2 Capacity development includes an adequate supply of suitably trained personnel with maritime and audit skills, as well as the required software systems. The need for infrastructural facilities, defined as workspace, utilities and communication systems relevant to meeting the initial needs of the audit and ultimately the aims of the Scheme, must also be taken into account.

10.3 Technical assistance is part of the process with a view to facilitating:

- .1 the preparation of the audit;
- .2 the identification of obstacles to completing the audit;
- .3 the effective implementation of actions to address the findings and observations of the audit; and
- .4 any related capacity development.

10.4 Technical assistance may include the following, inter alia:

- .1 training;
- .2 exchange programmes;
- .3 provision of experts; and
- .4 participation of observers during the conduct of audits in other Member States.

10.5 Account should also be taken of the need to ensure participation by maritime and auditing experts from developing countries in the audit process. Arrangements should be made for the training of internal auditors, who may subsequently become part of audit teams.

## PART II

### PROCEDURES FOR THE IMO MEMBER STATE AUDIT

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## PROCEDURES FOR THE IMO MEMBER STATE AUDIT

### 1 PURPOSE

1.1 The purpose of this part is to describe the procedures for the IMO Member State audit, including, but not limited to:

- .1 preparation;
- .2 conduct of the audit; and
- .3 reporting requirements.

### 2 APPLICATION

2.1 The present Procedures apply to all those involved in a Member State audit.

### 3 DEFINITIONS

3.1 **"Audit"** Systematic, independent and documented process for obtaining audit evidence and evaluating it objectively to determine the extent to which audit criteria are fulfilled.

3.2 **"Audit criteria"** Set of policies, procedures or requirements used as a reference.

3.3 **"Audit evidence"** Records, statements of fact or other information that are relevant to the audit criteria and verifiable.

3.4 **"Audit follow-up"** Process to confirm the implementation of the corrective action plan, which could include an actual audit or a document-based audit.

3.5 **"Corrective action"** Action to eliminate the cause of a finding.

3.6 **"Document"** Information and its supporting medium.

3.7 **"Finding"** Situation where objective evidence indicates the non-compliance with a mandatory requirement contained in an applicable IMO instrument or in the audit standard.

3.8 **"Information"** Meaningful data.

3.9 **"Objective evidence"** Quantitative or qualitative information, records or statements of fact which are based on observation, measurement or test and which can be verified.

3.10 **"Observation"** Statement of fact substantiated by objective evidence, relating to a non-mandatory provision of the audit standard.

3.11 **"Procedure"** Specified way to carry out an activity or a process.

3.12 **"Process"** Set of interrelated or interacting activities that transform inputs into outputs.

3.13 **"Records"** Documents stating results achieved or providing evidence of activities performed.

3.14 **"Requirements"** Need or expectation that is stated, generally implied or obligatory.

3.15 **"Verification"** Confirmation, through the provision of objective evidence, that specified requirements have been fulfilled.

## **4 PLANNING**

### **4.1 IMSAS continuous monitoring mechanism (ICMM)**

4.1.1 Audit of all Member States will be conducted through the IMSAS continuous monitoring mechanism (ICMM), based on collection of information from Member States on their implementation and enforcement processes under the audit standard and the applicable IMO instruments in a web-based platform.

4.1.2 Member States should complete the information in the web-based platform for ICMM initially and provide periodical updates. In particular, Member States should update the information when they take action(s) to address previously identified shortcomings (through updates in the Member State's report on the progress of implementation of corrective action plan – see appendix 4, Form D) and the verification index; when they make significant changes to their structure or processes (through the State audit questionnaire – see appendix 2); when they make updates in their national legislation to incorporate provisions of the applicable IMO instruments (through gap analysis tool based on the Non-exhaustive list of obligations under instruments relevant to the IMO Instruments Implementation Code (III Code) (NEL)<sup>1</sup>); and when the information provided is to be assessed by the audit team.

4.1.3 The audit team, after completion of the audit follow-up, will update the verification index, as appended to the audit final report, for those corrective actions that were found effectively implemented and where a finding/observation, as applicable, was signed off.

### **4.2 Audit cycle and schedule**

4.2.1 Audits of all Member States shall be conducted at periodic intervals within an audit cycle not exceeding nine years and shall be based on an overall schedule developed by the Secretary-General of the Organization, based on the following principles:

- .1 Member States will be grouped based on the start date of their audits in the previous audit cycle. Each group will be composed of a number of Member States that can be audited within a two-year period.
- .2 Within each group, the audit of each Member State would be prioritized based on the aggregate number of outstanding Forms C. Member States with a low number of outstanding Forms C would be audited last while Member States with a high number of outstanding Forms C would be audited first. In the case where two or more Member States have the same number of outstanding Forms C, they would be prioritized based on the start date of their audits during the previous audit cycle.
- .3 The Secretary-General will notify each Member State of the projected date of its audit as soon as possible but not less than 18 months in advance.
- .4 Any request to postpone a scheduled audit by a Member State, due to extraordinary circumstances, should be submitted in writing at least six months prior to the audit due date and should be considered and determined by the Council.

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<sup>1</sup> Non-exhaustive list of obligations under instruments relevant to the IMO Instruments Implementation Code (III Code), as periodically revised.

### 4.3 Limited on-site audits (LOA)

4.3.1 The eligibility of Member States for LOA during an audit cycle will be determined six months before the scheduled audit period based on the verification index, gap analysis and State audit questionnaire (SAQ) indicators calculated as follows:

$$\text{Gap analysis indicator} = \frac{\text{Number of applicable NEL obligations with provided information indicating compliance}}{\text{Total number of applicable obligations stipulated in NEL}}\%$$

$$\text{Verification index indicator} = \frac{\text{Number of Forms B with completed corrective actions}}{\text{Total number of Forms B}}\%$$

$$\text{SAQ indicator} = \frac{\text{Number of applicable responses indicating compliance}}{\text{Total number of applicable questions in SAQ}}\%$$

4.3.2 A Member State will qualify for LOA if the average score of the three indicators (verification index indicator, gap analysis indicator and SAQ indicator) is 70% or more.

4.3.3 Member States which do not qualify for LOA will undergo a full on-site audit (FOA).

### 4.4 Areas that could be excluded from LOA

4.4.1 Part 1 (Common Areas) of the III Code, which covers the general activities of a maritime administration, a comprehensive understanding of its structure, legislative framework, and mechanisms for enhancing the effectiveness of measures implementing applicable IMO instruments, is essential for auditing all other parts of the III Code. Therefore, part 1 will always be included in a LOA.

4.4.2 Specific sections within parts 2, 3 and 4 of the III Code could be excluded from an audit if all the following conditions are met:

- .1 no outstanding finding or observation refers to a paragraph under the section to be excluded;
- .2 the information provided through the gap analysis tool indicates compliance with the applicable provisions listed in NEL, related to the section to be excluded; and
- .3 information provided through SAQ, once verified, indicates compliance with all the paragraphs under the section to be excluded.

4.4.3 In cases where the assessment indicates that a provision of the III Code, under a section concerning implementation, cannot be excluded from the audit, the areas of LOA would automatically be extended to include the relevant provisions under the relevant sections of enforcement, and evaluation and review. However, the extension would be limited to those provisions of the audit standard where gaps were identified.

4.4.4 Based on the evidence collected during a LOA, the audit team leader may consider expanding the audit focus areas with the agreement of the Member State being audited.

## **4.5 Initial arrangements**

4.5.1 The scope of the audit, consistent with the applicable IMO instruments and the audit standard, is to be concluded between the Member State and the Secretary-General and included in a Memorandum of Cooperation. The Memorandum of Cooperation should outline the responsibilities of IMO and the Member State in all phases of the audit.

4.5.2 An audit will not proceed until a Memorandum of Cooperation has been signed and exchanged between the Member State and the Secretary-General.

4.5.3 The Memorandum of Cooperation will confirm, inter alia, that the audit is to be conducted in accordance with the procedures contained therein.

4.5.4 The audit of a Member State should be planned in accordance with an agreed timetable.

4.5.5 The audit team leader will discuss and agree with the Member State the detailed audit timetable, within the context of the Framework.

4.5.6 The audit will be planned as an on-site activity. However, the remote audit methodology may be used in exceptional circumstances when an on-site audit cannot be conducted due to reasons beyond the control of the Member State being audited. If necessary, arrangements will be made for auditors conducting remote audits to travel to a location closer to the time zone of the audited Member State.

## **4.6 Nomination of auditors**

4.6.1 When a Member State nominates an auditor, who shall have demonstrable auditing skills and techniques, acquired through audit training (for example a management system auditor training course, ISM Code auditor training course and IMO Member State auditors training course) and experience, the following personal qualities and qualifications should be taken into account:

- .1 initiative, judgement, tact, sensitivity and the ability to maintain harmonious working relations when meeting intended or unintended obstacles during the audit, and when working in a multicultural environment;
- .2 proven skills at managerial and/or senior level;
- .3 demonstrated motivation and the ability to write clearly and concisely;
- .4 full command of at least one of the six official IMO languages;
- .5 in-depth knowledge of the functions of a maritime administration;
- .6 good knowledge of IMO's regulatory framework, including relevant mandatory instruments;
- .7 auditing experience; and
- .8 computer literacy.

#### **4.7 Selection of auditors**

4.7.1 Selection of individuals as designated members of an audit team shall be done on the basis of nominations of appropriately competent auditors received from Member States. Acceptance shall be the responsibility of the Secretary-General, who should assess and verify that the relevant individuals are competent to conduct the audit. The criteria to be applied in the verification should include:

- .1 audit team leaders' and auditors' demonstrable auditing skills, techniques and experience;
- .2 language capabilities (IMO official languages and others); and
- .3 representation from different geographical regions and nationalities.

#### **4.8 Selection of an audit team**

4.8.1 When putting together a team to carry out an individual Member State audit, the Secretary-General should have regard to the need for:

- .1 all teams to aspire to the highest standards of excellence in their task;
- .2 the audit team leader to combine high professional qualifications as an auditor with the ability to lead/manage;
- .3 the audit team leader to be fully conversant with the audit standard;
- .4 the team leader and/or other team members to have full command of the IMO official language chosen by the Member State for use in the audit, the audit briefing and the preparation material for the members of the audit team. Where possible, at least one team member should have working knowledge of the language of the Member State's legislation and other relevant documentation, if not available in the chosen IMO language. Failing that, interpretation, as required, should be provided by the Member State;
- .5 provision of an updated CV of all audit team members to the Member State and agreement with the Member State as to the suitability of the team members being proposed, prior to the commencement of the audit;
- .6 the audit team to consist of a sufficient number of auditors to ensure that the audit is conducted and completed in a satisfactory way, within the agreed period. In some situations, allowance must be made for the team to be subdivided to conduct parallel activities during the course of the audit;
- .7 all members of the audit team to operate on behalf of IMO, i.e. fully independent of both their own Member State and the Member State being audited; and
- .8 a range of nationalities, gender and professional experience.

## **5 PREPARING FOR THE AUDIT**

5.1 The audit team leader should, with the assistance of the Secretary-General, obtain the necessary background information about the Member State to be audited. This should include the Memorandum of Cooperation and the information provided by the Member State through the web-based platform for ICMM, including:

- .1 State audit questionnaire (see appendix 2);
- .2 updated verification index; and
- .3 gap analysis based on the NEL.

5.2 If the Member State to be audited has requested an information meeting in accordance with paragraph 9.1.10 of the Framework, the audit team leader should make the necessary arrangements for such a meeting in consultation with the Member State to be audited, using remote methodology.

5.3 The State audit questionnaire, verification index and gap analysis, should be duly completed by the Member State to be audited, as soon as possible and updated, as appropriate, not later than six months before the audit.

5.4 The audit team should review the completed State audit questionnaire, verification index and gap analysis, as well as any additional information provided by the Member State.

5.5 If the audit team leader finds it necessary, they may, after consultations with the other members of the audit team, send additional questions to the Member State on an ad hoc basis.

5.6 Based on the information provided by the Member State in the State audit questionnaire, verification index and gap analysis, including any attached documents, the audit team leader, assisted by the other members of the audit team and the Member State to be audited, should carry out detailed planning for the audit.

5.7 The audit planning should include:

- .1 the location(s) where the audit is to take place;
- .2 the scope and objectives of the audit as defined in the Framework and Memorandum of Cooperation;
- .3 the starting and ending dates of the audit, including the opening and closing meetings;
- .4 the names of the participants in the audit – both auditors and key personnel from the Member State to be audited – including a person designated by the Member State as the single point of contact between the Member State and the audit team;
- .5 identification of the documents necessary to conduct the audit;
- .6 a tentative programme of the audit activities;
- .7 a brief review of the information provided in the State audit questionnaire, verification index and gap analysis, including general areas to be covered:

- 
- .1 arrangements for transposing ratified conventions and subsequent amendments into national legislation;
  - .2 implementation arrangements, including responsibilities, delegation and verification;
  - .3 enforcement arrangements; and
  - .4 reporting arrangements, a self-assessment and a review of performance;
- .8 travel and administration plans (entry visas, security clearances, health requirements, etc.), as well as the travel schedules of the audit team members;
  - .9 the language to be used for the audit and for the audit briefing preparation material for audit team members; and
  - .10 assignments and responsibilities of the audit team members.

5.8 The areas of LOA should be determined based on the following information provided by the Member State through the web-based platform for ICMM:

- .1 extent of information provided through State audit questionnaire;
- .2 extent of information provided through verification index; and
- .3 outcome of the gap analysis based on the NEL.

5.9 Using a cross-matrix that maps the correspondence between NEL and the III Code, the audit team should identify areas for LOA.

5.10 Checklists and/or aide-memoires are important tools when conducting the audit in specific fields. When preparing the audit, the audit team leader and the audit team should consider whether checklists and/or aide-memoires could be used. Development of such checklists and/or aide-memoires may be necessary.

5.11 With due regard to the sequence of activities (see appendix 3) and in order to allow the Member State to be audited sufficient time to consider and accept all elements of the audit planning, and also to plan and facilitate the smooth conduct of the audit, consultations should take place between the Secretary-General, the audit team leader and the Member State to be audited at the earliest opportunity.

5.12 The audit team leader should brief the other members of the audit team sufficiently in advance to ensure that the audit team is prepared. The purpose of this briefing is to ensure that all members are aware of the results of the assessment of the State audit questionnaire, verification index and gap analysis, and the audit planning, including allocations of responsibility among the team members for conducting the different parts of the audit. The briefing should at least include:

- .1 the scope and objectives of the audit;
- .2 analysis of the State audit questionnaire, verification index and gap analysis; and

- .3 agreement as to roles and responsibilities during the audit, including the final preparations on checklists and/or aide-memoires in specific fields, as necessary.

At the discretion of the audit team leader, the briefing need not occur in person.

5.13 The contact person, designated in accordance with paragraph 5.7.4, should also be responsible for supplying the necessary documentation to the audit team prior to the audit.

## **6 CONDUCTING THE AUDIT**

### **6.1 Timeline**

6.1.1 The audit shall proceed on the basis of the timeline agreed between the audit team leader and the Member State in accordance with the audit timetable, and the Memorandum of Cooperation signed by the Member State and the Secretary-General.

### **6.2 Conduct of auditors**

6.2.1 The overall policy for the audit team when conducting the audit should be the objective, strategy and principles as described in the Framework, as well as the Code of Conduct<sup>2</sup> adopted by the IMO Council.

6.2.2 When conducting the audit, the members of the audit team must strive to achieve the highest standards of objectivity, impartiality and confidentiality. Correct behaviour is essential to avoid any impression that there is a bias for or against the Member State that is being audited.

6.2.3 To ensure transparency and consistency among all members of the audit team, the team member(s) with a working knowledge of the language of the Member State's legislation and other relevant documentation should assist with communication so as to minimize ambiguity and risk of misunderstandings in the auditing process but should not attempt independently to act as interpreter(s).

6.2.4 It should be recognized that the final result of the audit, i.e. the audit report including its findings and observations, is a very sensitive document, as it gives the Member State an indication of how it fulfils its role as a responsible party to the applicable IMO instruments.

6.2.5 Audits may result in raising the awareness and interest of the local media, employers' organizations, trade unions, etc., some of which may request interviews with the audit team. Such interviews should only be conducted with the consent of, and in the presence of, an official of the Member State. In such circumstances, information provided by the audit team will be limited to explaining its mandate and objectives.

### **6.3 Opening meeting**

6.3.1 An opening meeting between the auditors and the representatives of the Member State to be audited should be held in order to confirm the arrangements prior to commencing the audit. The audit team leader should use the opening meeting to present the objective and scope of the audit. The opening meeting is to be scheduled in advance and included in the audit timetable.

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<sup>2</sup> The Code of Conduct for Delegates, Observers and Other Participants at IMO Meetings, Events and Activities to Prevent Harassment including Sexual Harassment (Circular Letter No.4908, as may be amended).

6.3.2 The opening meeting will be chaired by the audit team leader. At that meeting, the senior executive of the audited Member State may also wish to provide briefing and information to the audit team. The agenda should cover at least the following items:

- .1 introduction of the participants (a list of participants should be distributed before the meeting);
- .2 background history and objectives of the audit;
- .3 review and confirmation of the provisional audit timetable, including the scope and objectives of the audit;
- .4 a short summary of the methods and procedures to be used in conducting the audit;
- .5 official communication links between the audit team and the Member State's officials, for example the appointment of a liaison officer;
- .6 facilities and administrative arrangements;
- .7 an appropriate programme of visits to the Member State's regional offices and other involved organizational elements;
- .8 time, date and place of the closing meeting and any interim meetings of the audit team and the Member State's senior management;
- .9 procedures for documenting audit findings and observations, providing response to such findings and observations and agreeing them (see appendix 4);
- .10 confidentiality of findings and observations, i.e. the auditors are to agree with the auditee on any controls on evidence obtained during the audit and on disposal of report findings and observations and report copies; and
- .11 agreement that, if practicable, a draft audit interim report and a draft executive summary report should be tabled during the closing meeting.

6.3.3 The audited Member State should be prepared to assist the audit team by providing:

- .1 working space, preferably with privacy;
- .2 access to personal computers, photocopiers, as well as electronic communication media such as the Internet and email, if available;
- .3 access to facilities (i.e. building passes or other suitable arrangements);
- .4 access to relevant files and records including those of any other relevant entity responsible for maritime regulation relating to the applicable IMO instruments; and
- .5 access to selected personnel for interviews.

## **6.4 The audit**

6.4.1 A Member State official from the area being audited should accompany the auditor as a guide.

6.4.2 Evidence should be collected by interviewing staff, reviewing documents and observing selected activities of the responsible entities of the Member State.

6.4.3 When an auditor has reason to believe that a possible finding or observation exists, they should discuss it with the responsible Member State official and record the following details as appropriate:

- .1 details of the finding or the observation (including the title, number and issue of any document involved, where appropriate); and
- .2 the location where the finding or the observation was observed.

6.4.4 To assist the Member State in devising early solutions, the audit team may provide information on findings and/or observations to their Member State counterparts on a regular basis, in advance of the closing meeting.

## **6.5 Audit closing meeting**

6.5.1 The audit closing meeting provides the opportunity for the audit team to brief all relevant personnel from the audited Member State on findings and/or observations relating to the audit. The meeting should ensure that the Member State authorities clearly understand the situation as audited by the audit team and are able to start working on the corrective action plan, if necessary. The meeting should emphasize the most significant issues and concisely present the team's findings and/or observations.

6.5.2 The audit closing meeting should also include a short briefing on all findings and/or observations to be included in the audit interim report and the executive summary report. Where practicable, a draft interim audit report and a draft executive summary report should be provided to the Member State at the end of the audit during the audit closing meeting.

6.5.3 The audit team leader should discuss with the Member State any follow-up activities, including suggestions regarding the need for and content of a corrective action plan to be developed by the Member State. The audit team leader should also inform the Member State of critical dates for the submission of the corrective action plan (see appendix 4), the final and executive summary reports.

6.5.4 The format of the audit closing meeting should be as follows:

- .1 review of the scope and objectives of the audit;
- .2 summary of audit procedures;
- .3 presentation of findings and/or observations included in the draft audit interim report and draft executive summary report;
- .4 information on visits to regional offices and other involved organizational elements, as applicable; and
- .5 actions to be taken by the audited Member State following the audit.

6.5.5 Specialist meetings of the audit team members and the relevant officials of the Member State may be held prior to or after the audit closing meeting, at the discretion of the audit team leader and the Member State.

## **7 REPORTING**

### **7.1 General**

7.1.1 The following principles should be taken into account when preparing audit reports:

- .1 the audit findings and/or observations in the briefing to the audit closing meeting, the audit interim report and the audit final report must be consistent;
- .2 findings and observations must be supported by objective evidence;
- .3 findings and observations must be stated clearly and concisely;
- .4 generalities and vague expressions must be avoided;
- .5 audit findings and observations must be objectively presented;
- .6 widely accepted maritime terminology must be used, avoiding acronyms and jargon; and
- .7 criticism of individuals or positions must be avoided.

7.1.2 All information gathered, materials, notes and reports obtained or compiled during the Member State audit will be treated as confidential by the audit team and the Secretary-General. Only the audited State has the right to authorize the release of reports.

7.1.3 On completion of an audit, the audit team leader will transmit any completed audit checklist and any other associated records and reports to the Secretary-General for review and retention in confidence until replaced by any subsequent audit material.

### **7.2 Audit interim report**

7.2.1 The audit interim report is a formal report of the audit findings and observations submitted to the Member State. The Member State corrective action plan should be based on the findings from the audit interim report. The audit interim report forms the basis for the preparation of the audit final report and is superseded by the audit final report when completed.

7.2.2 The audit interim report should be confidential and available only to the audited Member State, the Secretary-General and the audit team. The contents of the audit interim report should be the following:

- .1 *Introduction and background*
- .2 *Members of the audit team*
- .3 *Officials involved from the Member State*
- .4 *Acknowledgement*
- .5 *Scope, objectives and activities of the audit*

- .6 *Overview and general maritime activities of the State*
  - .1 Structure of the maritime administration
  - .2 Specific circumstances related to all areas of activities (if any)
  - .3 State audit questionnaire (SAQ)
  - .4 Gap analysis based on Non-exhaustive list of obligations (NEL)
- .7 *Audit results*
  - .1 Common areas
  - .2 Flag State areas
  - .3 Coastal State areas
  - .4 Port State areas
- .8 *Comments and recommendations*
  - .1 Areas of positive development
  - .2 Areas for further development
- .9 Corrective action plan (CAP)
  - Appendices
    - Appendix 1 - Findings and observations
    - Appendix 2 - Percentage of effective implementation (EI%)
    - Appendix 3 - Member State corrective action plan
  - Annexes
    - Annex 1 - Audit programme
    - Annex 2 - Agenda and list of attendees to the opening meeting
    - Annex 3 - Structure of the maritime administration

7.2.3 Any disagreement with the audit team's interim report may be recorded in writing by the Member State and shall be annexed to the interim report.

7.2.4 Every endeavour should be made by both the Member State and the audit team to avoid disagreement over the audit findings and/or observations. At any stage, the Member State should notify any concerns to the audit team with respect to the validity and/or interpretation of any audit findings and/or observations. Diverging opinions regarding the audit findings and/or observations between the audit team and the Member State should be discussed and, if possible, resolved. If not resolved, all opinions, including those annexed to

the interim report, should be annexed to the final report. The objective is to resolve all such disagreements.

### **7.3 Executive summary report**

7.3.1 An executive summary report, which will contain the details of the audited Member State, including the State entities involved, will provide a summary of findings and observations relating to the Member State's adherence to the audit standard and implementation of the applicable IMO instruments. The executive summary report should be prepared by the audit team leader and forwarded to the audited State for comments and final acceptance before the report is published by the Secretary-General to all Member States and, subject to prior authorization of the Member State concerned, to the public.

7.3.2 The report should be in the form as set out in appendix 5.

### **7.4 Audit final report**

7.4.1 The audit final report represents the official and actual report of the audit. The structure and contents of the audit final report should be similar to the audit interim report, with the exception that the audit final report should include a summary of the Member State corrective action plan submitted by the audited State, root cause as identified by the audited State, information on the progress made by the audited State on the implementation of the Member State corrective action plan and any issues left unresolved.

7.4.2 The audit team is responsible for preparing the audit final report. The audit final report should be released to all Member States by the Secretary-General and, subject to prior authorization by the audited Member State, to the public.

7.4.3 Limited information in graphical form, depicting the level of implementation of the III Code by audited Member States, will be made available to the public.

7.4.4 Based on audit final reports prepared by audit team leaders, the Secretariat should prepare an anonymous consolidated audit summary report on a periodic basis containing lessons learned from the audits.

### **7.5 Member State's report on the progress of implementation of corrective action plan**

7.5.1 A Member State should send a report on the progress made in the implementation of the corrective action plan. Such reports should be provided as updates in the specified format (see appendix 4, Form D) and, without validation by the Secretariat or the audit team leader, be released by the Secretary-General to all Member States and, subject to prior authorization of the Member State concerned, to the public.

### **7.6 Audit team leader's mission report**

7.6.1 The audit team leader should prepare a separate report describing the conduct of the audit, positive elements and difficulties encountered and proposals to improve the planning and conduct of audits. The audit team leader's mission report should, therefore, provide feedback on the conduct of the audit from planning to completion. The mission report is an integral part of the quality assurance programme for the audit scheme and will be used by the Secretary-General to improve audit planning.

7.6.2 A record of all feedback and recommendations from mission reports of all audit team leaders and of action taken to address concerns raised should be maintained by the Secretary-General and made available to auditors, when necessary.

## **7.7 Feedback from the Member State**

7.7.1 The Member State may prepare feedback describing the conduct of the audit, positive elements and difficulties encountered and proposals to improve the planning and conduct of audits. The Member State's feedback, if available, is an integral part of the quality assurance programme for the audit scheme and will be used by the Secretary-General to improve audit planning.

## **8 MEMBER STATE CORRECTIVE ACTION PLAN**

8.1 The Member State corrective action plan responds to the audit findings by proposing action to bring the Member State in conformity or adherence with the audit standard. The corrective action plan may also include the Member State's response to the audit observations.

8.2 Corrective actions, with appropriate timelines, taking into account paragraph 9.2.4 of the Framework, should be established for each of the audit findings and observations, as applicable. Together, the corrective actions form the Member State corrective action plan.

8.3 The Member State corrective action plan should contain information relevant to the audit conducted and respond to each audit finding and/or observation. The Member State corrective action plan should provide detailed information of action to be taken, including a time frame for the commencement and completion of each action, and should be signed by the Member State.

8.4 The Member State corrective action plan should be presented to the audit team leader and the Secretary-General within 90 calendar days after receiving the agreed audit interim report. In exceptional cases, a Member State may be granted an extension.

8.5 The Member State corrective action plan, in response to the audit interim report and executive summary report and prepared in the format stipulated in appendix 4 (Form B), should be released to all Member States by the Secretary-General and, subject to prior authorization of the Member State concerned, to the public.

8.6 The audit final report should include information on the corrective action plan agreed by the Member State. If the Member State is not required to submit a corrective action plan, the final audit report will be prepared and submitted without any corrective action plan.

## **9 AUDIT FOLLOW-UP**

9.1 An audit follow-up should, if applicable, be conducted after corrective actions have been completed by the Member State, but not later than three to four years following a Member State audit, in order to determine the status of implementation of the corrective action plan.

9.2 The Member State should periodically provide a report in the format specified in appendix 4 (Form D) on the progress of implementation of the corrective action plan, along with documented evidence, and within the timeline of the target completion date for each finding and observation issued in the audit. The audit follow-up should normally be conducted in the form of a document-based audit of the updated verification index and documentary evidence received from the Member State.

9.3 The outcome of the document-based audit follow-up should be communicated to the Member State for further action that may be required to complete the audit follow-up process, such as provision of additional information or objective evidence, within a period of one month. After that period, an audit follow-up report should be issued based on a verification of the documents provided by the Member State, including a sign-off form for each finding/observation where the effective implementation of the corrective action has been verified (appendix 4, Form C).

9.4 Where the effective implementation of the corrective action cannot be verified by reviewing the documentary evidence submitted by the audited Member State, the Secretary-General should consider constituting an on-site or remote audit follow-up, as appropriate, for that purpose.

9.5 If a need for conducting an on-site audit follow-up is established, the standard procedures applied to the regular Member State audit described in this document should be applied. The only exception is the difference in scope, as the audit follow-up should be limited to issues identified during the initial audit as being in need of improvement or further monitoring.

9.6 The audit follow-up team will normally consist of an audit team leader and other members, as required, depending on the scope of the audit. Where possible, at least one of the audit team members for an audit follow-up should have been a member of the original audit team.

9.7 The audit follow-up report should be released to all Member States by the Secretary-General and, subject to prior authorization of the Member State concerned, to the public.

9.8 Furthermore, the remote audit methodology may be used to facilitate the audit follow-up process, if necessary, to verify the status of implementation of the agreed corrective actions and that the root causes have been addressed.

9.9 After the issuance of the audit follow-up report, Member States may continue to periodically submit progress reports using the format specified in appendix 4 (Form D). These reports should detail the implementation status of the corrective action plan for each finding and observation, as applicable, where effective implementation has not yet been verified. Additionally, Member States should update the verification index accordingly.

## **10 RECORDS**

10.1 Records from all audits conducted should be maintained by the Secretary-General. Such records should include:

- .1 Member State audit interim and final reports;
- .2 executive summary reports;
- .3 corrective action plan;
- .4 audit team leaders' mission reports;
- .5 Member State's report on progress of implementation of corrective action plan; and

.6 audit follow-up reports.

## **11 THE AUDIT PROCESS**

11.1 The audit process is illustrated in the flow chart given in appendix 6 of this Procedure.

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## APPENDIX 1

### MODEL MEMORANDUM OF COOPERATION

#### Model Memorandum of Cooperation between [Member State]<sup>3</sup> and the International Maritime Organization concerning participation in the IMO Member State Audit Scheme

#### Preamble

1 *Whereas* the Assembly of the International Maritime Organization (IMO) has adopted resolution A.1070(28) on the *IMO Instruments Implementation (III) Code*; and resolution A.1211(34) on the *Framework and Procedures for the IMO Member State Audit Scheme*, for the purpose of ensuring the consistent and effective implementation of IMO instruments globally and compliance with their requirements,

2 *Whereas* [Member State] supports the principles on which this scheme has been based and is committed to contributing to its success,

3 [Member State] and IMO have agreed as follows:

#### Section 1 – General

4 [Member State] hereby consents to the conduct of a Member State audit by an IMO audit team, including an on-site audit follow-up, if the latter becomes necessary. This audit and any on-site audit follow-up will be in conformity with the Framework and Procedures set out in Assembly resolution A.1211(34).

5 The audit and any on-site audit follow-up, if the latter becomes necessary, will be conducted in accordance with the prescribed sequence of activities. It should be completed within the scheduled period, following consultation between the parties to this Memorandum.

#### Section 2 – Confidentiality and disclosure

6 The parties agree that all information gathered, materials, notes and reports obtained during this audit and any on-site audit follow-up, if the latter becomes necessary, as well as the audit interim report compiled during the audit, will be treated in confidence. The term "in confidence" is understood to mean that none of the above will be communicated or provided by the audit team or the Secretary-General to any other party, unless authorized by [Member State] in writing.

7 Notwithstanding the previous paragraph, it is agreed that the executive summary report, the corrective action plan, the audit final report, the report on the progress of implementation of the corrective action plan, and the audit follow-up report, will be released to all Member States of IMO as individual reports, in accordance with the Framework and Procedures.<sup>4</sup>

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<sup>3</sup> Whilst Short Name of the Member State should be inserted wherever possible, the Government of the [Member State] represented by the authorized entity could be used.

<sup>4</sup> Upon a request by the Member State being audited, sensitive or classified information should be removed from the audit final report and audit follow-up report before they are released to all Member States.

[8 It is also agreed that the executive summary report, the corrective action plan, the audit final report, the report on the progress of implementation of the corrective action plan, and the audit follow-up report, will be released to the public as individual reports.<sup>5]</sup>

9 In addition, a limited level of disclosure in graphical form, depicting the level of implementation of the III Code by the Member State will be made available to the public, in accordance with the Framework and Procedures.

### **Section 3 – Member State responsibilities**

10 [Member State] agrees to provide the audit team with any cooperation and assistance necessary to the successful completion of the audit and any on-site audit follow-up, if the latter becomes necessary. This includes:

- .1 designating a single point of contact within the [Administration] for all communications regarding the audit conducted pursuant to this Memorandum;
- .2 assisting with the procedures for any visas or permits that may be necessary for the audit team to perform its duties;
- .3 providing the audit team with copies of, and/or convenient access to, relevant documents and records, including electronically maintained records;
- .4 making the appropriate staff members and officials from its [Administration] and any other involved organizational elements available for interview by the audit team at a mutually agreed time and place;
- .5 closely monitoring implementation of the agreed timeline for the audit and bringing to the attention of the audit team any conditions which may make adjustments necessary;
- .6 arranging, as may be requested by the audit team, for the team to observe operations or activities that fall within the scope of the audit, provided that the Member State is not expected to arrange for observations of operations or activities which are not scheduled in the normal course of business; and
- .7 otherwise facilitating the work of the audit team by providing administrative, secretarial, interpretation and transportation services, as appropriate.

### **Section 4 – IMO responsibilities**

11 The Secretary-General will support the audit, and an on-site audit follow-up, if the latter becomes necessary, undertaken pursuant to this Memorandum by:

- .1 designating a single point of contact within the Secretariat for all communications regarding the audit conducted pursuant to this Memorandum;

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<sup>5</sup> This sentence is optional for authorizing the release of the information stated therein to the public. A Member State may opt to release to the public some of the reports listed or use a separate authorization process for the release of the information.

- .2 selecting the audit team leader and members of the audit team, the composition of which (names, nationalities and qualifications and other relevant information that may be necessary to facilitate entry) will be provided to [Member State] prior to the audit;
- .3 closely monitoring implementation of the agreed timeline for the audit and bringing to the attention of the audit team and [Member State] any conditions which may make adjustments necessary;
- .4 maintaining appropriate records of the audit; and
- .5 providing practical, logistical and other assistance, as necessary, to facilitate the conduct of the audit.

### **Section 5 – Scope of the audit**

*[To be agreed between the parties]*

12 Using the III Code as the audit standard, the following applicable IMO instruments will be covered by the audit for the purpose of determining how the relevant flag, port and coastal State obligations and responsibilities relating to maritime safety and protection of the environment are carried out by [Member State]:

- .1 [insert the list of applicable IMO instruments]

13 With regard to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, the aspects of that Convention as stipulated therein will fall fully within the scope of this audit.

14 In the context of the aforementioned mandatory IMO instruments, the administrative, legal and technical areas that would provide the minimum scope of the audit are:

- .1 jurisdiction;
- .2 organization and authority;
- .3 legislation, rules and regulations;
- .4 promulgation of the applicable international mandatory instruments, rules and regulations;
- .5 enforcement arrangements;
- .6 control, survey, inspection, audit, verification, approval and certification functions;
- .7 selection, recognition, authorization, empowerment and monitoring of recognized organizations, as appropriate, and of nominated surveyors;
- .8 investigations required to be reported to the Organization; and
- .9 reporting to the Organization and other Administrations.

15 With respect to an on-site audit follow-up, if that becomes necessary, the scope will be limited to issues identified during the initial audit as being in need of improvement or further monitoring, which for this purpose are those identified in the findings and observations from the audit.

#### **Section 6 – Privileges and immunities and other legal implications**

16 Nothing in this Memorandum shall constitute a waiver, express or implied, of any privilege or immunity which IMO and [Member State] may enjoy, whether pursuant to the Convention on Privileges and Immunities of the Specialized Agencies or any other convention or agreement, law or decree of international or national character.

17 Individuals who are designated, pursuant to this Memorandum, to serve as auditors will be considered to be IMO experts for the purposes of annex XII of the Convention on Privileges and Immunities of the Specialized Agencies.

18 Nothing in this Memorandum is intended to create any legal right or obligation between the parties or regarding third parties.

#### **Section 7 – Settlement of disputes**

19 Any dispute, controversy or claim between the parties arising out of, or relating to, this Memorandum is to be resolved amicably by negotiation.

#### **Section 8 – Suspension, modification or cancellation**

20 This Memorandum may be suspended, modified or cancelled at any time by the Member State by giving one month's written notice, provided that due consideration is given to winding up any arrangements which have been put in place pursuant to this Memorandum.

#### **Section 9 – Validity and duration**

21 This Memorandum shall be valid from the date on which it has been signed by both parties and remain valid for a period of [three] years, or until an audit follow-up, if that becomes necessary, has been completed, whichever is later. Implementation of this Memorandum is subject to the availability of funding.

#### **Section 10 – Additional provisions**

[As necessary]

22 The cost of the travel of the audit team to [Member State] will be covered by IMO. The cost of in-country transportation of the audit team, [as well as the additional cost of travel of the audit team to audit flag State activities at extraterritorial office of the maritime administration in [location]], would be the responsibility of [Member State].

23 In witness whereof, the parties have signed the present Memorandum in two originals.

On behalf of [Member State]

On behalf of IMO

\_\_\_\_\_  
(Name and title)

\_\_\_\_\_  
Secretary-General

Date: \_\_\_\_\_

Date: \_\_\_\_\_

## APPENDIX 2

### STATE AUDIT QUESTIONNAIRE

The State audit questionnaire (SAQ) should be returned, duly completed, by the Member State to be audited, as soon as possible and not later than two months after receipt, and updated, as appropriate, not later than six months before the audit.

The structure of the SAQ is harmonized with the sections and provisions of the IMO Instruments Implementation Code (IIC Code) and this should be referred to when completing the form. Any material provided may be used in the final report.

The Member State should keep the descriptions/answers clear and concise and, if more convenient, link the responses to appendices or documents attached to the SAQ containing descriptions, procedures, diagrams, etc. which are relevant for answering the questions in the SAQ and to illustrate the Member State's implementation of the applicable IMO instruments.

#### GENERAL INFORMATION

1	Name of State:	
2	Full contact details for the designated single point of contact for the audit:	
	<b>Name and Title</b>	
	<b>Address</b>	<b>Telephone No.:</b> <b>Fax No.:</b> <b>Email address:</b>

3 Full contact details of all government body/bodies covering the following areas of responsibility (when the responsibility is divided between more than one entity, please insert details of each of the government bodies):

Name of entity in the State (including a reference to the legal basis for their functions, and link to website)	Common areas			Flag State						Coastal State							Port State						
	Strategy	Policy and Initial actions (Legislation)	Communication of information to IMO	Implementation (Flag State)	Delegation of authority (RO)	STCW	Flag State inspectors	Flag State investigations	Enforcement (Flag State)	Implementation (Coastal State)	Radiocommunication services	Meteorological services and warnings	Search and rescue services (SAR)	Hydrographic services	Ships routing/ reporting systems/ VTS	Aids to navigation (AtoN)	Enforcement (Coastal State)	Implementation (Port State)	Port State control (PSC)	Reception facilities	IMDG Code	Enforcement (Port State)	

4 Please provide a description, preferably as an organogram and/or a diagram, depicting the area of responsibility of each of the above-mentioned government bodies (responsibilities should be described according to the general obligations emanating from the IMO instruments).

5 Please indicate the number of employees of each relevant government body by category and by location (repeat the table as many times as necessary). Include any additional explanations regarding the number and location of employees.

Category	No. of employees	Location
Flag State surveyors/inspectors/auditors		
Port State control officers		
Investigators		
Management		
Support Staff		

6 Please confirm whether the data for ships on your State's register engaged on international voyages are up to date in the "Ship and Company Particulars" module of the Global Integrated Shipping Information System (GISIS) (<https://gisis.imo.org/Public/SHIPS/Default.aspx>) (YES/NO).

*(If not, please request an update of relevant data in accordance with Circular Letter No.1886/Rev.7 on Implementation of resolution A.1117(30) – IMO ship identification number scheme)*

7 Please indicate the location of ports in your State where ships on international voyages call.

Type of ships	Number of ports	Location(s)
Passenger		
Cargo (all)		
Chemical tankers		
Gas carriers		
Ships carrying grain		
Ships carrying solid bulk cargoes		
Ships carrying containers		
Other		



**(PLEASE USE III CODE AS A GUIDE WHEN FILLING THIS SAQ AFTER THIS POINT)**

**PART 1 - COMMON AREAS**

**Strategy**

	Reference to the III Code	Description	Descriptions/ answers/ supporting documents/ link
9	Paragraph 3	<p>Please provide details of the overall maritime policies and strategy developed by the State to implement the applicable IMO instruments, with reference to paragraph 3 of the III Code.</p> <p><i>(Please include details such as:</i></p> <ul style="list-style-type: none"> <li><i>.1 policy level approach for implementing international treaties through legislation, adoption of a strategy, division of responsibilities among relevant entities, methodology for monitoring the overall organizational performance of the maritime administration, establishment and maintenance of systems, processes, facilities and human resources needed for the implementation and enforcement, review mechanism to verify effectiveness, identify shortcomings and take corrective actions, communication and engagement with relevant entities and stakeholders. Provide links to the web page or attach relevant document;</i></li> <li><i>.2 methodology to monitor and evaluate the strategy; and</i></li> <li><i>.3 methodology to continuously review the strategy)</i></li> </ul>	

**General and initial actions**

	Reference to the III Code	Description	Descriptions/ answers/ supporting documents/ link
10	Paragraph 4	<p>Please provide details of the process for developing national legislation while becoming a party to a mandatory IMO instrument or as a flow chart.</p> <p><i>(Please include details such as the legal framework in the State in relation to the incorporation of international treaties into national legislation, process for developing national legislation, consultation process, process for approval by competent authority/parliament, subsidiary legislation and executive orders, etc.)</i></p>	
11	Paragraph 8	<p>Please provide details of the process for incorporating and giving effect to amendments to the mandatory IMO instruments that enter into force for the State</p> <p><i>(If the response is different from Q10, you may include details such as how tacit amendments to the mandatory IMO instruments are dealt with, effecting amendments to existing legislation, whether a simplified process is in place for amendments, approval by competent authority, subsidiary legislation and executive orders)</i></p>	
12	Paragraph 8	<p>Please provide the mechanism by which necessary infrastructure is established when a mandatory IMO instrument enters into force for the State.</p> <p><i>(Please include details such as availability of personnel, systems, processes and facilities)</i></p>	

	Reference to the III Code	Description	Descriptions/ answers/ supporting documents/ link
		<i>established for the implementation and enforcement of the mandatory IMO instruments (i.e. referred to as "infrastructure" in the III Code), maritime expertise, training of personnel, material resources, administrative measures)</i>	
13	Paragraph 8.3	<p>Please provide information about the resources available to assist in the promulgation of maritime legislation.</p> <p><i>(Please provide information such as key personnel associated with drafting and the promulgation of maritime legislation, including reporting to IMO, their qualifications and experience, an overview of their roles and responsibilities)</i></p>	

**Communication of information**

	Reference to the III Code	Description	Descriptions/ answers/ supporting documents/ link
14	Paragraph 9	<p>Please describe the process/procedure in place for communicating information to IMO and/or reporting to IMO:</p> <p><i>(Please include the system for communication of information to IMO, responsibility, coordination between the entities in the maritime administration, reviewing and updating information in GISIS, etc.)</i></p>	

**Records**

	Reference to the III Code	Description	Descriptions/ answers/ supporting documents/ link
15	Paragraph 10	<p>Please describe the record management system in the maritime administration.</p> <p><i>(Please include details such as the system/rules/regulations for record keeping, archiving, retention, methods of storage, retrieval, disposition of records, procedures through quality management system (if any), document control)</i></p>	

**Improvement**

	Reference to the III Code	Description	Descriptions/ answers/ supporting documents/ link
16	Paragraphs 11 and 12	<p>Please describe the measures in place to continually improve the adequacy of the measures to give effect to the mandatory IMO instruments, and to stimulate a culture which provides for improvement of performance in relevant maritime activities.</p> <p><i>(Please include details such as the link to an overall strategy, measures for continual improvement, monitoring of compliance, awareness programmes, periodical reports to higher authorities, performance reviews, annual reports, continual training programme, career development and progression, incentives, capacity-building, regional and national drills on safety and pollution prevention, details on quality management systems established in</i></p>	

	Reference to the III Code	Description	Descriptions/ answers/ supporting documents/ link
		<i>various State entities, availability of resources, coordination between entities etc.)</i>	
17	Paragraph 13	<p>Please describe the measures in place to identify and eliminate the root causes of any non-conformities.</p> <p><i>(Please include details such as outcome of periodical reviews and corrective actions taken; handling of complaints and feedback from stakeholders; analysis of data, such as violations, marine casualties, pollution incidents, reports from external sources such as port State control (PSC) and international bodies; development of corrective actions and monitoring of their implementation)</i></p>	
18	Paragraph 14	<p>Please describe the measures in place to anticipate potential non-conformities in order to prevent their occurrence.</p> <p><i>(Please include details such as risk management, analyses of data, proactive measures to prevent occurrence, trend analyses and related actions, details of related procedures established in various State entities, links to an overall strategy, review mechanism)</i></p>	

**PART 2 – FLAG STATE**

**Implementation**

	<b>Reference to the III Code</b>	<b>Description</b>	<b>Descriptions/ answers/ supporting documents/ link</b>
19	Paragraph 15	<p>Please provide the structure and duties of the entity/entities that have been entrusted with the responsibilities for developing and implementing relevant flag State legislation and national policies. How the policies are reviewed and kept updated?</p> <p><i>(Please provide information such as the entities responsible for flag State implementation, resources available in the Administration, measures in place to assist in the implementation, such as issuance of circulars or guidance, links to the overall strategy of the State, updating the policies. If the Administration exercises its functions through an extraterritorial office, please include the description of such arrangement, including relevant legal basis)</i></p>	
20	Paragraph 16.1	<p>Please provide an overview of administrative and technical instructions that have been issued by the Administration for implementing the applicable IMO instruments and national regulations.</p> <p><i>(Please include information such as the procedure for issuance of administrative instructions; list of instructions/guidance/notices, executive orders; and the methods for dissemination to the flag State surveyors, industry, recognized organizations (ROs) and seafarers)</i></p>	

	Reference to the III Code	Description	Descriptions/ answers/ supporting documents/ link
21	Paragraph 16.2	Please describe the resources and systems established to use an audit and inspection programme to verify compliance in implementing the applicable IMO instruments.  <i>(Please include information such as the resources available in the Administration, details of an independent audit and inspection programme in relation to the processes through which certificates and documents are issued to ships)</i>	
22	Paragraph 16.3.1	Please describe the arrangements in place for training, assessment of competence and certification of seafarers in accordance with the provisions of STCW 1978	
23	Paragraph 16.3.2	Describe how it is ensured that the STCW certificates and endorsements accurately reflect the competencies of the seafarers, using the appropriate terminology in STCW 1978.	
24	Paragraph 16.3.3	Describe the arrangements in place for impartial investigation of any reported failure by holders of certificates or endorsements issued by the State under STCW 1978.	
25	Paragraph 16.3.4	Please provide details of the arrangements in place for the withdrawal, suspension or cancellation of certificates or endorsements issued by the State under STCW 1978.	

	Reference to the III Code	Description	Descriptions/ answers/ supporting documents/ link
26	Paragraph 16.3.5	Please provide details of the arrangements in place in the Administration, including those involving training, assessment and certification activities conducted under another State, for ensuring the competence of masters, officers and seafarers serving on ships entitled to fly its flag.	
27	Paragraph 16.3	Provide details of the measures established to enforce the requirements in respect of fitness for duty and watchkeeping arrangements (regulations VIII/1 and VIII/2, and section A-VIII/1 of STCW 1978).	
28	Paragraph 16.5	How does the State implement the requirements that are left to " <i>the satisfaction of the Administration</i> " in the mandatory IMO instruments.  <i>(Please include information such as the policies/criteria/guidelines developed by the Administration to deal with those requirements that are to the satisfaction of the Administration (type approval, materials), including the use of recommendations from IMO and classification societies; expertise and resources available in the Administration)</i>	
29	Paragraph 17	Please describe the system established by the Administration to ensure that ships flying the flag of the State are sufficiently and efficiently manned.  <i>(Please include information such as the legislation for issuance of the safe manning document, establishing the minimum safe manning, procedure for issuing the safe manning document, reference to the relevant IMO resolution, measures to ensure safe</i>	

	Reference to the III Code	Description	Descriptions/ answers/ supporting documents/ link
		<i>continuous watch on ships, working language on ships)</i>	

**Delegation of authority**

	Reference to the III Code	Description	Descriptions/ answers/ supporting documents/ link
30	Paragraphs 18 and 21	<p>Please describe the system/process in place for delegation of authority while recognizing and authorizing organizations/individuals to act on behalf of the Administration.</p> <p><i>(Please include information such as the legal provisions for delegation of authority, procedure for recognizing and authorizing organizations/nominated surveyors, implementation of the RO Code, list of ROs)</i></p>	
31	Paragraph 21	<p>Please provide the details of nominated surveyors (or individuals) to whom authority has been delegated.</p> <p><i>(Please describe the system for appointing individuals as surveyors or inspectors or auditors, criteria for their selection/appointment etc.)</i></p>	
32	Paragraphs 20 and 21	<p>Please describe how your Administration maintains oversight of the functions delegated to ROs and/or nominated surveyors.</p> <p><i>(Please describe the system for monitoring the performance of ROs and nominated surveyors, implementation of the RO Code)</i></p>	

**Enforcement**

	Reference to the III Code	Description	Descriptions/ answers/ supporting documents/ link
33	Paragraph 22	<p>Please describe the legal provisions in place to initiate enforcement actions for dealing with breaches of the mandatory IMO instruments.</p> <p><i>(Please include information such as the relevant primary/secondary legislations, authority and responsibilities for enforcement, penalty provisions, availability of resources, mechanism for monitoring violations, provisions to initiate actions irrespective of where the violation has occurred etc.)</i></p>	
34	Paragraph 22	<p>What measures have been adopted by the State to detect violations or non-compliances and to enforce legal provisions?</p> <p><i>(You may include information such as reference to relevant legislation, the policies adopted to discourage violation, penalty provisions, administrative sanctions, suspension or withdrawal of certificates and endorsements, policy on periodic inspection of ships, verifying familiarization of seafarers, confirming safe manning on ships, preventing fatigue of seafarers, preventing drug and alcohol abuse, arrangements for safe continuous watch, review of information from external sources and port States, instructions to ROs, complaint mechanism for seafarers, provisions to initiate actions irrespective of where the violation has occurred)</i></p>	

	Reference to the III Code	Description	Descriptions/ answers/ supporting documents/ link
35	Paragraph 23	<p>Please describe the control and monitoring programme in the Administration.</p> <p><i>(Please include details such as the arrangements for prompt conduct of casualty investigations, collection and analyses of statistical data, timely response to deficiencies on ships and alleged pollution incidents reported to the Administration)</i></p>	
36	Paragraph 24	<p>Please provide an overview of the resources available in the Administration for enforcement.</p> <p><i>(Please include information such as the availability of personnel in the Administration, their roles, flag State surveyors/inspectors, authority for enforcement, arrangements training for personnel, oversight of flag State surveyors/inspectors and investigators, powers to take action irrespective of where the violation has occurred)</i></p>	
37	Paragraph 25	<p>Please describe the mechanism to deal with the ships flying the flag of the State that are detained by a port State.</p> <p><i>(Please include details such as the procedure followed by the Administration when ships are detained by a port State, role of ROs, how corrective actions and follow-up are carried out, resources in the Administration, instruction to ROs)</i></p>	
38	Paragraph 26	<p>Please describe the mechanism in place to ensure that international certificates or documents are only issued or endorsed to a ship, after it is determined that the ship meets all applicable requirements.</p>	

	Reference to the III Code	Description	Descriptions/ answers/ supporting documents/ link
		<i>(Please include information such as instructions to surveyors and ROs, how to deal with non-compliances, grant of exemptions or short-term certificates, circumstances when issuance/ endorsement of certificates/ documents should be withheld; control measures; obligation for communication to Administration about deficiencies)</i>	

**Flag State surveyors**

	Reference to the III Code	Description	Descriptions/ answers/ supporting documents/ link
39	Paragraph 28	<p>Please provide an overview of the responsibilities and authority of surveyors/inspectors/auditors and investigators.</p> <p><i>(Please include information such as the field offices, place of posting, reporting structure and interrelationship within the Administration, duties and responsibilities as stipulated in national legislation)</i></p>	
40	Paragraphs 28 and 29	<p>Please provide a description of the process for recruitment of personnel responsible for surveys, inspections and audits of ships.</p> <p><i>(Please include information such as category of surveyors/inspectors, number of posts, recruitment rules/procedures, minimum qualification and experience prescribed for appointment as surveyor/inspector/ auditor/ investigator, recruitment process, identification document)</i></p>	

	Reference to the III Code	Description	Descriptions/ answers/ supporting documents/ link
41	Paragraph 35	<p>Please provide an overview of the documented system in place for qualification and training of surveyors/inspectors/auditors/investigators.</p> <p><i>(You may include information such as rules, regulations or standards established for documenting qualification of personnel; assessing their training needs, documenting the training provided to each member of the staff to continuously update their knowledge - induction training, in-service training, mechanism in place for updating of knowledge; availability of resources to maintain the system; and provide samples of how qualification and training is documented)</i></p>	

**Flag State investigations (paragraphs 38 to 41)**

	Reference to the III Code	Description	Descriptions/ answers/ supporting documents/ link
42	Paragraphs 38 to 41	<p>Please describe the organizational structure, legal framework and process/procedure in the Administration for conducting marine safety investigations.</p> <p><i>(Please include information such as, the relevant legislation/process for marine safety investigations, policies and guidance, obligations to report casualties, availability of resources, entity responsible for investigations, oversight of investigations, control and monitoring, qualification and criteria of investigators, release of investigation reports)</i></p>	

	Reference to the III Code	Description	Descriptions/ answers/ supporting documents/ link
43	Paragraph 39	<p>Please describe the process followed in the State for recruitment of marine safety investigators.</p> <p><i>(Please include information such as, the minimum qualification and experience prescribed, number of marine safety investigators in the State, duties and responsibilities, reporting structure)</i></p>	
44	Paragraph 40	<p>Please describe the process followed in the State for investigating accidents involving personal injury necessitating absence from duty of three days or more, and any deaths resulting from occupational accidents and casualties to ships flying the flag of the State.</p> <p><i>(Please include information such as requirement to report any accidents involving personal injury necessitating absence from duty of three days, requirement to report any deaths resulting from occupational accidents and casualties, how these cases are investigated)</i></p>	
45	Paragraph 41	<p>Please describe how the Casualty Investigation Code has been incorporated into the legal framework/processes in the State and how related guidelines developed by the Organization have been followed.</p> <p><i>(Please include information such as implementation of the Casualty Investigation Code, investigation and reporting process, impartiality and objectivity in investigations, reporting to IMO, training of investigators, dissemination of lessons learned)</i></p>	

**Evaluation and review**

	<b>Reference to the III Code</b>	<b>Description</b>	<b>Descriptions/ answers/ supporting documents/ link</b>
46	Paragraphs 42 to 44	<p>Please describe how your Administration evaluates its performance in meeting the requirements of the mandatory IMO instruments. In particular, evaluation of detention rates, inspection results, casualty statistics, communication processes, annual loss statistics and other performance indicators.</p> <p><i>(Please include information such as the methodology or procedure or process followed to evaluate flag State performance, entities responsible for evaluation, how often an evaluation is carried out, parameters or key performance indicators considered for evaluation such as those in paragraph 43 and 44 of the III Code, adequacy of staff and resources, actions taken after an evaluation, sample of an evaluation report, link of the evaluation process to the overall strategy of the State)</i></p>	

**PART 3 – COASTAL STATE**

**Implementation (paragraphs 45 to 48)**

	Reference to the III Code	Description	Descriptions/ answers/ supporting documents/ link
47	Paragraph 46.1	<p>Please provide the structure and duties of the entity/entities that have been entrusted with the responsibilities for developing and implementing relevant coastal State legislation and national policies/guidance, legal basis/authority for performing their functions.</p> <p><i>(Please provide information such as the entities responsible for implementation of coastal State functions, legal basis/authority, coordination between the entities, measures in place to assist in the implementation, such as issuance of circulars or guidance, links to the overall strategy of the State, updating the policies)</i></p>	
48	Paragraph 46.2	<p>Please describe the mechanism and responsibilities in the maritime administration to review the adequacy of existing policies, legislation, guidance, etc., and to update them as necessary.</p> <p><i>(Please include areas such as, a review mechanism, follow-up actions, responsibilities assigned to relevant entities, coordination with the entities, communication and reporting systems, link to the overall strategy of the State)</i></p>	

	Reference to the III Code	Description	Descriptions/ answers/ supporting documents/ link
49	Paragraphs 47 and 48.1	<p>Please provide details of the entity responsible for maritime radiocommunications in the State and describe the arrangements for providing maritime radiocommunication services in the State. (regulation IV/5, SOLAS 1974).</p> <p><i>(Please provide name of the entity/entities responsible for maritime radiocommunication services, details of coastal radiocommunication infrastructure, staff, radiocommunication equipment, broadcasting danger messages and warning to ships, communication of information to IMO etc.)</i></p>	
50	Paragraphs 47 and 48.2	<p>Please provide details of the entity responsible for meteorological services, and describe how meteorological data is gathered, analysed and meteorological information and warnings are transmitted/disseminated to ships. (regulation V/5, SOLAS 1974).</p> <p><i>(Please provide name of the entity/entities responsible for meteorological services, information on the legal framework, assignment of responsibility, procedures for collection and analysis of meteorological data, dissemination of meteorological information and forecast to ships, link to relevant web page)</i></p>	

	Reference to the III Code	Description	Descriptions/ answers/ supporting documents/ link
51	Paragraphs 47 and 48.3	<p>Please provide details of the entity responsible for maritime search and rescue services (SAR) and describe the arrangements for providing SAR services in the State. (regulation V/7, SOLAS 1974).</p> <p><i>(Please provide information on the legal framework, assignment of responsibility, SAR plan, SAR resources, cooperation with other States, plans of cooperation with passenger ships, SAR drills and exercises, communication of information to IMO, links to relevant web page)</i></p>	
52	Paragraphs 47 and 48.4	<p>Please provide details of the entity responsible for providing hydrographic services and describe the arrangements in the State for the provision of hydrographic services. (regulation V/9, SOLAS 1974)</p> <p><i>(Please provide information on the legal framework, assignment of responsibility, risk assessment, arrangements for collection and compilation of hydrographic data, publication and dissemination of nautical information, issuance of nautical publications, such as, notices to mariners, charts, tide tables, cooperation with other States, international standards adopted, data management, link to relevant web page)</i></p>	
53	Paragraphs 47 and 48.5	<p>If a mandatory/recommendatory ship routing has been established in the State, please provide details of the entity responsible and describe the arrangements. (regulation V/10, SOLAS 1974).</p>	

	Reference to the III Code	Description	Descriptions/ answers/ supporting documents/ link
		<i>(Please provide a list of mandatory/recommendatory ship routeing, assignment of responsibility for these services, agreement with other States (if any), method of dissemination of information to ships, monitoring arrangements, periodical review of the services, entities responsible, existing resources, etc.)</i>	
54	Paragraphs 47 and 48.6	<p>If a mandatory/recommendatory ship reporting system has been established in the State, please provide details of the entity responsible and describe the arrangements. (regulation V/11, SOLAS 1974).</p> <p><i>(Please provide a list of mandatory/recommendatory ship reporting systems (only for the coastal State ship reporting systems), assignment of responsibility for these services, agreement with other States (if any), method of dissemination of information to ships, monitoring arrangements, periodical review of the services, entities responsible, existing resources, etc.)</i></p>	
55	Paragraphs 47 and 48.7	<p>If a vessel traffic service (VTS) has been established in the State, please provide details of the entity responsible and describe the arrangements. (regulation V/12, SOLAS 1974).</p> <p><i>(Please provide a list of mandatory/recommendatory VTS systems (only for the coastal VTS), whether a need-assessment has been made for establishment of VTS, assignment of responsibility for these services, agreement with other States (if any), method of dissemination of information to ships,</i></p>	

	Reference to the III Code	Description	Descriptions/ answers/ supporting documents/ link
		<i>monitoring arrangements, periodical review of the services, entities responsible, existing resources, etc.)</i>	
56	Paragraphs 47 and 48.8	<p>Please provide details of the entity responsible for providing aids to navigation (AtoN) in the State and describe the arrangements for establishment and maintenance of AtoN. (regulation V/13, SOLAS 1974).</p> <p><i>(Please provide the entity responsible for establishing and maintaining AtoN, risk assessment, list of available AtoN in the State, standards used for AtoN, dissemination of AtoN information to ships, existing resources, review of adequacy of AtoN facilities, etc.)</i></p>	

**Enforcement (paragraph 50)**

	Reference to the III Code	Description	Descriptions/ answers/ supporting documents/ link
57	Paragraph 49	<p>Please describe the enforcement measures taken as a coastal State to ensure observance of the mandatory IMO instruments.</p> <p><i>(Please describe the penalty provisions and enforcement, monitoring mechanism to detect violations (e.g. safety of navigation, pollution), deterrent measures established, how violations are detected and dealt with, how obligations of the State are fulfilled, resources available, etc.)</i></p>	

58	Paragraph 50	<p>Please provide details of a control and monitoring programme relating to coastal State activities that has been developed and implemented by the State.</p> <p><i>(e.g. describe how statistical data is collected and analysed and for which areas of coastal State activities; describe the arrangements in the State for investigating the reported incidents of pollution and mechanisms in place for timely response to pollution incidents (please include oil spill contingency plan if available); and arrangements for cooperation with other States in investigation of maritime casualties)</i></p>	
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**Evaluation and review (paragraph 51)**

	Reference to the III Code	Description	Descriptions/ answers/ supporting documents/ link
59	Paragraph 51	<p>Please explain how your State evaluates its performance as a coastal State.</p> <p><i>(Please include information such as the methodology used for evaluation of coastal State functions, entities responsible for evaluation and review, how often an evaluation is carried out, parameters or key performance indicators considered for evaluation, action taken after review/evaluation, sample of an evaluation report, link of the evaluation process to the overall strategy of the State)</i></p>	

**PART 4 – PORT STATE**

**Implementation**

	<b>Reference to the III Code</b>	<b>Description</b>	<b>Descriptions/ answers/ supporting documents/ link</b>
60	Paragraph 54.1	<p>Please provide the structure and duties of the entity/entities that have been entrusted with the responsibilities for developing and implementing relevant port State legislation and national policies/guidance.</p> <p><i>(Please provide information such as the entities responsible for implementation of port State functions, (e.g. port State control, fuel oil supply to ships, regulatory body for handling/shipping of cargoes) coordination between the entities, measures in place to assist in the implementation, such as issuance of circulars or guidance, links to the overall strategy of the State, updating the policies)</i></p>	
61	Paragraph 54.2	<p>Please describe the mechanism and responsibilities in the maritime administration to review the adequacy of existing policies, legislation, guidance, etc., on port State implementation and to update them as necessary.</p> <p><i>(You may include areas such as, a review mechanism, follow-up actions, responsibilities assigned to relevant entities, coordination with the entities such as ports, reception facilities, fuel oil suppliers, communication and reporting systems, link to the overall strategy of the State)</i></p>	

	Reference to the III Code	Description	Descriptions/ answers/ supporting documents/ link
62	Paragraph 55	<p>Please describe how transport of dangerous goods through ports in the State is regulated, including the legal framework.</p> <p><i>(Please provide the relevant legislation that gives effect to the IMDG Code, measures in place for handling, stowage and segregation of dangerous goods, assignment of responsibility, training of shore-side personnel, details of designated port State authority, detailed instructions issued on emergency response and first aid, measures for marking and labelling of packaged goods etc.)</i></p>	
63	Paragraph 55	<p>Please describe how transport of grain, bulk cargoes and liquid chemicals through the ports in the State is regulated.</p> <p><i>(Please provide the legislation that gives effect to the IMSBC Code, the Grain Code and the IBC Code, assignment of responsibilities to various State entities, the obligation imposed on the shipper to provide all necessary information to ensure safe transport of the cargo before loading, material safety data sheet, information on cargoes which are subject to liquefaction and hazardous cargo in bulk, export/import of solid bulk cargo, compliance with the IMSBC Code, the Grain Code and the IBC Code)</i></p>	

	Reference to the III Code	Description	Descriptions/ answers/ supporting documents/ link
64	Paragraph 55	<p>Please describe how transport of general cargo and containers through the ports in the State is regulated.</p> <p><i>(Please provide the details on verification of gross mass of general cargo and containers, assignment of responsibilities, marking and labelling, implementation of obligations of shipper, material safety data sheet etc.)</i></p>	
65	Paragraphs 54 and 56.1	<p>Please describe an overview of the reception facilities for ship-generated waste under the MARPOL Convention and the adequacy of these arrangements.</p> <p><i>(Please provide details of the institutional mechanism for establishing and maintaining the reception facility, reception facilities available in the State such as location, capacity and available facilities and other characteristics in relation to Annexes I, II, IV, V and VI of MARPOL, actions taken on reports of non-availability of reception facilities, how discharge from chemical tankers (Annex II of MARPOL 73/78) is controlled)</i></p>	
66	Paragraphs 54 and 56.3	<p>If fuel oil for combustion purposes is made available to ships, please describe how the fuel oil quality is regulated.</p> <p><i>(Please describe how the fuel oil quality is regulated, the entity responsible, a register of local suppliers of fuel oil is maintained, bunker delivery note is provided to ships and records are maintained etc.)</i></p>	

**Enforcement**

	Reference to the III Code	Description	Descriptions/ answers/ supporting documents/ link
67	Paragraph 57	<p>Please describe the enforcement measures taken as a port State to ensure observance of the mandatory IMO instruments.</p> <p><i>(Please describe the penalty provisions and enforcement, monitoring mechanism to detect violations, deterrent measures established, how violations are detected and dealt with, how obligations of the State are fulfilled, resources available, etc.)</i></p>	
68	Paragraph 60	<p>Please state whether the right to carry out port State control (PSC) is exercised by the State. If yes, describe the processes established to administer a PSC programme.</p> <p><i>(Please describe what legislation is in place permitting PSC to be undertaken on foreign ships visiting your ports and the procedures for undertaking them; the regional PSC regimes your State is affiliated to; the recruitment criteria and qualifications for PSC officers engaged in PSC duties; the arrangements in place to enable PSC interventions to be transmitted "forthwith" to all parties concerned; how many PSC inspections have been carried out by your State over the last two years, and how do these relate to national and regional targets)</i></p>	

**Evaluation and review**

	<b>Reference to the III Code</b>	<b>Description</b>	<b>Descriptions/ answers/ supporting documents/ link</b>
69	Paragraph 63	<p>Please explain how your State evaluates its performance as a port State.</p> <p><i>(Please include information such as the methodology used for port State evaluation, entities responsible for evaluation and review, how often an evaluation is carried out, parameters or key performance indicators considered for evaluation, action taken after review/evaluation, sample of an evaluation report, link of the evaluation process to the overall strategy of the State)</i></p>	

**APPENDIX 3**

**AUDIT SCHEME SEQUENCE OF ACTIVITIES**

<b>Ref.</b>	<b>Activity</b>	<b>Responsible</b>	<b>Procedures Ref.</b>
1	Overall audit schedule for the cycle, with categorization into two-year periods	SG	4.2.1
2	Audit schedule for two-year periods in the order of prioritization	SG	4.2.1.2
3	Communication to MS about the scheduled audit (18 months prior to the audit)	SG	4.2.1.3
4	Member States upload the information in the web-based platform for ICMM	MS	4.1.1 and 4.1.2
5	Developing and negotiating the Memorandum of Cooperation (MoC), including authorization for release of the audit reports to the public or Member States	SG + MS	4.5.1; 4.5.2; 4.5.3 (Framework 8.1.6; 8.2.1)
6	MoC finalized and signed	MS + SG	4.5.1; 4.5.2; 4.5.3 (Framework 8.1.6; 8.2.1)
7	Selection of auditors by IMO	SG	4.7; 4.8
8	Notification of auditors to Member State	SG	4.8.1.5
9	Final selection of audit team	SG + MS	4.8
10	Preparation for the audit by the audit team	ATL	5
11	Determine eligibility and areas to be excluded for the audit for limited on-site audits (LOA) (six months prior to the audit)	ATL	5.8; 5.9
12	Agreeing the audit plan	ATL + MS	5.6; 5.7; 5.8
13	Opening meeting between the audit team and the Member State	ATL + MS	6.1; 6.3
14	The audit	ATL + MS	6.4
15	Audit closing meeting, draft audit interim report (DIR) and draft executive summary report (DESR) tabled	ATL + MS	6.5
16	Audit team leader's mission report sent to IMO	ATL	7.6
17	Review of DIR and DESR, including comments sent by the Member State	ATL + MS + IMO	7.1.3; 7.2.3; 7.2.4; 7.3.1; 7.3.2
18	Agreed interim report (IR) and executive summary report (ESR)	ATL + MS	7.2.1; 7.3.1
19	Release of ESR	SG	7.3.1; 7.4.1; 7.4.2; 7.5.1; 8.5 (Framework 6.3.4; 6.3.5)
20	Limited disclosure of information depicting the level of effective implementation of the III Code made available in a graphical form to the public through a web-based platform	SG	7.4.3 (Framework 6.3.6)
21	Member State corrective action plan (CAP), as appropriate, sent to ATL and IMO	MS	7.2.1; 7.4.1; 8.4
22	Agreed audit final report (FR)	ATL + MS	7.4.2; 8.5
23	Release of FR	SG	7.4.2

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<b>Ref.</b>	<b>Activity</b>	<b>Responsible</b>	<b>Procedures Ref.</b>
			(Framework 6.3.4; 6.3.5)
24	Feedback from the Member State sent to IMO	MS	7.7
25	Member State's report on the progress of implementation of corrective action plan (Form D) sent to IMO	MS	7.5
26	Audit follow-up, as appropriate	SG	9
27	Agreed audit follow-up report (AFR)	ATL + MS	9.3
28	Release of AFR	SG	9.7 (Framework 6.3.4; 6.3.5)
29	Consolidated audit summary reports prepared as circular letters	SG	7.4.4

MS = Member State

SG = IMO Secretary-General

ATL = Audit team leader



**(Form B)**

<b>CORRECTIVE ACTION</b>			
<b>Member State:</b>		<b>Audit period:</b>	
<b>Department:</b>		<b>Audit team leader:</b>	
<b>Finding No.:</b>		<b>Observation No.<sup>6</sup>:</b>	
<b>Area(s) of root cause:</b>		<b>Category(ies) of root cause:</b>	
<b>Root cause description:</b>          			
<b>Corrective action:</b>          			
<b>Proposed target completion date:</b>          			
<b>Action plan submitted:</b> By _____ On _____			
To: Audit team leader:	_____ Name _____ Signature and date	IMO Secretariat:	_____ Name _____ Signature and date

<sup>6</sup> This form may be completed with a corrective action plan to address an observation.

**(Form C)**

<b>VERIFICATION OF EFFECTIVE IMPLEMENTATION OF THE CORRECTIVE ACTION</b>			
<b>Member State:</b>		<b>Audit Period:</b>	
<b>Department:</b>		<b>Audit team leader:</b>	
<b>Finding No.:</b>		<b>Observation No.:</b>	
<b>Action implemented:</b>			
By _____		On _____	
<b>Verification of effective implementation/comments (if any):</b>			
Sign-off, as appropriate:			
<b>Audit team leader</b>		<b>IMO Secretariat</b>	
<b>Date</b>		<b>Date</b>	

**(FORM D)**

**Report on the progress of implementation of corrective action plan**

<b>FD/OB reported during the audit</b>	<b>Paragraph of III Code</b>	<b>Requirement of the III Code</b>	<b>Progress in (completion of) implementation of corrective action</b>	<b>List of evidence provided</b>
FD-1	xx	[Description corresponding to FD-1 from the verification index]		
FD-2	xx	[Description corresponding to FD-2 from the verification index]		
FD-3	xx	[Description corresponding to FD-3 from the verification index]		
FD-x	xx	[Description corresponding to FD-x from the verification index]		
OB-1	xx	[Description corresponding to the OB-1 from the verification index]		

**APPENDIX 5**

**MODEL EXECUTIVE SUMMARY REPORT**

<b>Name of State</b>	<b>ZENITH</b>
<b>Principal Government entity</b>	Maritime Authority
<b>Other entities involved</b>	Ministry of Environment Hydrographic Office Port authorities Marine police .....
<b>Period of audit</b>	11 – 20 February 2012
<b>Scope</b>	<ol style="list-style-type: none"> <li>1 the International Convention for the Safety of Life at Sea, 1974, as amended (SOLAS 1974);</li> <li>2 the Protocol of 1988 relating to the International Convention for the Safety of Life at Sea, 1974, as amended (SOLAS PROT 1988);</li> <li>3 the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto, as amended (MARPOL 73/78);</li> <li>4 the Protocol of 1997 to amend the International Convention for the Prevention of Pollution from Ships, as modified by the Protocol of 1978 relating thereto (MARPOL PROT 1997);</li> <li>5 the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended (STCW 1978);</li> <li>6 the International Convention on Load Lines, 1966 (LL 66);</li> <li>7 the Protocol of 1988 relating to the International Convention on Load Lines, 1966 (LL PROT 1988);</li> <li>8 the International Convention on Tonnage Measurement of Ships, 1969 (Tonnage 1969); and</li> <li>9 the Convention on the International Regulations for Preventing Collisions at Sea, 1972, as amended (COLREG 1972).</li> </ol>

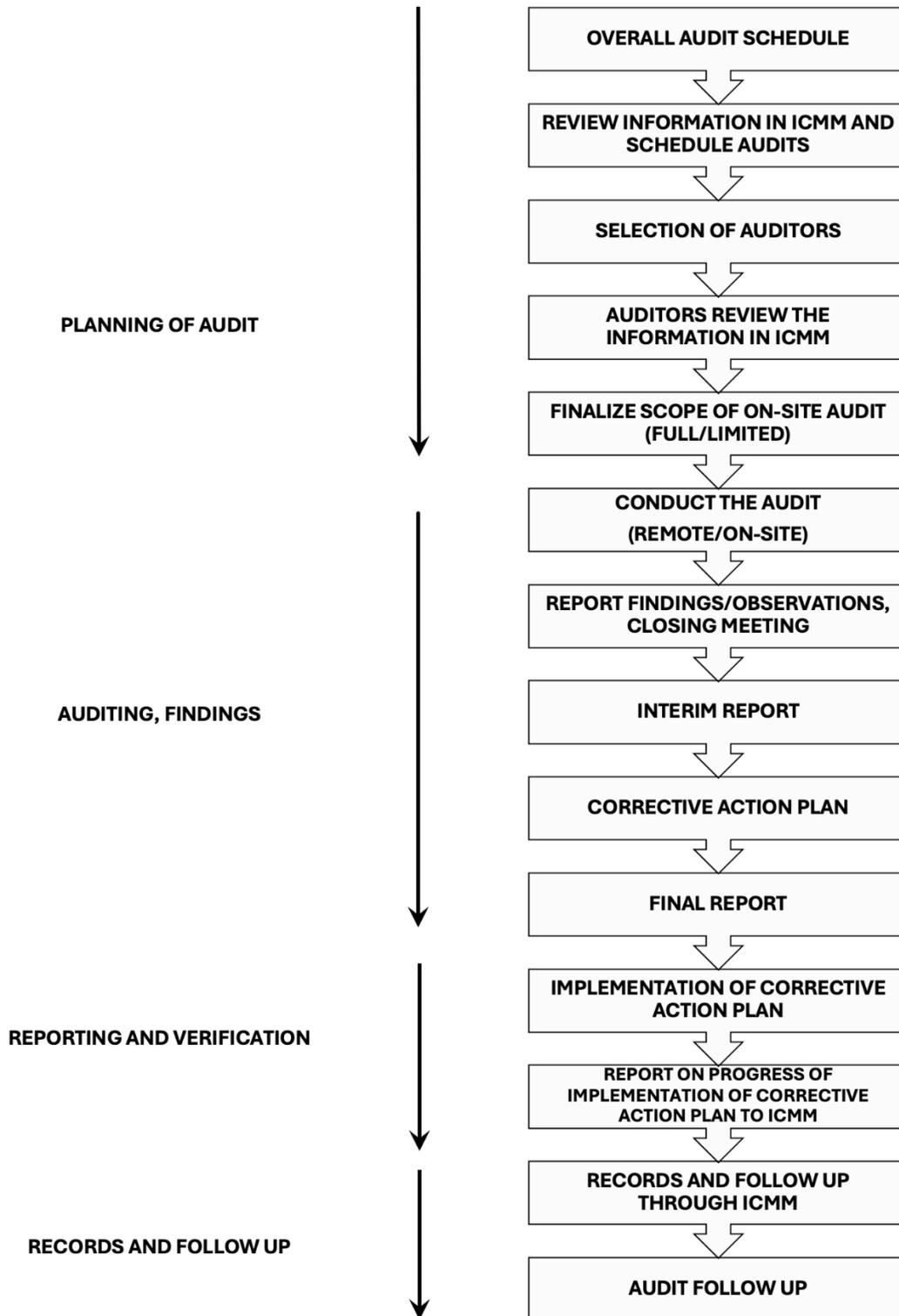
<b>Areas</b>	Flag State	X	Coastal State	X	Port State	X
<b>Narrative</b>	<p>During the audit of the maritime administration of Zenith, there were two findings and one observation revealed under general responsibilities and obligations of the State, and one finding and one observation related to flag State activities, two findings related to coastal State activities and no finding related to port State activities.</p> <p>There were a number of areas of good practices revealed, as well as areas where improvements were possible.</p> <p>The breakdown of findings and observations is as shown below.</p>					
<b>General</b>	<p><b><i>Finding 1</i></b></p> <p>The national legislation was not updated to give full effect to some amendments to mandatory IMO instruments to which the State is a Party (SOLAS 1974, article I; LL 66, article I; and COLREG 1972, article I; III Code, paragraph 8).</p> <p><b><i>Finding 2</i></b></p> <p>The State has not communicated to IMO its national legislation enacting the requirements of some conventions (SOLAS 1974, article III; and MARPOL 73/78, article 11; III Code, paragraph 9).</p> <p><b><i>Observation 1</i></b></p> <p>The maritime administration had no overall strategy covering all agencies involved in the implementation and enforcement of the mandatory IMO instruments under the Code, nor was the existing strategy promulgated to the agencies involved in the implementation and enforcement of the aforementioned instruments (III Code, paragraphs 3 and 9).</p>					
<b>Flag State activities</b>	<p><b><i>Finding 3</i></b></p> <p>There was evidence that continuous updating of the knowledge of flag State surveyors, appropriate to their specific qualifications, is not followed (III Code, paragraph 35).</p> <p><b><i>Observation 2</i></b></p> <p>Some of the personnel responsible for or performing surveys, inspections and audits on ships and companies, to which the relevant mandatory IMO instruments apply, were not properly qualified. The Administration does not have a system in place for initial training and continuous updating of the knowledge of flag State surveyors (III Code, paragraphs 28 to 37).</p>					

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<b>Coastal State activities</b>	<b><i>Finding 4</i></b>  It was found that passenger ships visiting the State's ports have no onboard plans for cooperation with the SAR services in emergencies (SOLAS 1974, regulation V/7.3; III Code, paragraph 47).
<b>Port State activities</b>	None
<i>Notation: The findings and/or observations identified above were obtained from sampling and not all obligations and requirements contained in the instruments were tested during the audit</i>	

## APPENDIX 6

### AUDIT PROCESS



Resolution A.1211(34) (Adopted on 3 December 2025) (Agenda item 9)  
FRAMEWORK AND PROCEDURES FOR THE  
IMO MEMBER STATE AUDIT SCHEME