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Circular Letter No.5136
14 April 2026

To: To All IMO Member States

Subject: **Auditor's Manual for the IMO Member State Audit Scheme (IMSAS)**

1 The Secretary-General has the honour to transmit herewith for information the revised Auditor's Manual for the IMO Member State Audit Scheme (IMSAS), taking into account the revised Framework and Procedures (resolution A.1211(34)) adopted by the Assembly at its thirty-fourth session.

2 This Circular Letter No.5136 supersedes Circular Letters Nos.3425 and Corr.1.

3 The annexed Auditor's Manual will be updated periodically, as necessary.

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ANNEX

AUDITOR'S MANUAL FOR

THE IMO MEMBER STATE AUDIT SCHEME (IMSAS)

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PART A

PROCEDURES FOR THE IMO MEMBER STATE AUDIT

1 INTRODUCTION

1.1 This Manual provides guidance to assist auditors in preparing for, conducting and reporting on audits in the execution of their duties as defined in the *Framework and Procedures for the IMO Member State Audit Scheme*, which was adopted by the Assembly through resolution A.1211(34) (hereinafter the Framework and Procedures), using the IMO Instruments Implementation (III) Code (resolution A.1070(28)) (hereinafter the III Code) as the audit standard, together with the latest adopted non-exhaustive list of obligations under instruments relevant to the III Code (NEL).

1.2 The Audit Scheme has a well-developed structure which seeks to ensure that the audits are conducted in a pragmatic, transparent, consistent, and fair manner and carried out in accordance with an agreed time frame, recognising that Member States may have different and equally valid approaches when discharging their responsibilities under the applicable IMO instruments.

1.3 The Member State Audit (MSA) administers the Audit Scheme on behalf of the Secretary-General of IMO. To fulfil this role, MSA has established and implemented detailed standard operational procedures designed to ensure consistency throughout the pre-audit, audit and post-audit phases.

1.4 This Manual provides practical guidance to support adequate preparation by auditors and to enhance further the consistency in the delivery of the audits. The universally established procedures are outlined in the Framework and Procedures, and where a discrepancy arises between this guidance and the Framework and Procedures, the latter shall prevail.

1.5 This Manual comprises two parts:

.1 Part A - "Procedures for the IMO Member State Audit": provides auditors with an overview of the audit process and the actions to be taken in the planning stage of the audit (including the assessment of the information supplied through the gap analysis, the State audit questionnaire (SAQ) and the verification index, and the preparation of the audit timetable and logistical and administrative arrangements), during the audit (including reporting and drafting of findings and observations resulting from the audit), and post-audit (including verification of the corrective action plan (CAP) and conducting the audit follow-up); and

.2 Part B - "Assessment of Compliance using the III Code": provides guidance and promotes understanding and practices to assist auditors in assessing compliance using the III Code as the audit standard, aiming to enhance their overall performance and improve the consistency and effectiveness of audits.

2 GENERAL GUIDANCE TO AUDITORS

2.1 Channel of communication

2.1.1 All administrative and logistic-related communications between the Member State and the audit team leader (ATL), or with other sections of IMO, should be coordinated by, or copied to MSA.

2.1.2 To ensure that the preparation and conduct of the audit are managed successfully, MSA will assign an Audit Officer and staff members to deal with all matters relating to the audit. The assigned Audit Officer, among other functions, may act as part of the audit team, as necessary. The ATL, assisted by MSA/Audit Officer, will ensure that the needs of the audit team members (ATMs) are addressed to support the successful completion of the audit.

2.1.3 To allow sufficient time for the consideration of the eligibility of the State for a limited on-site audit (LOA) and review of the SAQ, the audit team will be appointed for an audit at least seven months before the audit.

2.1.4 Once ATMs are appointed, they should communicate directly with the assigned ATL on matters concerning technical aspects of the audit. The ATL will be assisted by MSA/Audit Officer, as applicable, for all required administrative and technical matters.

2.1.5 The ATL should establish a communication link with the single point of contact (SPC) of the Member State concerned once the Secretary-General has formally appointed the audit team, ATMs (including ATL) have signed the Statement of Confidentiality, and access to MSA module in GISIS has been granted, to commence reviewing the information provided by the Member State and planning for the audit. MSA will facilitate the initial communication link between the ATMs and the SPC of the Member State concerned to initiate the audit team's activities. Thereafter, all communications with the Member State should be made only through the SPC, via the ATL or MSA, as appropriate. MSA should be copied on all email correspondence between the ATL and the SPC to enable effective monitoring of the audit process and to provide advice or assistance as needed.

2.1.6 In some cases, Member States designate an SPC at a very senior level within their organization. In such instances, the SPC's regular responsibilities may limit their ability to fully engage with the detailed requirements of audit preparation. As a result, the SPC may delegate day-to-day communication with the ATL to a subordinate official. In these situations, the ATL should advise and recommend the SPC that it would be preferable to formally reassign the SPC's designation to the individual performing the SPC functions. This approach would enable direct communication and more effective coordination between the ATL and the official responsible for executing the SPC duties. If the ATL encountred difficulties in maintaining effective communication with the SPC, assistance should be sought from the assigned Audit Officer.

2.1.7 To facilitate timely and practical informal communication with the ATMs and the SPC, the ATL may use electronic messaging applications on smartphones and computers and may establish communication groups for this purpose. In doing so, the ATL should ensure that such applications are used solely to support informal, routine day-to-day communication and are not, under any circumstances, used for formal audit communications.

2.1.8 To initiate communication within the ATMs and begin preparations for the audit, including assigning responsibilities, the ATL, with the support of the MSA/Audit Officer, should organise remote meetings with the ATMs. Once the team has reviewed and become familiar with the information provided by the Member State, the ATL should also organise remote meetings with the SPC. These meetings may be used to obtain necessary clarifications, communicate requests for additional information, and address any questions from the Member State regarding the review of their submissions or the conduct of the audit.

2.2 Documentation and information management

2.2.1 The control of documents and the management of information relating to the audit are crucial. Accordingly, the ATL and ATMs should ensure that all notes and materials related to the review of the information provided by the Member State, the audit or audit follow-up, and objective evidence of any deviations found during the audit are properly preserved.

2.2.2 The ATL should ensure that copies of any document provided to the audit team by the Member State are not shared with anyone other than the concerned ATMs, the relevant Member State's officials and counterparts, and only for the purpose of facilitating the audit or audit follow-up. In this respect, as with all other matters relating to the confidential aspects of the Audit Scheme, ATMs should abide by their undertaking contained in the signed *Statement of Confidentiality*.

2.2.3 The *Statement of Confidentiality* is binding on the ATL, and all ATMs in relation to their assignments as IMO Member State audit or audit follow-up team members, and applies to all information received in any form as a result of their association with the Audit Scheme.

2.2.4 Some Member States' top-level documents, e.g. legislation and notices, are usually not available in the language chosen by the Member State for use in the audit (audit language), but this is not a requirement, and the audit team may occasionally use electronic translation means to review documents in a local language. Some documents may also be available in advance, either through the maritime administration's website(s), the gap analysis, the SAQ, the verification index, or other sources, or on request from the ATL.

2.2.5 In principle, the audit team has access to all relevant documents and records during the audit. In some instances, the Member State may decide to restrict access or decline to hand over confidential documents to the audit team. If such documents are essential as evidence to verify compliance with the audit standard or the applicable IMO instruments, the Member State may instead be requested to display the confidential documents to the auditors rather than provide copies.

2.2.6 The ATL and ATMs are required to ensure that all documentation relating to the audit is handled in accordance with the Statement of Confidentiality, the Memorandum of Cooperation, the Framework and Procedures, and the guidance contained in this Manual.

2.2.7 Member States may authorize IMO to release their audit reports, including THE executive summary report, the CAP, the final report, and the Member State report on the implementation of the corrective action plan, to the public. Alternatively, the Member State may make the above information or other information related to the audit public through its own media, such as websites. However, this action does not release the ATL or the ATMs from their confidentiality obligations.

2.2.8 In some cases, observers may be assigned to audit teams, based on requests received from Member States or from MSA for nominated auditors to gain necessary training and experience through partcipation in actual audits. These instances are also opportunities for MSA to obtain feedback from the ATL on the suitability of those individuals as potential ATMs. Observers have access to confidential information provided by the Member State and the audit reports. Thus, they are required to sign the *Statement of Confidentiality,* just as other ATMs do.

2.3 Review of the State-specific confidential audit information

2.3.1 The ATL is responsible for ensuring that ATMs review all audit materials relevant to the audit duties and responsibilities assigned to ATM by the ATL, as well as the key documents associated with the Scheme. The core information the audit teams must examine includes the SAQ submission, the gap analysis, and the verification index. Audit teams should remain focused and avoid spending time on information that is not directly relevant to the audit at hand.

2.3.2 The Member State Audit module (MSA module) in the Global Integrated Shipping Information System (GISIS) and the IMSAS continuous monitoring mechanism (ICMM) platform enable the audit team to review information on the audited Member State. Online access to the GISIS MSA module and to the ICMM platform will be granted to each auditor after signing the *Statement of Confidentiality,* following the process established in GISIS.

2.3.3 Before accessing the GISIS MSA module, ATMs should familiarise themselves with the Auditors and SPCs User Manual as GISIS end users, which provides comprehensive guidance on accessing the module and utilising its functionalities. If the ATL or an ATM experiences difficulties accessing the MSA module, the auditor should contact MSA, clearly describing the issues encountered and providing detailed information on any error messages received, together with a screenshot illustrating the problem.

2.3.4 The State-specific confidential audit information, which is available in the GISIS MSA module and the ICMM platform, consists of:

.1 Member State's details;

.2 Memorandum of Cooperation (MoC);

.3 SAQ and associated assessment tool;

.4 verification index and associated assessment tool;

.5 gap analysis and associated assessment tool; and

.6 terms of reference (ToRs) for the ATL and ATMs responsible for carrying out the audit.

2.3.5 Additional material or information may be obtained by the ATL from the Member State or from MSA, as appropriate, and shared with the ATMs as necessary. Documents from a previous audit under the Scheme should also be reviewed. The MSA will, where required, assist in obtaining relevant documentation and make it available to the ATL.

2.3.6 In addition to the State-specific confidential audit information, a compilation of supporting documents for the Scheme, including Framework and Procedures, the III Code, and blank forms of various audit reports, is available in the GISIS MSA module to support the work of the audit team.

2.3.7 In conducting the audit, the audit team should take note of specific concerns raised during the review of the Member State's documentation. The review of the information provided may indicate a need to request additional information from the Member State before or during the audit, which should be channelled through the ATL. Additional information and guidance are provided in this part of the Manual regarding the review of information from the audited Member State.

2.4 IMSAS continuous monitoring mechanism (ICMM)

2.4.1 The Framework and Procedures introduced ICMM, through which Member States are required to provide comprehensive information on their implementation and enforcement processes under the audit standard and the applicable IMO instruments, via the GISIS MSA module and the ICMM platform. The ICMM is based on three tools, namely:

.1 gap analysis,

.2 verification index; and

.3 SAQ.

2.4.2 Member States should make use of the respective tools as follows:

.1 SAQ: to provide information concerning the structure of the maritime administration and the processes followed for the implementation and enforcement of the applicable IMO instruments, and to update such information whenever significant changes occur to their structure or processes;

.2 updated verification index: to provide information and evidence on actions taken to address shortcomings identified as not fully resolved during the audit follow-up process; and

.3 gap analysis tool: to provide information concerning the national legislation adopted for the implementation and enforcement of the provisions specified in the Non-exhausitive list of obligations (NEL), and to provide updates whenever new legislation is adopted or when the NEL is amended.

2.4.3 Audit teams should make use of the GISIS MSA module and the ICMM platform not only to review the information provided by a Member State, with a view to determining its eligibility for (LOA and identifying the specific paragraphs within parts 2, 3 and 4 of the III Code that may be excluded from the audit, as described in sections 3.3 and 3.4 of this part of the Manual, but also to prepare checklists, as appropriate, and compile detailed notes to assist them during the conduct of the audit.

3 PLANNING FOR THE AUDIT

3.1 General guidance for the preparation of the audit

3.1.1 Thorough preparation is essential for the efficient and effective execution of the audit. Under the direction of the ATL, the audit team should strive to meticulously review the information provided by the Member State and prepare for the audit, as this will not only save time during the audit but also contribute to a successful outcome. Although the ATL has overall responsibility for reviewing the information provided by the Member State, ATMs should actively and efficiently support the ATL in planning and executing the audit.

3.1.2 The planning for the audit should commence upon receipt of the Secretary-General's letter appointing the audit team and once access to the State-specific confidential audit information in the GISIS MSA module and the ICMM platform has been granted. Audit preparation should be conducted in accordance with sections 4 and 5 of the Procedures. The ATL should review the ATMs' CVs and identify their respective areas of expertise, which will serve as the basis for assigning specific tasks to each ATM, including a detailed review of the information provided by the Member State. While this may appear to be a straightforward process, careful consideration is required when identifying competences that extend beyond core areas of expertise, such as flag, port, or coastal State responsibilities, to ensure that each ATM also possesses sufficient knowledge of the applicable IMO instruments relevant to their tasks. Additionally, the team's collective ability to address administrative, legal, and technical aspects, as outlined in paragraph 6 of the Procedures , should also be taken into account when the ATL allocates tasks to the ATMs.

3.1.3 The ATL, assisted by MSA and in cooperation with the ATMs, should assign to each ATM specific duties and responsibilities. The duties and responsibilities to be assigned should cover all the phases of the audit process: preparation, conduct and reporting.

3.1.4 Furthermore, the ATL, assisted by MSA as appropriate, should endeavour to provide advice and support to ATMs with less experience in audits with a view to further developing and enhancing their auditing skills under the Scheme. As part of this effort, the ATL should provide guidance, as required, to the ATMs on how they can better prepare and organise for the audit. The ATL should focus on developing the required documentation for the audit, such as checklists.

3.1.5 Member States are required to provide key information and documentation through the GISIS MSA module and the ICMM platform. In some cases, the documentation submitted may not be in the audit language. The audit team may use translation tools to produce draft translations of such documents for review. If these draft translations prove insufficient, or the document format is not suitable for translation, or if there is any indication of deviation from the requirements of the applicable IMO instruments, ATL may request that the Member State provide translations of specific documents or relevant sections. Taking these steps will facilitate the audit process and minimise unnecessary discussions about the interpretation of the documents provided.

3.1.6 The ATL should consider requesting that the Member State provide certain documents in the audit language as early as possible, allowing sufficient time for their translation and review by the audit team. Furthermore, both SPC and the ATL should assess the need for interpreters during audit interviews and conclude accordingly.

3.1.7 While the audit team may request translation of additional documents during the audit, such requests should be kept to a minimum, as the process can be time-consuming and may hinder the smooth conduct of the audit. In this regard, it should be noted that, as stipulated in paragraph 5.7.5 of the Procedures, the identification of documents necessary for conducting the audit forms part of the audit plan and therefore should be completed during the planning phase of the audit.

Audit team preparatory meeting

3.1.8 As noted in paragraph 2.1.7 of this part of the Manual, the ATL should organise remote meetings with the ATMs to initiate audit preparations and coordinate their activities. Remote preparatory meetings among the auditors are an essential component of the planning process. The preparatory meetings, under the coordination of the ATL, should cover the areas mentioned in paragraphs 5.1 to 5.13 of the Procedures, with particular emphasis on the following topics:

.1 agreeing on the role and responsibility of each auditor in reviewing the information provided by the Member State;

.2 reviewing the completed SAQ, gap analysis, updated verification index and supporting documentation;

.3 deciding on whether the Member State to be audited qualifies for LOA and which paragraphs of the III Code could be excluded from the audit;

.4 identifying additional information and documentation to be provided before the audit by the Member State, to ensure adequate and sufficient preparation;

.5 reviewing the audit timetable and plan, and confirming the role and responsibility of each auditor;

.6 agreeing on how information obtained from interviews and examination of records will be recorded for reporting purposes;

.7 agreeing on the procedures to be used for the issuance of audit findings and observations;

.8 agreeing on any checklists to be developed by individual ATMs;

.9 discussing and agreeing on any issue for which a common understanding is necessary; and

.10 reviewing the model draft interim report (set out in annex 1 of this part of the Manual) and agreeing on a routine, preferably a daily end-of-day meeting, for transposing information recorded (as mentioned in .7 above) and potential findings and/or observations to the draft interim report.

Preparatory meeting with the single point of contact (SPC)

3.1.9 Remote preparatory meetings, under the coordination of the ATL, should also be organized between the audit team and SPC to provide feedback on the review of the information submitted through the GISIS MSA module in and the ICMM platform, and to request additional information or clarification as necessary. These meetings should also serve to confirm all arrangements for the conduct of the audit, including the conduct of the opening meeting, administrative and logistical issues as set out in the *III Code implementation guidelines* (MSC-MEPC.2/Circ. 19, part B, appendix 4), and the audit of any extraterritorial office(s), if relevant.

3.1.10 The ATL should pay special attention while planning the audit of a Member State that has extraterritorial offices. In such cases, ATL should identify the functions performed by these offices and their link with other entities of the Member State. Depending on the geographical location of such offices, it may be necessary to conduct the audit of an extraterritorial office(s) before proceeding to the audit of other entities located in the audited Member State. In such circumstances, the SPC should be requested to be present during the audit of the extraterritorial office(s) along with other officials from the Member State, as appropriate, to provide the required information concerning activities related to part 1 of the III Code, such as the adoption of legislation and implementation of the overall strategy of the State.

Use of checklists

3.1.11 Checklists and/or aide memoires are just one of the many tools available to the auditors that can assist them in ensuring each audit is conducted efficiently, addressing all the areas identified in the audit timetable and programme. If they are audit-specific, developed and used correctly, they can assist the audit team in organizing and managing the audit, focusing on the required areas. Additionally, checklists can provide, inter alia, the following benefits:

.1 enhance consistency in audit approach;

.2 ensure comprehensive coverage of the full scope of the audit;

.3 serve as a repository for notes collected during the audit process;

.4 provide reference to objective evidence; and

.5 support effective time management.

3.1.12 Notwithstanding the above, audits under the Scheme are not checklist-driven. Checklists should therefore not be the sole resource relied upon. Auditors should apply professional judgment and remain ready to adjust their approach as needed to ensure comprehensive coverage of all relevant areas.

3.1.13 It should be noted that over-reliance on audit checklists, poor preparation or inappropriate use of audit checklists may lead to the following:

.1 restricting the flow of audit due to a predetermined sequence of thought and questions;

.2 limiting questions that generate "yes/no" answers (if used as a "tick list");

.3 limiting perspective, that is, the auditor sees things from a single point of view;

.4 a rigid auditing process; and

.5 giving an impression that the auditors lack competence and ability to perform a value-added audit.

3.1.14 To overcome this limitation, the audit team should develop high-quality audit checklists and use them properly and efficiently. In doing so, the audit team should:

.1 prepare checklists with open-ended questions that are specific to the Member State to be audited, based on the information provided by the Member State and the assessment conducted for the verification index, gap analysis tool, and SAQ;

.2 familiarise thoroughly with the legislation, administrative procedures, processes and documentation used by the Member States so that references can be incorporated in the checklists for ease of use;

.3 add specific check/audit points relevant to the legislation, administrative procedures, processes and documentation used by the Member State;

.4 ask open questions that will lead to achieving the goals of the audit, recognising that the checklist questions may not be the actual question of interest; and

.5 avoid reading questions directly from the checklist during interviews, using it instead as a discreet reference guide, keeping it out of the auditee's sight to maintain a natural flow of conversation.

3.1.15 It is recommended to use several small audit checklists rather than a few big audit checklists, as the latter tend to be intimidating to the auditees. Furthermore, the audit checklists should be organized according to the activities to be audited, ensuring a direct correlation and clear alignment with the detailed audit programme.

3.1.16 Audit checklists should generally follow the logical progression of audit (i.e. policy, legislation, implementation, enforcement, evaluation and review, records, communication to IMO) in each area to be audited, covering all the provisions of the audit standard for the specific area. The questions in the checklist may also be organized according to the plan-do-check-act (PDCA) cycle to verify how the processes are implemented in practice. For example, when reviewing the inspection process, PDCA-aligned questions could include:

.1 please explain and present documents related to the planning of the on-board inspection.;

.2 please explain and present documents regarding the inspection on-board the ship;

.3 please explain and present documents regarding the reporting of the on-board inspection; and

.4 please explain and present documents showing how deficiencies identified during the inspection are addressed, as well as how you evaluate and follow up on the inspection process itself.

3.1.17 It is recommended that the audit checklist contain, at a minimum, the following elements:

.1 reference – document reference and revision level;

.2 activity to be audited;

.3 requirement – the III Code and/or relevant mandatory instruments;

.4 evidence to look for – document, observation, record or statement;

.5 set of questions to verify the compliance with the requirements of the audit standard; and

.6 remarks/findings/observations: evidence found, actual results, any concerns.

3.1.18 With respect to the depth and scope of the audit checklists, this may vary according to the activities and maritime profile of the Member State to be audited. Furthermore, the extent of the audit checklist depends on the auditor's experience. Less experienced auditors may prefer many and detailed questions, while an experienced auditor may use a more thematic checklist.

3.1.19 Audit checklists should be kept updated, incorporating amendments to the relevant mandatory IMO instruments and reflecting any experience gained and lessons learned from their practical use.

3.2 Assessing Member States' eligibility for LOA

3.2.1 As indicated in paragraphs 2.4.1 and 2.4.2 of this part of the Manual, Member States should initially complete the information in the web-based ICMM platform and provide periodic updates as necessary. The information submitted will be used to determine the Member State's eligibility for a LOA and to identify the areas that may be excluded from a LOA.

3.2 2 Six months prior to the audit of a Member State, the ATL, assisted by the ATMs, should begin reviewing all information submitted through the GISIS MSA module and the ICMM platform to determine whether the Member State scheduled for audit qualifies for a LOA. This assessment should be based on the information provided through the gap analysis, the verification index, and the SAQ, following the guidance provided in this section.

3.2.3 It should be noted that although the audit team will review the information provided through the ICMM platform to determine a Member State's eligibility for a LOA, this assessment is not part of the audit itself and should not be regarded as a document-based audit. However, as stated in paragraph 9.3 of the Framework, the ATL should verify the information collected through the ICMM platform to confirm that it is complete, accurate, and reliable.

3.2.4 In accordance with paragraph 4.3 of the Procedures, a Member State's eligibility for a LOA is determined based on the verification index, gap analysis, and SAQ indicators, calculated as follows:

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

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

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

3.2.5 Member States qualify for a LOA if the average score of the three indicators, verification index, gap analysis, and SAQ, is 70% or higher. Member States that do not meet this threshold are required to undergo a full on-site audit (FOA). Paragraphs 3.2.15; 3.2.26 and 3.2.42 of this part of the Manual provide guidance on how to calculate these indicators, while appendix 1 provides a practical example of the calculation process.

Gap analysis indicator

3.2.6 The Gap analysis is a mechanism based on the NEL, which can support Member States in identifying potential gaps in implementing their obligations under the mandatory IMO instruments, including those that arise when certain rights are exercised. Annex 2 presents a document version of the gap analysis assessment tool derived from the NEL, adopted by resolution A.1208(34), to support the audit team in assessing the information provided by the Member States and in calculating the gap analysis indicator.

3.2.7 It should be noted that, as the gap analysis assessment tool is based on the NEL, it should be updated each time a new NEL is adopted. While the version of the gap analysis assessment tool available on the ICMM platform is updated by the MSA, auditors using the tool in other formats must ensure that they are working with the most up-to-date version.

3.2.8 The primary purpose of the gap analysis is to assist Member States in identifying potential gaps in the implementation and enforcement of the mandatory IMO instruments, and in taking prompt action to eliminate those gaps and address their root causes. Audit teams should also use this tool, among other purposes, to:

.1 obtain a detailed overview of the national legislation adopted for the implementation of the mandatory IMO instruments;

.2 gain a clear understanding of the division of responsibilities within the maritime administration of the audited Member State;

.3 identify any potential gaps related to national legislation and the responsibilities of the entities involved;

.4 prepare checklists for the audit; and

.5 calculate the gap analysis indicator.

3.2.9 To calculate the gap analysis indicator, the audit team needs first to review the information provided by the Member State through the gap analysis assessment tool in the ICMM platform. To do this, the audit team needs to examine, for each reference to a the mandatory IMO instrument, whether the Member State has enacted national legislation and assigned responsibilities for implementing each provision. National legislation may be in the form of a law, regulation, order, decree, rule, or any other legally binding instrument, as described by the Member State in SAQ.

3.2.10 In this respect, it should be noted that States may have different legal systems in force and they may comply with the provisions of paragraph 8 of the III Code in different ways. Some States may not transpose all provisions of the applicable IMO instruments into their national legislation. Provisions that impose direct responsibilities on the State, such as reporting to IMO, may not be transposed into national legislation and may be addressed through administrative decisions or other means.

3.2.11 It should be emphasised that audit teams are not expected to verify all information provided for each reference to the applicable IMO instruments. Instead, they should verify selected information, taking into account, among other factors, the specific circumstances of the Member State being audited, the results of the previous audit, the outcomes of audit follow-up activities, the information in the updated verification index, and the latest NEL.

3.2.12 The formula for calculating the gap analysis indicator requires that only the number of applicable NEL obligations be taken into account. The list below provides indicative examples of cases in which obligations are not applicable:

.1 obligations referring to an applicable IMO instrument to which the Member State is not a Party;

.2 obligations referring to provisions of an applicable IMO instrument for which the Member State entered a reservation during the adoption of the instrument or its amendments;

.3 obligations relating to activities that do not apply to the audited Member State (e.g., coastal and port activities for landlocked States); or

.4 obligations arising only when certain rights are exercised under an applicable IMO instrument (e.g., obligations related to port State control (PSC) when Member States do not conduct PSC inspections).

3.2.13 Obligations related to specific ship types should be considered not applicable only when the national legislation of the Member State being audited explicitly prohibits the registration of such types of ship. The same principle applies for requirements concerning specific tonnages and operation areas (such as near coastal voyages, GMDSS sea areas, MARPOL emission control areas and polar areas).

3.2.14 The gap analysis methodology requires Member States to indicate which entity is responsible for implementing each obligation. If more than one entity shares responsibility, additional information should be provided to clarify how the responsibilities are divided among the relevant entities.

3.2.15 Once the audit team has determined which obligations apply to the Member State and identified those for which the information provided indicates compliance, the gap analysis indicator can be calculated by dividing the number of applicable NEL obligations with provided information indicating compliance by the total number of applicable obligations stipulated in the NEL, then multiplying the result by 100, to obtain the gap analysis indicator as a percentage. The formula for calculating the gap analysis indicator is shown below:

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

A practical example of the calculation process is shown in appendix 1 of this part of the Manual.

Verification index indicator

3.2.16 The verification index, catalogues all requirements and recommendations of the III Code. It follows the structure of the Code and, when completed, offers a clear overview of the Member State's implementation status. The verification index is the first three columns of the verification index assessment tool shown in annex 3 of this part of the Manual.

3.2.17 When preparing for the audit, the verification index guides the audit team on the information they should seek and verify to assess the extent to which the Member State is implementing the relevant provisions of the III Code. During the audit, the verification index serves as a reference to ensure that all applicable requirements of the III Code have been thoroughly examined.

3.2.18 The verification index should be completed by the audit team and communicated to the audited Member State with the interim report. For each requirement and/or recommendation in the III Code listed in the verification index, the audit team should include a brief and concise comment on the Member State's level of compliance. In general, the comment should consist of one of the following selections:

.1 "**Yes**" – Indicating that the Member State has demonstrated compliance with the specific provision of the III Code;

.2 "**No** (See FD-x or OB-x)" – Indicating that the audit team has determined that the Member State does not comply with the relevant provision of the III Code;

.3 "**Partially** (See FD-x or OB-x)" – Indicating that the audit team has determined that the Member State complies partially with the relevant provision of the III Code;

.4 "**N/A**" – Indicating that the requirement of the III Code does not apply to the Member State (e.g., use of nominated surveyors, or provisions relating to coastal and port activities for landlocked States);

.5 "**Not assessed**" – Indicating that the requirement, though within the scope of the audit, was not assessed (e.g. the sole responsible person being unavailable due to an exceptional situation, or force majeure during the audit, such as a natural disaster or a major incident requiring the full attention of the auditees); or

.6 "**Excluded**" – Indicating that the requirement was verified in the preparation process, but not assessed during the audit because the corresponding paragraph(s), or sub-paragraphs, of the III Code were excluded from the audit (in cases of LOA).

3.2.19 In cases where a requirement of the III Code that was subject to verification could not be verified due to exceptional circumstances, this should be clearly reflected in the report.

3.2.20 The verification index is a dynamic document that is updated periodically. Once the audit follow-up is complete, the ATL should update the verification index to reflect the results of the audit follow-up. Furthermore, Member States should update the verification index after the completion of the audit follow-up, as soon as they implement the outstanding corrective actions for any findings or observations that were not signed off (Form C not completed and signed).

3.2.21 Updates to the verification index should be made using the verification index assessment tool available in the ICMM platform. Developed from the verification index, this tool facilitates updates by ATL and the Member State, enables the assessment of submitted information, and provides the basis for the audit team to calculate the verification index indicator. A document version of the tool is provided in annex 3 of this part of the Manual.

3.2.22 To calculate the verification index indicator, the audit team should first review the information provided through the verification index and assess any additional information provided after the audit follow-up. In particular, the team should determine whether the additional information and evidence demonstrate that the corrective actions have been effectively implemented and that the Member State now complies with the relevant requirements and recommendations of the III Code. The outcome of this assessment should be recorded in the verification index assessment tool under "Compliance achieved - current status", which reflects the updated status of compliance.

3.2.23 For provisions of the III Code where no additional information has been provided, or where the provision was not assessed during the previous audit or does not apply to the audited Member State, the audit team should replicate the information recorded under "Compliance achieved after the audit follow-up" in the field "Compliance achieved – current status."

3.2.24 It should be noted that, in accordance with paragraph 9.2.4 of the Framework, Member States may choose not to provide Forms B for observations recorded during the audit. In these cases, an appropriate comment should be included under "Related Form B," and "Not assessed" should be entered under "Compliance achieved- current status".

3.2.25 In case additional information or clarification is required for assessing the additional information provided through the verification index, the ATL should request it from the SPC and specify the time frame within which the information is to be provided. In general, such information should be communicated to the audit team within 15 working days.

3.2.26 Once the information in the verification index has been reviewed, any additional information provided by the Member State has been assessed, and the verification index assessment tool has been completed, the audit team may calculate the verification index indicator by dividing the number of Forms B with completed corrective actions by the total number of Forms B submitted by the Member State, then multiplying the result by 100, to obtain the verification index indicator as a percentage. The formula for calculating the verification index indicator is shown below:

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

A practical example of the calculation process is shown in appendix 1 of this part of the Manual.

SAQ

3.2.27 As shown in appendix 2 of the Procedures, the SAQ is an inquiry form divided into four parts, corresponding to the four parts of the III Code. Member States should complete the SAQ well in advance of the audit and update it periodically. The SAQ is intended to provide comprehensive information on the organizational structure of the entities carrying out activities under the III Code, as well as on their legal frameworks and the processes used to implement and enforce the applicable IMO instruments.

3.2.28 To improve efficiency and reduce administrative burden, a replica of the SAQ, capturing its status at the start of the audit, will be linked to the audit interim report. This approach will help streamline the draft interim audit report (DIR) and enhance the overall audit workflow. The SAQ replica will also be made available to all Member States through the audit final report. This measure is intended to strengthen data collection, encourage collaboration, and support continuous improvement in the implementation and enforcement of IMO instruments.

3.2.29 As indicated in paragraph 3.2.2 of this part of the Manual, six months prior to the audit, the ATM should commence reviewing the information provided by the Member State. Since the SAQ contains extensive information on the Member State's maritime activities, it should be reviewed meticulously, taking into account the MoC, which specifies the audit scope and the list of applicable IMO instruments.

3.2.30 When reviewing the SAQ, the audit team must clearly understand the roles and responsibilities of all entities carrying out activities related to the III Code, as well as any links between them. To support this, the Member State should, as part of the SAQ, prepare a matrix outlining each entity's areas of responsibility in relation to the main activity areas of the III Code. An example of such a matrix is provided in appendix 2 of this part of the Manual.

3.2.31 The matrix showing each entity's areas of responsibility and other information provided in the SAQ should be reviewed alongside the gap analysis tool, which identifies the entities responsible for implementing and enforcing specific provisions of the applicable IMO instruments. Any discrepancies between the two should be clarified.

3.2.32 Member States should complete all sections of the SAQ, providing the requested information with sufficient detail. If any responses are vague or if references to legislation, procedures, guidelines, websites, or other supporting information are overly generic, the ATL should request that the Member State revise and clarify the information provided.

3.2.33 When reviewing the SAQ, the audit team should also examine any supporting documents provided, as well as information accessible through links to the Member State's websites, such as circulars, procedures, and diagrams, which may offer additional context or clarification.

3.2.34 After reviewing the SAQ, the ATL, in consultation with the ATMs, should record in the SAQ assessment tool (as shown in annex 4 of this part of the Manual) any additional information or clarification needed regarding the Member State's submission. These requests should then be communicated to the SPC, allowing the Member State adequate time to provide the required information. The ATL should ensure that such requests are limited to what is necessary for assessing whether the information demonstrates compliance with the relevant provisions of the III Code or to facilitate the preparation of the audit team for the audit (e.g. legislation, procedures, organizational arrangements), while reserving more detailed questions and evidence gathering for the audit itself.

3.2.35 The ATL should organise virtual meetings with the ATMs to discuss and coordinate the information or clarifications to be requested from the Member State. The ATL should also arrange a virtual meeting with the SPC and other representatives of the audited Member State to present the additional information or clarifications required by the audit team and to address any questions from the SPC or other representatives.

3.2.36 Once the requested additional information or clarifications have been provided, the audit team should assess whether the information provided through the SAQ demonstrates compliance with the relevant provisions of the III Code. In conducting this assessment, the audit team should also consider information from the gap analysis tool, the verification index, and relevant data available in GISIS.

3.2.37 It should be emphasised that the evaluation of the information provided through the SAQ does not constitute a document-based audit. It is a preliminary assessment aimed at determining whether the Member State has established the necessary mechanisms and is implementing the relevant provisions of the III Code. Nevertheless, the audit team, through the ATL, may request additional information to verify the Member State's submission.

3.2.38 For each question in the SAQ assessment tool, the audit team should include a brief remark summarising the outcome of its review. If the information provided indicates compliance with the relevant III Code requirement or recommendation, the remark may be concise, such as: "*The information indicates compliance*". If the information is insufficient to demonstrate compliance or suggests non-compliance, the remark should briefly identify the specific issue(s) that raise concern or indicate non-compliance.

3.2.39 In addition, the audit team should classify the result of its assessment for each question in the SAQ assessment tool using one of the following categories:

.1 "**Adequate**" – The information provided indicates compliance with the specific provisions of the III Code.

.2 "**Inadequate**" – The information provided is not sufficient to demonstrate compliance with the relevant provisions of the III Code.

.3 "**Non-Compliance**" – The information provided indicates non-compliance with the specific provision of the III Code.

.4 "**N/A**" – The provision of the III Code does not apply to the audited Member State (e.g. provisions relating to coastal or port activities for landlocked States).

3.2.40 The above classification should be entered in the last column of the SAQ assessment tool, as illustrated in the example in appendix 1 of this part of the Manual.

3.2.41 In cases where a Member State provides information on activities that fall outside the scope of the audit (e.g., when a State that is not a Party to the Protocol of 1997 to amend MARPOL (MARPOL, Annex VI) submits information related to the regulation of fuel oil quality (question 66 of the SAQ)), this information should not be assessed. In these cases, "N/A" should be recorded in the last column of the SAQ assessment tool.

3.2.42 To calculate the SAQ indicator, the audit team should first identify and count all applicable questions in the SAQ for the particular audit (i.e. all questions that are not characterised as "N/A"). Then, the audit team should determine how many of those applicable questions were answered in a way that indicates compliance (i.e., all questions characterised as "Adequate"). Dividing the number of compliant responses by the total number of applicable questions, then multiplying the result by 100, provides the SAQ indicator as a percentage. The formula for calculating the SAQ indicator is shown below:

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

3.2.43 An example of how an SAQ is assessed and how the SAQ indicator is calculated is provided in appendix 1 of this part of the Manual.

Results of the LOA eligibility assessment

3.2.44 After calculating the gap analysis, verification index, and SAQ indicators, the audit team must determine the average of these three indicators to determine the audited Member State's eligibility for LOA. As outlined in paragraph 3.2.5 of this part of the Manual, a Member State qualifies for a LOA when the average of the three indicators is 70% or more.

3.2.45 The ATL should inform the SPC of the results and arrange a remote meeting to present the outcome of the assessment.

3.2.46 It should be emphasised that the assessment conducted by the audit team to determine whether the Member State is eligible for a LOA is not part of the audit itself. Any potential shortcomings identified during this eligibility review do not constitute audit findings or observations. These potential shortcomings must be verified during the audit. Likewise, the absence of identified shortcomings in specific areas during the assessment does not preclude the possibility that shortcomings may be identified during the audit.

3.3 Areas that could be excluded from LOA

3.3.1 One of the main objectives of ICMM is to enhance the effectiveness of the Audit Scheme by focusing audit activities on specific areas identified through a risk-assessment methodology. This methodology is outlined in paragraphs 4.3.1 to 4.4.4, and 5.8 to 5.9 of the Procedures.

3.3.2 In accordance with the aforesmentioned methodology, for Member States eligible for a LOA, specific provisions of parts 2, 3 and 4 of the III Code could be excluded from an audit provided 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 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.

3.3.3 Determining which provisions of parts 2, 3, and 4 of the III Code may be excluded from a LOA requires a comprehensive analysis of the assessment outcomes derived from the information submitted through the gap analysis, verification index, and SAQ, as reflected in their respective assessment tools. Furthermore, this process requires the use of a cross-matrix (NEL-III Code cross-matrix) (presented in annex 5 of this part of the Manual) that maps the correspondence between the obligations in the gap analysis and the relevant provisions of the III Code.

3.3.4 The MSA will maintain the NEL III Code cross-matrix updated on the ICMM platform. Additionally, the most uptated NEL III Code cross-matrix will also be available on the IMO website through a link or QR code as shown in annex 5 of this Manual.

3.3.5 It should be noted that the assessment of information provided by a Member State should be carried out using the same version of the NEL III Code cross-matrix throughout the process. If NEL or the NEL III Code cross-matrix is updated after the assessment has commenced, the audit team should continue using the original version and should not apply the updated versions to the ongoing assessment. Notwithstanding the aforemenionted, the audit teams should use the most updated NEL during the audit of a Member State.

3.3.6 The III Code paragraphs associated with an outstanding finding or observation are identified in the verification index assessment tool. Likewise, the paragraphs of the III Code that appear to be effectively implemented, based on the information provided in SAQ, are indicated in the SAQ assessment tool. To determine which paragraphs of the III Code appear to be effectively implemented based on the gap analysis, the audit team should use the NEL–III Code cross-matrix.

3.3.7 The NEL–III Code cross-matrix links the obligations identified in the gap analysis to the corresponding provisions of the III Code. By consulting this matrix, the audit team can determine which provisions of the III Code are associated with each obligation classified as "Inadequate" in the gap analysis assessment tool. This will enable the team to identify paragraphs of the III Code that appear not to be effectively implemented based on the gap analysis, and, by extension, to conclude which paragraphs of the III Code appear to be effectively implemented.

3.3.8 Where an obligation in the gap analysis assessment tool is classified as "Inadequate," thereby indicating that the Member State may have a gap in the implementation or enforcement of that obligation, the associated III Code provision(s) shall be regarded as potentially inadequately implemented and should be recorded. However, if the obligation in question is not applicable to the Member State at the time of the assessment, the audit team shall refrain from recording the corresponding III Code provision(s).

3.3.9 For example, paragraph 1.9.3 of the 2000 HSC Code requires the port State to specify any operational conditions associated with the operation of a high-speed craft in that State. The gap analysis has identified a gap in the national legislation regarding this obligation. The NEL-III Code cross-matrix indicates that this obligation is associated with paragraphs 54.1, 54.2, 55, and 63 of the III Code. If high-speed crafts are calling at ports of the Member State at the time of the assessment, these paragraphs of the III Code should be regarded as potentially not effectively implemented and should be recorded. Conversely, if no high-speed crafts are calling at the Member State's ports, paragraphs 54.1, 54.2, 55, and 63 of the III Code should not be recorded as potentially not effectively implemented.

3.3.10 To facilitate the process, the audit team should use a summary table (Areas for Possible Exclusion Table) to capture the outcome of the analysis. An example of such a table is provided in appendix 3 of this part of the Manual.

3.3.11 Once the table summarising the results of the analysis has been completed, the audit team can determine which paragraphs of the III Code may be excluded from the LOA. In finalizing the areas that could be excluded from a LOA, the team should consider that, in accordance with paragraph 4.4.3 of the Procedures, when a provision of the III Code under the section on implementation cannot be excluded from the audit, the scope of a LOA must automatically be extended to encompass the corresponding provisions under the sections on enforcement, and evaluation and review. This extension, however, shall be limited to those provisions of the audit standard for which gaps have been identified.

3.3.12 It should be noted that in accordance with paragraph 4.4.1 of the Procedures, Part 1 (Common Areas) of the III Code, covering the general functions of a maritime administration, is fundamental in relation to any audit of other parts of the III Code. Accordingly, the provisions of Part 1 should be audited in every LOA.

3.3.13 As soon as the analysis is completed and the audit team finalizes the list of paragraphs of the III Code, they can be excluded from the LOA. The ATL should inform the SPC of the results and arrange a remote meeting to present the analysis outcome and confirm which paragraphs of the III Code will be excluded from the LOA.

3.4 Audit period and scope

3.4.1 The period and duration of the audit will depend on the outcome of the prioritization of audits and the eligibility of Member States to be audited in accordance with ICMM. In case of a LOA, the actual audit duration will depend on the specific paragraphs in parts 2, 3, and 4 of the III Code that have been excluded from the audit, as well as the specific circumstances of the Member State (e.g., landlocked States, States with extraterritorial offices). For example, a LOA may not include auditing of hydrographic services, meteorological services, aids to navigation, and port reception facilities. As indicated in paragraph 3.2.5 of this part of the Manual, Member States which do not qualify for a LOA should undergo a FOA.

3.4.2 As noted above, the duration of the audit may be adjusted, either shortened or extended, depending on the specific circumstances of the Member State. For example, the audit duration may be reduced for landlocked States that perform only flag State functions or for States that have ratified only a limited number of mandatory IMO instruments. Conversely, the duration may need to be extended for Member States with entities located in geographically distant areas or for those that maintain extraterritorial offices.

Audit cycle and prioritisation of audits

3.4.3 In accordance with section 4.2 of the Procedures, each Member State must be audited once within a nine-year audit cycle, following an overall schedule established by the Secretary-General. To determine audit priority, Member States are first grouped based on the start dates of their audits in the previous cycle, with each group structured so that its audits can be completed within a two-year period. Within each group, priority is assigned based on the total number of outstanding Forms C: Member States with the highest numbers are audited first, and those with the fewest are audited last. If two or more Member States have the same number of outstanding Forms C, their priority is determined by the start dates of their audits in the previous cycle.

Audit scope

3.4.4 The audit scope is specified through the MoC concluded between the Member State and IMO. As indicated in paragraph 3.2.29 of this part of the Manual, the audit team should carefully review the MoC, which is available through the GISIS MSA module as part of the State-specific confidential audit information.

3.5 Remote audits capabilities

3.5.1 Normally, all audits should be planned as an on-site activity. However, 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, as indicated in paragraph 4.5.6 of the Procedures.

3.5.2 When an audit is conducted remotely, all phases of the process, including preparation, execution, and reporting, continue to follow the established procedures for on-site audits. The only difference is that the audit activities are conducted remotely, relying on electronic means to collect audit evidence to determine the Member State's conformity with the audit standard.

3.5.3 A remote audit should be conducted only if the Member State can confirm that it has the technical capability to support such an audit. The modalities and arrangements for remote audits are outlined in document C 125/6/1. When a remote audit is planned, the audit team should familiarise themselves with the relevant provisions of that document.

3.5.4 In some cases, an audit may be carried out using a combination of remote and on-site methodologies (hybrid audits). This approach involves conducting part of the audit remotely, followed by an on-site visit to verify any areas that could not be fully assessed remotely. In such situations, the on-site component should take place as soon as possible and practicable after the remote phase, in accordance with the timeline agreed between the ATL and the Member State, and in a manner consistent with the agreed timetable and the MoC signed by the Member State and IMO.

3.5.5 It should be noted that the remote audit methodology may also be used during on-site audits to assess activities or interview personnel located far from the main audit locations. This approach can save time and allow the audit team to engage with a broader range of personnel. In such cases, the ATL should notify the SPC well in advance so that the necessary arrangements can be made.

3.5.6. It should also be noted that, if auditors are located in a different time zone from the audited Member State, arrangements may be made, when necessary, for auditors conducting remote audits to travel to a location closer to the Member State's time zone as specified in paragraph 4.5.6 of the Procedures.

3.6 Audit programme and detailed audit timetable

3.6.1 The ATL should contact the SPC, the primary counterpart within the Member State, as early as possible to begin discussions on the specific areas to be covered during the audit visit, potential visits to other entities or locations, and the individuals to be interviewed. These discussions should be guided by the results of the assessment already conducted, including consideration of any paragraphs of the III Code that may be excluded from the audit. In doing so, the ATL and the SPC should work together to develop an initial overview of the audit timetable, including the allocation of audit sessions and the locations where interviews will be conducted.

3.6.2 In most cases, the ATL will prepare the first draft overview of the audit timetable; however, in some instances, the SPC may develop the initial draft. The SPC is expected to play an active role by providing detailed information on the functions of the entities involved and coordinating all entities participating in the audit. This includes ensuring that the appropriate entities within the maritime administration are informed of their scheduled interview dates and times, as well as the materials they should have available for audit review, such as procedures, relevant national legislation, and records.

3.6.3 Once the audit timetable overview has been finalized and agreed, ATL, assisted by ATMs, should prepare the detailed audit timetable and programme following the model provided in annex 6 of this part of the Manual. In preparing the detailed audit timetable and programme, the audit team should consider the information provided in the SAQ and the gap analysis, the verification index and any additional information communicated by the SPC.

3.6.4 Before finalizing the first draft of the detailed audit timetable and programme, the ATL should confirm the regular work schedules of the auditees with the SPC and, as far as possible, adjust the timetable to avoid placing undue burdens on participants or disrupting their normal professional or personal commitments. Audit interviews should be scheduled during the auditees' regular working hours. Any planned events that may affect the availability of auditees should also be identified in advance, and, if necessary, the ATL may request that additional time be incorporated into the audit timetable to accommodate these constraints.

3.6.5 The ATL should consider leaving the afternoon of the final audit day unallocated when developing the audit timetable. This provides flexibility to revisit specific areas or to allow the Member State time to submit additional information or clarifications on any outstanding issues.

3.6.6 Any agreements reached between the ATL and the SPC, including the audit timetable and programme, should be communicated by the ATL to the ATMs and MSA.

Selection of locations and individuals to be interviewed

3.6.7 The selection of interview locations and individuals must be proposed, arranged, and coordinated by the SPC and agreed upon in advance with the ATL. These arrangements should be documented in the audit timetable. Generally, the ATL identifies the areas to be addressed during the interviews, while the SPC determines the appropriate venues, positions, and specific individuals to be interviewed.

3.6.8 In-country travel should be carefully considered when developing the audit timetable, as travelling to field locations may significantly reduce the amount of time available for actual audit activities. The ATL and the SPC should work together to minimise travel to only what is strictly necessary. It is advisable to determine the minimum time required at each location and reflect this in the outline audit plan. Using remote auditing may be a solution to avoid spending excessive time travelling between audit locations. The same arrangements need to be considered and coordinated in advance for Member States with extraterritorial offices.

3.6.9 Debriefing meetings should also be held between the SPC and the audit team at the end of each day. These meetings allow the audit team to highlight potential areas of findings or observations to the SPC and to confirm the practical arrangements for the following day. It is recommended to include these meetings in the audit programme.

3.7 Logistical and administrative arrangements

3.7.1 Key logistical arrangements to be agreed between the ATL and SPC before the audit include:

.1 arrangements for meeting the audit team at the airport and daily transport to and from the hotel of the audit team, as necessary;

.2 assistance in obtaining visas or other travel authorisations for the audit team should be addressed as soon as the audit team is identified. Each auditor should correspond individually with the SPC regarding these important travel arrangements, including the provision of any documentation needed to secure entry visas. MSA should also consult with each ATM and SPC, as approriate, to inquire if there are any travel safety or security requirements or restrictions that they must follow for offical travel as represenatives of their respective governments and to facilitate the provision of documentation needed for auditors to obtain entry visas. Auditors should, in turn, ensure that their passports and any other required personal documentation, such as vaccination records, are valid and up to date for the destination concerned. Should auditors encounter any difficulties or specific travel-related constraints, they should inform the MSA without delay;

.3 suitable location of a hotel for auditors to reduce the time for transfers between the hotel and the audit locations, taking into account the UNDSS guidances. Recommended hotels should be safe, secure, sanitary and, to the extent possible, within IMO per diem rates for the area. MSA will assist the ATL regarding the selection of a suitable hotel for the audit team;

.4 a meeting room for auditors~~,~~ at the audit locations, to facilitate auditors' end-of-interview briefings;

.5 a meeting room at the hotel or the main audit location, equipped with a projector/TV screen to facilitate the auditor's end-of-day briefings, coordination and writing of the draft interim report after working hours and over the weekend, if necessary;

.6 internet connection in the hotel/meeting rooms/audit venues for access to online support, GISIS, IMODOCS, etc.;

.7 any in-country travel to other locations involved in the audit, including audit of any extraterritorial office(s), should be agreed beforehand and time spent travelling should be limited as much as is practicable; and

.8 participation of observer(s), who may be observer auditors or individuals invited by the Member State. Observers accepted or invited by a Member

State should not be involved in any activities of the Member State subject to the audit (e.g. observers from a Member State's recognized organizations (ROs) should not be allowed to follow the audit interviews). Whilst it remains the prerogative of the Member State to allow observers, ATL should clearly inform SPC of the expected standard of conduct during the audit to ensure that observers do not interfere with the smooth running of the audit and that the numbers are limited, particularly during interviews.

3.8 Use of interpreters

3.8.1 The use of interpreters is discouraged whenever possible since it significantly slows the pace of the audit. However, it may be necessary when interviewing certain personnel who, due to their functions, may not be fluent in the audit language. If a Member State prefers to use interpreters for all interviews, this must be agreed before the audit, and it must be assessed whether the standard timetable can accommodate the use of interpreters during all audit sessions.

3.8.2 Interpreters may be the employees of the maritime administration and should be familiar with the technical language related to the maritime topics of the audit. Supervisors or other persons who review, control or influence the work of a person being interviewed should not serve as interpreters.

3.8.3 If the Member State is presenting critical documents not available in the audit language, the SPC must ensure that interpreters are available during interviews. Although requests for translations could be made during the audit, these take time and should be limited.

4 THE AUDIT

4.1 Commencement of the audit - opening meeting

4.1.1 The audit should generally commence on the morning of the first working day of the week for the audited Member State, and the conduct of the audit should be consistent with section 6 of the Procedures.

4.1.2 The opening meeting, chaired by the ATL, is the first event and sets the stage for the entire audit. Therefore, time should be allocated to properly introduce the participants in the meeting, including the audit team. An agenda, prepared earlier by the ATL, should include all the issues listed in paragraph 6.3.2 of the Procedures. The SPC should provide the ATL with a list of attendees for inclusion in the audit interim/final report. The practical arrangements for the opening meeting should be agreed in advance with the SPC, including the delivery of any opening remarks by a senior executive of the lead entity of the maritime administration.

4.1.3 During the audit opening meeting, the ATL should emphasise that interviews of selected individuals would be done with the individual concerned alone and not in a group, unless necessary and previously agreed. This does not exclude the SPC, agreed observers and interpreter from being present. It may also be necessary for the ATL to repeat this during the audit. This is important for avoiding a single senior manager or a handful of people shadowing the audit team and answering all the questions.

4.1.4 If, for some reason, the ATL is delayed and not in time for the opening meeting, MSA will be consulted. In most cases, the most senior ATM will temporarily take over the role of ATL to not further delay the commencement of the audit.

4.2 Conduct of the audit

4.2.1 Following the opening meeting, the audit should move on to the first audit session, beginning with a presentation by a representative of the Member State providing an overview of the State's institutional arrangements for carrying out the functions of a maritime administration, including a detailed explanation of how and where the responsibilities contained in the various mandatory IMO instruments are carried out. The overall strategy (see Part B, section 2 of this Manual) should be presented in that context. Although many separate entities may contribute to the accomplishment of the required functions, it should be demonstrated that a strategy exists at the appropriate level to ensure that efforts are coordinated and consistently and successfully carried out.

4.2.2 Representatives of separate entities may contribute to present their functions and areas of responsibility in implementing and enforcing the mandatory IMO instruments under their jurisdiction and. the ATL briefs SPC on the recommended presentations during previous coordination meetings. Regarding the audit of extraterritorial offices, which usually carry out a specific areas of responsibility and typically flag State activities, it should be demonstrated how they participate in implementing the overall strategy.

4.2.3 As per the audit timetable, the ATMs will, at some point, take on specific areas to be covered during the audit, which would enable the audit team as a whole to reach objective conclusions on the flag, port and coastal State responsibilities as carried out by the State. This could require periodic briefings during lunch and coffee breaks among the audit team, as well as briefings for representatives of the relevant functional area of the maritime administration.

4.2.4 Daily debriefings of the audit team should also be planned during the audit to enable the auditors to produce a common set of notes based on their individual records made during the day to review and consolidate audit findings and observations. This will facilitate the preparation of the draft interim report and effective follow-up of issues on the following day. Recognizing that not all ATMs may have the same level of proficiency in writing in the audit language, the ATL is ultimately responsible for the quality and content of the audit report. ATMs should collaborate by reviewing and revising the audit reports to ensure that they are technically and grammatically correct.

4.2.5 Auditors should indicate areas of possible findings and observations, including the objective evidence, to the auditee as they arise during the audit, but should not assign them as final until they have been reviewed by the audit team. The purpose of this approach is to collectively give an opinion on these and to look at ways to structure findings and observations to avoid duplication, as well as to examine the findings to see whether they are related or indicate a common problem.

4.2.6 During the audit, a daily debriefing with the SPC should also be planned to provide feedback on the audit activities conducted, and to confirm the planned arrangements for the following day. This meeting should take place after the daily debriefing of the audit team. At this meeting, the audit team could provide the SPC with a list of areas of concern without yet classifying these areas as formal findings or observations or/and a list of missing information. This allows the SPC to consult with relevant officials, clarify issues, and provide additional information and/or records to potentially prevent findings and observations, therebyavoiding the possibility of any conflicts at the end of the audit. However, it must be emphasised to the SPC that corrective actions cannot be produced later on during the audit, as findings and observations are always supported by objective evidence and conclusions by the audit team during the audit at a specific moment in time.

4.2.7 Findings and/or observations are to be formally provided to the SPC in a written format after they have been agreed by the team. The audit draft interim report as a whole should be provided to the SPC as soon as possible and prior to the closing meeting to allow ample time for its review by the Member State. For audits at the extraterritorial office, the SPC should be briefed about the outcome of the audit and that the draft interim report will be provided on completion of the audit of the Member State.

4.2.8 As the audit is a team effort, active involvement of all ATMs in the audit process is crucial. It falls within the ATL's responsibility to ensure the active participation and professionalism of all ATMs. The ATL should pay particular attention to ATMs with very little or no audit experience, encouraging their active participation. Any deviation from the agreed plan by ATMs should be effectively addressed during the audit by the ATL. During the drafting of the draft interim report, including findings and observations, there may be professional disagreement between the auditors. The ATMs should try to reach consensus, but in cases where opinion is divided the decision of the ATL will be final.

4.2.9 Audit/audit follow-up team members shall ensure that at the end of their mission, all documentation relating to the audit/audit follow-up is returned to the ATL and that all information in electronic format has been deleted from the computer of each auditor before departing from the audited Member State. The ATL should submit all materials, except auditor notes and checklists, to MSA when the audit final report has been agreed and submitted to the Member State concerned (see section 2.2 on "documentation and information management" of this part of the Manual). Auditor notes and checklists must be deleted by the ATL after the completion of related corrective action is verified during the audit follow-up.

4.3 Drafting of audit findings and observations

4.3.1 Audit teams are to report exactly what is the current status of audited elements during the audit. In this regard, where a shortcoming has been identified that warrants the issuance of a finding or observation, audit teams should issue the appropriate finding irrespective of whatever ongoing action the Member State is taking to address the identified shortcoming. Where there is an ongoing action by the Member State to address an identified shortcoming, this should be noted in the report.

4.3.2 Findings should only be issued for failings in the legislation, implementation, and enforcement of the provisions of the applicable mandatory IMO instruments or some provisions of the III Code. As some provisions of the III Code are also requirements from the mandatory IMO instruments, appropriate references to the applicable provisions from the applicable IMO instrument and the III Code should be inserted in the Findings Notice.

4.3.3s Findings should be drafted clearly and concisely and should reflect the appropriate provisions of the mandatory instrument(s) concerned and/or the III Code. The format of findings and observations reported through consolidated audit summary reports (CASRs), should be used as guidance in drafting.

4.3.4 Drafting of findings and observations should be consistent and must be supported by evidence. Precise objective evidence shall be collected to justify the issuance of findings and observations. The objective evidence shall be quantitative or qualitative information, records, or statements of fact, which can be verified. Examples of objective evidence can be certificates of ships, endorsements issued to seafarers, records, reports, etc.

4.3.5 Findings and observations should be recorded in Forms A, as shown in appendix 4 of the Procedures. Forms A are also available in the GISIS MSA module (see section 2.3, review of the State-specific confidential audit information of this part of the Manual). Examples of how Form A – Findings / Observations Notice should be completed, are attached to the model draft interim report set out in annex 1 of this part of the Manual.

4.3.6 Well-written findings and observations are the core of the process of improvement. Findings should be drafted in a way that the auditee fully understands what the deviation or gap is and how best to correct and move forward by proposing a realistic, coherent, and achievable CAP in the near future.

4.3.7 Findings and observations should be complete and concise; ATMs need to try to keep the findings to the point when defining the issue. It is important to state the exact reflection of the facts, and personal attribution should be avoided.

4.3.8 ATMs should consider the condition as found, what the criteria should be and what those criteria point to (i.e. standards, convention requirements, regulations), cause and consequence (a risk statement), and ultimately, what will be the corrective action to move forward. When the written finding and observation description does not follow these best practices, they will often lose clarity and can be less "defendable" as a result.

4.3.9 As an example, the following finding is analysed: "The transposition of amendments to the mandatory IMO instruments, including those amendments that come into force through the tacit amendment procedure, was not always carried out before their entry into force (*condition as found*). A system for monitoring the said amendments to ensure that the national legislation was not in place (*risk statement)."* From the condition found and the risk statement, the way to follow, in general terms, is clear, improve the system for monitoring and transposing amendments to mandatory IMO instruments in order to keep the national legislation updated.

4.3.10 ATMs are encouraged to consider the existing consolidated audit summary reports (CASRs, which contain findings and observations from other Member States' audits, technically reviewed by MSA; not only to have said findings as examples, but also to familiarise themselves with the IMO wording when drafting findings.

4.3.11 ATMs need to be accurate in inserting the references to the provisions of the mandatory IMO instruments and the III Code. Appropriate references to the III Code must always be inserted in the Findings Notice. In this context, the use of the NEL and the existing CASRs serves as a good reference.

4.3.12 When drafting Forms A for findings or observations recorded during the audit, the audit team should consider whether specific findings or observations can be grouped or combined into a single Form A. Annex 7 to this part of the Manual provides guidance on which findings and observations may be consolidated, based on the corresponding paragraphs of the III Code.

4.3.13 As a general rule, findings and observations recorded under different parts of the III Code should not be grouped or combined in the same Form A. Likewise, findings and observations arising from different sections within the same part of the III Code, such as Implementation, Delegation of authority, Enforcement, Flag State surveyors, Flag State investigations, and Evaluation and review under part II, should also be documented separately and not combined into a single Form A.

4.3.14 When deciding whether multiple findings or observations should be grouped into a single Form A, the audit team should consider whether doing so would be beneficial for the audited Member State. In some cases, it may be preferable not to group them, particularly when the findings or observations relate to activities carried out by different entities. For example, if findings relate to radiocommunication services, meteorological services, hydrographic services, and aids to navigation, they may be grouped in the same Form A if all these activities fall under the responsibility of the same entity.

4.3.15 The GISIS MSA module will be used by the audit team for drafting Forms A based on the pre-loaded templates. These will be included as appendix 1 of the draft audit interim report.

4.3.16 Forms A should be agreed and signed by the ATL and a senior representative from the Member State before or during the closing meeting, in two originals. One original signed Form/s A should be kept by the Member State, and another handed over to the ATL, for submission to MSA, for record-keeping.

4.4 Disputes during the audit

4.4.1 In conducting the audit, the audit team will, as much as possible, aim to avoid and prevent disputes from arising by working closely with the Member State being audited in the most transparent and fair manner. However, disputes and differences may arise for several reasons. In the event that differences cannot be resolved through dialogue and persist to a level that an audit or an audit follow-up, as a whole or in part, is affected, a dispute resolution action shall be initiated by ATL, in coordination with MSA, as soon as possible.

4.4.2 The first action to resolve disputes, if they should arise, prior to the audit, will be taken within MSA. Thus, an effort to resolve differences and disagreements, before they escalate to disputes, will initially be attempted by MSA through dialogue with the Member State concerned, ATL and ATMs, as necessary. If a dispute arises during the preparatory phase and during the audit, involving ATL and the Member State, the ATL should take all necessary measures to resolve differences prior to the audit and may solicit the assistance of MSA, as necessary. If the dispute arises during the audit, the ATL and the Member State should resolve the differences amicably, as provided for in section 7 of MoC. Paragraphs 7.2.3 and 7.2.4 of the Procedures should be adhered to in resolving and/or recording disagreements and opinions.

4.5 Closing meeting

4.5.1 The closing meeting marks the end of the audit and is chaired by the ATL. An agenda, which will have been prepared earlier by the ATL, will include all the issues listed in paragraph 6.5.4 of the Procedures. At the closing meeting, the ATL should explain the post-audit activities and next steps.

4.5.2 The venue and time of the closing meeting is normally agreed when the audit timetable is discussed and endorsed by the SPC. The Member State decides who will attend the closing meeting, including senior representatives from all the relevant government entities involved in the audit. In some cases, the Member State decides that all representatives indicated in the audit timetable attend the closing meeting. The SPC may invite representatives from any extraterritorial office to attend the closing meeting. The SPC may also invite participants to attend the meeting by virtual means. The SPC will notify the ATL in advance about the attendees participating in the closing meeting. The practical arrangements regarding the closing meeting will be agreed with the SPC, including whether a senior executive of the lead entity of the maritime administration attends the closing meeting and provides closing remarks.

4.5.3 Sometimes the media request to be present during the closing meeting. The ATL might advise the Member State to have the closing meeting with only representatives of the Member State present and then allow the Member State to brief the media in a controlled manner. If the Member State insists on participation of the media, ATL will consult with MSA on further proceedings.

4.5.4 As the purpose of the audit is to ensure improvement, it will be emphasised during the closing meeting that CAP, using Form B, should be prepared by the audited State for all findings and observations, as appropriate, within 90 days after receipt of the agreed audit interim report. The Member State should be encouraged to commence the identification of root causes and corrective actions soon after the conclusion of the audit and to submit the first draft Forms B, including the completed "root cause" section in the Form B, for a review by ATL as early as possible (see also section 5.3 of this part of the Manual).

4.5.5 The Member State should, in principle, ensure that the SPC or other staff within the Administration is familiar with the procedures of the audit, including the audit follow-up. A more detailed guidance on the development of CAP, next steps in the reporting from the audit, as well as the audit follow-up should be presented at the closing meeting. In the event that the Member State needs further guidance, the ATL may offer additional advice to take place at a mutually agreed time, normally after the closing meeting.

5 REPORTING ON THE AUDIT

5.1 Draft audit interim report

5.1.1 The draft audit interim report, which is intended to be tabled at the audit closing meeting, is the only basis for fully developing and reporting on what, where and how the audit was conducted and its findings and observations. It is important that the audit team, from the outset, develops a daily routine for recording its activities, which would form the basis for preparing the draft audit interim report. As far as possible, the GISIS MSA module should be used for drafting the interim report, including findings and observations.

5.1.2 The draft audit interim report should describe succinctly the actual structure of the maritime administration in terms of all of its substantive components, entities, agencies, departments, divisions, etc., as shown in model draft audit interim report (set out in annex 1 of this part of the Manual) in line with the structure of the draft audit interim report defined in paragraph 7.2.2 of the Procedures.

5.1.3 The draft audit interim report should also include details of findings and observations, as narrative in the body of the report and as appendices (Form A), as well as an appendix on the percentage of effective implemetation (EI%) that includes annotation to the verification index which provides the list of all items verified during the audit, in accordance with the relevant requirements of the III Code. These contents of the draft interim report provide the basis to confirm what and where the audit team actually visited, what was audited and the findings. The ATL needs to ensure that the boxes of enumerated requirements in the verification index are completed either with a YES or a NO by mentioning any related finding/observation issued, in the verification index tool.

5.1.4 The draft audit interim report should, in addition, reflect the EI% as shown in appendix 4. TheEI% measures the State's ability to implement provisions of the audit standard effectively. A higher EI% reflects a greater degree of compliance in the nine key components outlined in paragraph 7 of the III Code, demonstrating stronger adherence to the audit standard provisions (ASP), which are detailed in various paragraphs of the III Code and in accordance with paragraph 6.3.6 of the Framework.

5.1.5 The EI% is calculated as a percentage for each key component of the III Code, each audit/individual Member State (and can be calculated for comparison as an overall value) based on the following formula:

$$\mathrm{EI}(\%) = \frac{\text{Number of satisfactory ASP}}{\text{Total number of applicable ASP}}\, x\ 100$$

5.1.6 The matrix, as set out in table 1 of appendix 4 of this Manual, outlines the linkages of each of the nine key components of the III Code with specific provisions under common areas, flag, coastal and port State functions of a State. Each "X" in the matrix indicates where specific provisions of the III Code are linked to a key component.

5.1.7 To calculate the percentage of EI for a specific Member State, the number of "X" marks within the matrix is compared against the total possible linkage/implementation points. This gives a quantitative measure of how effectively the State has implemented the provisions of the III Code, providing a clear overview of areas of strength and those in need of improvement.

5.1.8 A simulation using the matrix to show the audit outcome of a Member State is presented in table 2 of appendix 4 of this Manual. Green "X" marks indicate areas where no shortcomings were recorded against ASP, while red "X" marks signify where shortcomings were identified. The "N/A" is used when ASP is not within the scope of the audit.

5.1.9 Based on the formula set in paragraph 5.1.5, and the key components compliance results for the Member State, set out in table 2 of appendix 4 of this Manual, the graphical representation of EI% for the Member State is shown in graph 1 of appendix 4.

5.1.10 The report should also capture what the audit team found to be areas of positive development, including any best practices, and it should also put forward areas where it is felt the Member State should improve. The latter can largely be deduced from the general observations of the State's maritime administration.

5.1.11 The ATL should ensure that the draft audit interim report conforms to the format attached in annex 1 of this part of the Manual, which includes hyperlinks to the SAQ and gap analysis.

5.1.12 Any specific arrangements in place for EI% of a particular IMO instrument, to which other Member States might have the benefit of being informed, should be described in sufficient detail as best practices, and reported under the areas of positive development.

5.1.13 The outcome of the audit in the form of an analytical and graphical report on the effectiveness of implementation in key components of the III Code is included in appendix 2 of the model draft audit interim report set out in annex 1 of this part of the Manual.

5.1.14 The draft audit interim report that is tabled at the audit closing meeting will not normally be fully fleshed out or thoroughly edited and the ATL will need to complete the report in consultation with the Member State, before it can be agreed as the audit interim report. In this regard, the draft audit interim report should not be agreed as the audit interim report during the closing meeting. The audit interim report should include a succinct description of the findings and observations found under the appropriate section of the report. The IMO Secretariat (MSA) will assist the ATL, as necessary, to ensure the completion of the audit interim report in the standardized format.

5.1.15 After the closing meeting, the Member State will have up to 10 days to do a factual review of the draft audit interim report, e.g. to finalize the content of the SAQ not to be released to Memebers Stae or to the public, to verify if all entities participating in the maritime administration and national legislation are correctly named, and to submit the draft audit interim report with comments to the ATL. The findings and observations cannot be reviewed by the Member State as they will have already been signed.

5.1.16 Once the ATL submits the draft audit interim report to MSA, with the Member State's comments if any, MSA will conduct a technical review in order to ensure the consistency of the report in the standardized format, the use of IMO terminology and that all references to findings and observations are in line with the provisions of the mandatory IMO instruments and the III Code. After the technical review, the draft audit interim report becomes the audit interim report.

5.1.17 Once the report has been finalised, MSA is required to formally submit it to the ATL, as the audit interim report; and the ATL needs to review and submit the said report to the Member State, copying MSA. The 90-day period within which the Member State is required to prepare and submit its CAP begins from the date of submission of the audit interim report to the Member State.

5.2 Draft executive summary report

5.2.1 A draft executive summary report should be prepared by the ATL in accordance with the model set out in appendix 5 of the Procedures and tabled during the closing meeting. The GISIS MSA module should be used for automated drafting of the executive summary report in the standard format.

5.3 Corrective action plan

5.3.1 The Member State should present the CAP to the ATL and MSA within 90 days of receipt of the audit interim report.

5.3.2 In order to assist an audited State in improving its capacity to implement the mandatory IMO instruments, it is necessary that the root causes of the findings are identified and appropriately addressed. The role of the audit team, based on the detailed undertanding of the situation on the ground in the Member State during the on-site audit, is very important during evaluation of the root causes and corrective actions identified by the Member State.

5.3.3 The ATL should keep in mind that prolonged correspondence between ATL, MSA and the Member State may become necessary before the CAP is finalized, and hence timely action by all involved is important.

5.3.4 The SPC will be encouraged to prepare the CAP using the "Form B" functionality in the GISIS MSA module. As a starting point for developing corrective action(s) for each finding and/or observation, as appropriate, identified during the audit, the Member State should aim to identify related root cause(s). Corrective actions should be seen as a systemic action aiming at eliminating a cause of detected non-compliance (finding or observation). Through these actions a mechanism for continual compliance with a requirement in the future should be established, as appropriate.

5.3.5 Following the preparation of the corrective action in Form B for each finding and/or observation, as appropriate, identified during the audit by the Member State, the ATL, in collaboration with the ATMs, should review the CAP in order to verify that they address appropriately the findings and/or observations in the audit interim report.

5.3.6 The audit team should verify that (realistic) target completion dates are inserted in the Form(s) B, which may also include intermediate dates for completion of parts of the corrective action (e.g. target date for a draft procedure to be approved and target date for full implementation of the procedure, including archiving of relevant records).

5.3.7 In reviewing CAP submitted by the Member State, the audit team should verify if the root cause and corrective action answer the following questions:

.1 is the root cause meaningful?

.2 does the proposed corrective action address the identified root cause(s)?

.3 who is responsible?

.4 what is to be done?

.5 how should it be done?

.6 will it prevent recurrence?

.7 is the target completion date proportional to the actions to be taken?

5.3.8 In the aforementioned verification of CAP, the audit team should bear in mind that root cause(s) need to address and identify the most basic underlying factor(s) that led to the problem. The tool known as the "five whys", may be useful. In some cases more than one finding may have the same root cause(s) (e.g. lack of awareness).

5.3.9 The ATL, in consultation with the ATMs, should examine whether the identified root causes are meaningful and whether corrective actions are appropriate. At this stage, the ATL should verify whether the Member State had indicated the immediate causes, rather than the real root cause and, assisted by MSA, advise the Member State accordingly. The ATL should also verify that the root causes are reasonable and are not a repetition of the statement of finding or observation.

5.3.10 Auditors must take into account that a finding and/or observation may contain several parts and, therefore, when preparing the corrective action, all of these parts must be considered, including the proposed root cause(s). The ATMs should verify that the corrective action addresses symptoms (i.e. the objective evidence), all the parts of the findings/observations (i.e. statement of the problem) and the root cause(s).

5.3.11 During the review, the ATL should consult with MSA and come to an agreement on the content and what comments, if any, to the submitted Forms B should be forwarded to the Member State. After the ATL and the Member State reach an agreement on their content, the Forms B should be forwarded to MSA for a final review, after which they should be signed by the Member State, ATL and MSA in appropriate sections and attached to the audit final report. In addition, a summary of root cause(s), as identified by the Member State, and a summary of corrective action(s) are included in the audit final report.

5.4 Audit final report

5.4.1 The audit final report is the audit interim report previously issued to the Member State, which should now incorporate the State's comments and CAP in the appropriate parts of the report. The MSA will assist, as necessary, in finalizing the audit final report.

5.4.2 The CAP, reviewed by the ATL and confirmed as being appropriate to address the various findings in the audit interim report *(*see section 5.3 above) should be attached to the audit final report and, also, a synopsis of the corrective action(s) and root cause should be included in the body of the audit final report, after the findings and observations concerned. Comments by the ATL on the CAP should not be included in the body of the audit final report. The comments should be drafted in the appropriate section of Form B.

5.4.3 Once the audit final report has been completed, it is submitted to the MSA, for review and consistency check, and then submitted to the Member State concerned, through an official communication by MSA.

5.4.4 In line with the transparency and disclosure principles set out in section 6.3 of the Framework, audit final report is shared with all IMO Member States and, subject to the authorization of the audited Member State, may be released to the public. At the same time as the release of the audit interim report, MSA will disclose EI% depicting the level of implementation of the III Code in graphical form to the public, calculated as described in paragraphs 5.1.3 to 5.1.4

6 POST AUDIT ACTIVITIES

6.1 Feedback on audit process

6.1.1 Member States are encouraged to provide feedback to MSA though the dedicated online questionnaire provided by the ATL during the closing meeting. The questionnaire covers the conduct of the audit, including all phases from the preparation, the on–site audit and reporting from the audit. In addtion to positive elements, comments, and recommendations regarding any difficulties encountered, as well as proposals to improve the planning and conduct of audits are invited. The feedback will provide input to the quality assurance programme for the Audit Scheme and support continuous improvement in audit planning.

6.2 Audit team leader's mission report

6.2.1 As per the Procedures (paragraph 7.6) and the terms of reference, the ATL should provide MSA with a mission report, which should be concise and describe positive elements and difficulties encountered during preparation for and conduct of the audit. It should also include feedback on the logistical and administrative arrangements, together with any recommendations for improving the implementation of audits. A model ATL mission report is shown in annex 8 of this part of the Manual.

6.2.2 An appraisal of all ATMs' performance by the ATL should be included in the report. The appraisal does not include the Audit Officer. The appraisal should take account of ATMs' auditing skills; knowledge of IMO instruments; effective application of the audit standard (III Code); knowledge of functions of a maritime administration; auditors' specialties within areas to be audited; ability to effectively communicate in the audit language with auditee; and ability to succinctly capture in writing the facts and findings from the audit during the production of the draft interim report. This will assist MSA in the formation of future audit teams. The ATL should provide a specific recommendation to MSA regarding each ATM as to their readiness to assume the duties of ATL. Alternatively, the ATL should note if the ATM would benefit from being an ATM at additional audits before assuming the duties of ATL. The appraisal should be drafted in the form, as set out in annex 8 of this part of the Manual and attached to the ATL's mission report.

6.3 Member State's report on the progress of implementation of corrective action plan

6.3.1 When one or more target deadlines established for the implementation of agreed corrective actions from CAP have been reached or are approaching, and in accordance with section 7.5 of the Procedures, the audited Member State is expected to provide the Secretary-General (through MSA) with comments on the progress of implementation of the corrective action plans (CPICAP) by using the respective form (model CPICAP form as shown in annex 11 of this part of the Manual). The CPICAP will include any relevant documented evidence, as applicable; and will feed into the report on the progress of implementation of the corrective action plan (RPICAP) as a log.

6.3.2 A Member States' report is published to all Member States as received by an audited State without validation by IMO or the audit team leader, in accordance with the Procedures, and can be released to the public based on the authorization received from a Member State. It can be updated multiple times, as the implementation of the CAP progresses.

6.3.3 The RPICAP reporting form (Form D) has been established in appendix 4 of the Procedures and in annex 11 of this part of the Manual, as updates of the verification index, and is to be used for each finding and/or observation by describing the implemented actions and attaching the relevant documented evidence.

6.3.4 The submission of the CPICAP that will feed into the RPICAP by the audited Member State is necessary to demonstrate commitment to enhancing further the effective implementation and enforcement of their international obligations and responsibilities undertaken as a Party to the various mandatory IMO instruments and serves as a basis for the conduct of the audit follow-up process in accordance with the Framework and Procedures.

6.3.5 The RPICAP form contains two main fields to be completed – according to the submitted CPICAP, progress in (completion of) implementation of corrective action and list of evidence. When reporting on the implementation of a specific corrective action for afinding and/or observation, Member States should consider that such an action can comprise severalsub-actions. For example, a corrective action can contain actions related to developing national legislation, quality systems, coordination among various entities of the State, assignment of responsibilities, acquisition of equipment, as well as ensuring resources (human and financial). Therefore, each separate action will need to be addressed and reported on.

6.3.6 Taking into account the foregoing, Member States will be invited by MSA to provide their reporting on the implementation of corrective actions accordingly and submit CPICAP forms covering all the aspects of the respective corrective actions. The list of evidence, as applicable, should also follow the sub-actions contained in the corrective action. Examples of evidence can be copies of new legislation or policies implemented, evidence of reporting to IMO, records of compliance, evidence of appropriate training of staff, copies of signed recognized organization (RO) agreements, independent evaluation reports, etc.

7 AUDIT FOLLOW-UP

7.1 Audit follow-up process

7.1.1 The audit will be concluded by the verification of the effective implementation of the CAP and confirmed by ATL as being appropriate to address the various findings in the audit final report.

7.1.2 The audit follow up will be conducted after the implementation of 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 verify the effective implementation of the CAP. The MSA will notify the Member State that its audit follow-up process will commence.

7.1.3 The verification will normally be carried out as a document-based audit (document review) by ATL, supported by MSA, after receipt of all relevant documents showing the objective evidence of the Member States' effective implementation of CAP. Such evidence may consist of copies of new legislation or policies implemented, evidence of reporting to IMO, records of compliance, evidence of appropriate training of staff, copy of signed RO agreements, independent evaluation reports, etc.

7.1.4 The audit follow-up process consists of the following steps:

.1 assessment of the Member State's RPICAP based on the provided CPICAP (see annex 11);

.2 preparation of draft audit follow-up report (DAFR), with request for additional information and evidence, as appropriate;

.3 document-based audit, on the basis of RPICAP assessment and additional information and evidence provided;

.4 on-site audit follow-up, if necessary and feasible, when full implementation of CAP cannot be verified by reviewing the documentary evidence; and

.5 completion of audit follow-up report (AFR), incluiding the update of the verfication index from the audit showing the progress made in the signing off of the findings and/or observation.

7.2 Assessment of Member State's report on implementation of corrective action plan

7.2.1 Based on root causes and corrective actions identified and agreed in Forms B, the assessment of CPICAP and RPICAP will consider the information and evidence provided in relation to the actions undertaken by the Member State as agreed in Forms B through the Forms D. A model Form D is provided in appendix 4 of the Procedures and in annex 11 of this Manual. This review and assessment are to be conducted using the template CPICAP assessment log, and RPICAP and may involve, inter alia, verification of the following:

.1 whether the actions agreed in Form B have been undertaken;

.2 in some cases, the actions undertaken by the Member State may not be the same as those agreed in Form B. In such cases, whether the actions undertaken are relevant to the identified non-compliance and/or the root causes indicated in Form B;

.3 whether the actions have been addressed and completed (fully or partially); and in some cases, certain steps in a process may have been initiated, but the expected outcome is not realised yet;

.4 whether the information and objective evidence provided by the Member State is sufficient to demonstrate that the specific outcome stated in Form B is realised; and

.5 whether the information and evidence provided by the Member State is adequate to undertake the next step of the process (i.e. document-based audit follow-up).

7.2.2 The following should be taken into account during an CPICAP and RPICAP assessment:

.1 since the root cause analysis stage was completed when Form B was agreed, the root causes and corrective actions set out in Forms B form the basis for the assessment. Only in exceptional cases should consideration be given to other actions taken to address the finding and/or observation as far as possible;

.2 documentary evidence should demonstrate the realization of results outlined in Forms B, both in relation to root cases and corrective actions;

.3 in certain cases, the actions undertaken by the Member State may be verified through the GISIS database, without seeking additional evidence from the Member State;

.4 it may not always be possible to completely eliminate the root causes; in such instances, evidence should be sought on steps taken to mitigate the consequences of the identified event (finding or observation);

.5 evidence for a completed action should be in the form of data or records (e.g. a copy of a revised Act, new regulations, evidence of establishing a new process, copy of a newly established procedure; but not draft proposals or planning schedules); and

.6 look for a balanced and representative sample of the evidence, depending on the nature of the problem observed during the audit and the magnitude of actions proposed in Forms B.

7.2.3 The outcome of a CPICAP assessment and reflected in the RPICAP should be categorised as follows:

.1 actions undertaken are completed (Yes, in the assessment sheet): RPICAP and documentary evidence demonstrate that all the intended outputs (as given in Form B) are realised, and actions taken are sustainable;

.2 actions undertaken are partially completed (Partial, in the assessment sheet): RPICAP and documentary evidence demonstrate that a part of the intended outputs (as given in Form B) are realised; or

.3 agreed actions have not been implemented, or no information was provided (No, in the assessment sheet): RPICAP or the documentary evidence do not demonstrate that the intended outputs (as given in Form B) are realised. Certain initial steps (or no steps) are taken to implement CAPs. The intended outputs (as given in Form B) are yet to be realised.

7.2.4 Depending on the outcome of the CPICAP assessment and as reflected in the RPICAP, the Member State should be requested to provide specific additional evidence, that are needed to verify the completion of CAP. The nature of information, or specific evidence, to be provided by the Member State should be clearly indicated for each finding, and each specific corrective action, in the CPICAP assessment log and reflected in the RPICAP.

7.3 Draft audit follow-up report

7.3.1 The draft audit follow-up report (DAFR) provides a summary of the outcome of the assessment of the CPICAP and RPICAP. Furthermore, it addresses specific requests to the Member State for information and or evidence to verify completion of CAP and the effectiveness of implementation of the corrective actions undertaken, as applicable. Additionally, it provides a formal place for the audited Member State to provide feedback to demonstrate the completion and effectiveness of corrective actions. The DAFR is prepared after completion of the CPICAP assessment log and RPCAP, in the format set out in annex 10 of this part of the Manual.

7.3.2 The narrative part of DAFR provides a summary of the CPICAP and RPICAP assessment for each finding and observation. Furthermore, it points to specific audit questions and requests for additional information and evidence, as shown in appendix 1 of DAFR, to verify completion and/or effectiveness of implementation of the corrective actions undertaken. A summary of the assessment of the effectiveness of implementation of corrective action(s) for each finding and observation is provided.

7.3.3 Appendix 1 to DAFR sets out the additional information and evidence sought, as well as the feedback from the Member State received, to verify that the corrective actions have been effectively implemented for each finding and observation. The information is organized in tables, one table per finding and/or observation. Each table has three sections. For the preparation of DAFR, only section 1 entitled "Additional information and evidence sought" should be completed.

7.3.4 The DAFR should be finalized in consultation with the ATL or another member of the audit team, as required. When no member of the original audit team is active or available, MSA may engage another auditor. MSA should forward the DAFR, together with the CPICAP assessment log and the RPICAP, to the ATL or the auditor requesting their comments.

7.3.5 Once the DAFR is finalized, MSA will communicate the DAFR, along with the CPICAP assessment log and the RPICAP to the SPC through a cover letter requesting any further action that may be required to advance the audit process.

7.4 Document-based audit

7.4.1 The verification will normally be carried out as a document-based audit (document review) by ATL after receipt of all relevant responses and documents showing the objective evidence on the Member States' effective implementation of CAP.

7.4.2 The information provided through CPICAPs which will feed into RPICAP, including additional evidence provided in response to DAFR, if any, are reviewed during the document-based audit to verify the completion and effectiveness of the implementation of corrective actions.

7.4.3 When undertaking a document-based audit, the following should be taken into account:

.1 **effectiveness** means the extent to which planned activities are realized and planned results are achieved;

.2 **verification of effectiveness** confirms whether the CAP has been implemented as agreed, and the actions undertaken will prevent recurrence of similar events in future;

.3 immediate steps taken to address specific symptoms observed during the audit may not be sufficient to confirm effectiveness;

.4 where applicable, confirm whether the lessons learned from the CAP are translated into other relevant areas and/or processes; and

.5 if changes were made to a process that is only performed once a year or less frequently (e.g. periodical review of performance, drafting of legislation to give effect to an instrument), a longer time period may be necessary to verify effective implementation of the actions undertaken.

7.5 On-site follow-up audit

7.5.1 When the full implementation of the corrective actions, including their effectiveness, cannot be verified by reviewing the CPICAP the RPICAP and additional documentary evidence, an on-site audit follow-up may become necessary for that purpose. When considering an on-site audit follow-up during the document review, the following factors should be taken into account:

.1 an on-site audit follow-up may not be particularly useful if a majority of the corrective actions indicated in Form B are not completed;

.2 an on-site audit need not be considered to verify the provision of physical assets, unless absolutely necessary (e.g. port reception facilities, handling of dangerous goods, radiocommunication services, SAR services, vessel traffic services, aids to navigation). A statement or declaration giving the list of facilities along with relevant details from the Member State should be accepted, wherever possible;

.3 an on-site audit may be considered if the effectiveness of implementation of agreed actions cannot be ascertained without interviewing the personnel involved, or observing the practices being followed, or observing the processes in question or physical verification of the intended outcome;

.4 an on-site audit may be useful in determining the effectiveness when the sustainability of corrective actions implemented are not evident from the documentary evidence;

.5 due consideration should be given to the extent of overall inadequacy of documentary evidence while assessing the need for an on-site audit follow-up. When an on-site audit is considered to verify the effective implementation of corrective actions.

7.5.2 An on-site audit follow-up may become necessary where the full implementation of the corrective action cannot be effectively verified during the steps mentioned previously (i.e. by review of the CPICAP and additional documentary evidence provided).

7.5.3 A decision on an on-site audit and communication of the decision to the Member State should be made in consultation with ATL of the original audit, as far as possible (or another member of the audit team). When no member of the original audit team is active or available, MSA may engage another auditor and communicate the outcome of the document-based audit to the Member State. For the purpose of the audit follow-up phase, ATL and/or ATMs will be designated as "auditor".

7.5.4 The standard auditing procedures applied to the on-site audit follow-up are the same as for the regular Member State audit described in the Procedures. The only exception is the difference in scope, as the audit follow-up should be limited to verification of the effective implementation of CAP and to the areas specifically identified in DAFR, if any.

7.5.5 The on-site audit follow-up team will normally consist of an ATL and other members, as required, depending on the scope of the audit.

7.5.6 An on-site audit should be utilised to verify the effectiveness of completed actions by observing records of personnel activity (ATMs can assess whether the records on work practices now reflect the agreed corrective actions such as implementation of revised procedures), or by interviewing relevant personnel on the effectiveness of implemented actions (such as gathering information on training provided, plans to conduct future training, conduct of drills and exercises), or by visiting facilities to verify the availability of hardware (e.g. sighting the newly created port reception facility, availability of additional staff, availability of equipment).

7.5.7 On completion of an on-site audit follow-up, the DAFR should be updated with the information gathered during the audit.

7.6 Audit follow-up report

7.6.1 When the effective implementation of the CAP has been verified through a document-based audit or an on-site audit, as appropriate, the next step is to sign off the findings and/or observations, as applicable, by completing Form C, with comments, if any, in the appropriate section of the Form.

7.6.2 If the effective implementation of the corrective actions could not be verified, a relevant comment will be inserted in appendix 1 and in the narrative part of DAFR on the verification conducted and its result, without signing off the finding and/or observation and issuing related Form C.

7.6.3 The AFR will be prepared by appending any Forms C to the AFR and inserting additional comments under each finding, as necessary. MSA will assist the auditor in completing AFR.

7.6.4 The auditor assigned to the audit follow-up should, when preparing and finalising the AFR, update the verification index originally established at the stage of the audit interim report, so as to reflect the progress made by the Member State in the effective implementation of the agreed CAP.

7.6.5 Upon completion, the AFR is forwarded to the auditor for comments and then MSA will forward the AFR to the Member State through a cover letter, encouraging the Member State to continue with the process of implementing those corrective actions that have not yet been completed and to continue providing MSA and the auditor with CPICAP.

8 REMARKS

8.1 This Manual draws on the experience gained from audits conducted under the IMO Member State Audit Scheme and should be viewed as a dynamic document, to be updated as necessary. Auditors are encouraged to implement the recommendations contained herein and to propose improvements and additions to the Manual.

APPENDIX 1

ILLUSTRATIVE ASSESSMENT OF INFORMATION SUBMITTED BY MEMBER STATES THROUGH THE ICMM PLATFORM

1 Introduction

1.1 The following example provides an overview of the process followed by an audit team to assess the information communicated by the audited Member State through the MSA Module in GISIS and the ICMM platform. This example is limited to the information submitted by the audited Member State regarding Part 3 of the III Code (Coastal State activities).

2 Assessment of the information provided through the gap analysis tool

2.1 `After reviewing the national legislation using the references provided in the gap analysis tool for obligations relating to coastal State activities, the team concluded that the national legislation contains gaps in relation to regulations IV/5, IV/5.1, and IV/5.2 of SOLAS 1974. Furthermore, the audit team requested additional clarifications regarding the national legislation adopted in relation to regulations VII/6.1 and VII/7-4.1 of SOLAS 1974.

2.2 Table 1 – Gap Analysis Assessment Tool, shown below, presents the audit team's assessment, the request for additional information, and the Member State's response.

Table 1 – Gap Analysis Assessment Tool

Source[1]	**Summary Description**22	**Comments**22	**Reference to the national legislation (Specific section/ paragraph)** [2]	**Link to legislation Document(s)** 23	**Responsible Entity (ies)** 23	**Additional comments or clarifications** 23	**Comments** [3]	**Assessment of the information communicated "Adequate," Inadequate" or "N/A"**24[,4]	**Related paragraphs of the III Code (NEL-III Code Cross-matrix)24**[,5]
SOLAS 1974									

1 As shown in the 2025 Non-Exhaustive List of obligations under instruments relevant to the IMO Instruments Implementation Code (III Code).

2 To be completed the Member State.

3 To be completed by the audit team.

4 "Adequate": Information indicates compliance; " Inadequate": Information is vague or incomplete or not provided; "N/A": The obligation is not relevant to the Member State.

5 To be completed only if the assessment of the information communicated is "Inadequate".

Source[1]	Summary Description22	Comments22	Reference to the national legislation (Specific section/ paragraph) [2]	Link to legislation Document(s) 23	Responsible Entity (ies) 23	Additional comments or clarifications 23	Comments [3]	Assessment of the information communicated "Adequate," Inadequate" or "N/A"24[,4]	Related paragraphs of the III Code (NEL-III Code Cross-matrix)24[,5]
Reg. IV/5	Provision of radio communication services and communication of information on such provision		Merchant Shipping Act, Regulations 56 to 65	Link to Merchant Shipping Act	State Coast Guard (SCG)		Regulations 56 to 65 do not require the provision of shore-based facilities for the mobile satellite service.	Inadequate	46.1, 46.2, 47, 48.1, 49, 50.1, 50.2, 50.3, and 51
Reg. IV/5.1	Appropriate shore-based facilities for the mobile satellite service and maritime mobile service – availability as practical and necessary		Merchant Shipping Act, Regulations 90 to 92	Link to Merchant Shipping Act	State Coast Guard (SCG)		Regulations 90 to 92 does not provide for the recognition of mobile satellite services;	Inadequate	46.1, 46.2, 47, 48.1, 48.2, 49, 50.1, 50.2, 50.3, and 51
Reg. IV/5.2	Information concerning the shore-based facilities in the mobile satellite service and maritime mobile service, including the planned withdrawal – reporting to IMO		Merchant Shipping Act, Regulations 105 to 106	Link to Merchant Shipping Act	State Coast Guard (SCG)		Regulations 105 to 106 do not require the responsible entity to inform the organization in case of planned withdrawal of any of the relevant service provided	Inadequate	46.1, 46.2, 47, 48.1, 48.2, 49, 50.1, 50.2, 50.3, and 51
Reg. V/4	Navigation warnings		Coast Guard Act 2001 Regulation 55	Link to Coast Guard Act 2001	State Coast Guard (SCG)			Adequate	
Reg. V/7.1	Search and rescue services – necessary arrangements		Coast Guard Act 2001, Regulations 12 to 24	Link to Coast Guard Act 2001	State Coast Guard (SCG)			Adequate	
Reg. V/7.2	Search and rescue services – information to IMO		Coast Guard Act 2001 Regulation 4	Link to Coast Guard Act 2001	State Coast Guard (SCG)			Adequate	
Reg. V/8	Life-saving signals		Merchant Shipping (Life Saving Appliances) Rules, Paragraphs 54 to 63	Link to Merchant Shipping (Life Saving to Appliances) Rules,	Directorate General of Shipping			Adequate	
Reg. V/9	Hydrographic services		Merchant Shipping Act, Regulations 56 to 65	Link to Merchant Shipping Act	National Hydrographic Office (NHO)			Adequate	

Source[1]	**Summary Description**22	**Comments**22	**Reference to the national legislation (Specific section/ paragraph)** [2]	**Link to legislation Document(s)** 23	**Responsible Entity (ies)** 23	**Additional comments or clarifications** 23	**Comments** [3]	**Assessment of the information communicated "Adequate," Inadequate" or "N/A"**24[4]	**Related paragraphs of the III Code (NEL-III Code Cross-matrix)24**[5]
Regs. VII/6.1 and 7-4.1	Reporting of incidents involving dangerous goods		Merchant Shipping (Carriage of Cargo) Rules, Paragraphs 41 to 42	Link to Merchant Shipping (Carriage of Cargo) Rules,	Directorate General of Shipping	In accordance with Public Administration Decree No. 92 of 2024 (copy attached), all activities of the Mercantile Marine were transferred to the Directorate General of Shipping.	Paragraph 2 of the Merchant Shipping (Carriage of Cargo) Rules indicates that the Mercantile Marine is responsible for implementing the regulations. Could you please clarify this??	Adequate	
MARPOL									
Annex I									
Reg. 4.3	Exceptions – discharge of substances containing oil for the purpose of combating pollution incidents		Merchant Shipping (Prevention of Pollution by Oil from Ships) Rules, Paragraph 34	Link to Merchant Shipping (Prevention of Pollution by Oil from Ships) Rules	Directorate General of Shipping			Adequate	
Annex II									
Reg. 3.1.3	Exceptions – approval of discharge of NLS for the purpose of combating pollution incidents		Merchant Shipping (Prevention of Pollution from Ships) Rules, Paragraphs 62 to 63	Link to Merchant Shipping (Prevention of Pollution by Oil from Ships) Rules	Directorate General of Shipping			Adequate	
Reg. 13.2.3	Control of discharges of residues of NLS – agreement and communication to IMO		Merchant Shipping (Prevention of Pollution from Ships) Rules, Paragraphs 62 to 63	Link to Merchant Shipping (Prevention of Pollution by Oil from Ships) Rules	Directorate General of Shipping			Adequate	

2.3 After completing the assessment and informing the SPC of the outcome, the audit team used the NEL–III Code cross-matrix to identify the relevant paragraphs of the III Code associated with the obligations for which the information provided indicated potential gaps and was categorised as 'Inadequate'.

2.4 Finally, the audit team calculated the gap analysis indicator based on the number of NEL obligations confirmed as compliant, the number deemed not applicable to the audit Member State, and the number for which the information suggests possible noncompliance as follows:

.1 Total Number of obligations for which the information provided indicates compliance: **805**
.2 Total Number of obligations for which the information provided indicates noncompliance: 42
.3 Total Number of obligations which do not apply to the audit Member State: 31
.4 Total Number of obligations in the NEL: 878

Using the Formula provided in polarograph 3.2.13. of Part A of this Manual, the gap analysis indicator is:

Gap analysis indicator = ((805/(878 – 31)) %= **95.04%**

3 Assessment of the information provided through the verification index

3.1 When reviewing the information submitted through the verification index, the audit team noted that corrective actions for two findings under Part 3 of the III Code were still pending and that the audited Member State had provided additional details. After assessing this information, the audit team concluded that corrective actions for FD-15 were not fully implemented, an assessment also acknowledged by the Member State, while all corrective actions for FD-17 were confirmed as effectively implemented. It should be noted that FD-17 referenced only paragraph 47 of the III Code. However, the Shortcoming was related only to the activities associated with Aids to Navigation.

Table 2- Verification index assessment tool

Paragraph of III Code [6]	**Requirement of III Code** 28	**Compliance achieved after the audit**[7,]31	**Related Form B (if applicable)** 29	**Compliance achieved after the audit follow-up** 29	**Actions taken to address previous audit shortcomings without a signed Form C** [8]**.**		**Comments on the additional information provided** 29	**Compliance achieved -current status** 29[,9]
					Comments	**Objective evidence provided**		
COSTAL STATE SPECIFIC REQUIREMENTS								
IMPLEMENTATION								
46.1	Policies implemented through issuance of national legislation and guidance	Yes		Yes				Yes
46.2	Responsibilities assigned to update and revise any relevant policies adopted	Yes		Yes				Yes
47	Legislation, guidance and procedures established for the consistent implementation and verification of the rights, obligations and responsibilities of the State contained in the relevant	No (See FD-17)		No (See FD-17)				Yes

6 As shown in the verification index

7 To be completed by the audit team

8 To be completed by the Member State

9 "**Yes**" – Indicating compliance; "**No (See FD-x or OB-x)**" – Indicating no compliance; "**Partially (See FD-x or OB-x)**" – Indicating compliance with some provisions; "**N/A**" – Indicating that the provision is does not apply; "**Not assessed**" – Indicating that the provision was not assessed; and "**Excluded**" – Indicating that the requirement was not been assessed.

Paragraph of III Code [6]	**Requirement of III Code** 28	**Compliance achieved after the audit**[7,]31	**Related Form B (if applicable)** 29	**Compliance achieved after the audit follow-up** 29	**Actions taken to address previous audit shortcomings without a signed Form C** [8]**.**		**Comments on the additional information provided** 29	**Compliance achieved -current status** 29[,9]
					Comments	**Objective evidence provided**		
	international instruments to which it is a party, in general;							
48.1	For radiocommunication services;	Yes		Yes				Yes
48.2	For meteorological services and warnings;	No (See FD-15)	Form B for FD-15	No (See FD-15)	The State is in the process of acquiring meteorological stations to provide the ships with the required information.	Link to a relevant documentation.	The State is taking steps to implement the corrective actions. However, not all corrective actions have been implemented.	NO
48.3	For search and rescue services;	Yes		Yes				Yes
48.4	For hydrographic services;	No (See FD-16)	Form B for FD-16	Yes				Yes
48.5	For ship routeing;	N/A		N/A				N/A
48.6	For ship reporting systems;	N/A		N/A				N/A
48.7	For vessel traffic services	N/A		N/A				N/A
48.8	For aids to navigation	No (See FD-17)	Form B for FD-17	No (See FD-17)	The State has established and implemented a new maintenance system. Additionally, an annual training program was established and implemented.	Link to a relevant documentation.	The additional information provided indicates that all corrective actions have been effectively implemented.	Yes
ENFORCEMENT								
49	All necessary measures taken to ensure observance of international rules when	Yes		Yes				Yes

Paragraph of III Code [6]	Requirement of III Code 28	Compliance achieved after the audit[7,]31	Related Form B (if applicable) 29	Compliance achieved after the audit follow-up 29	Actions taken to address previous audit shortcomings without a signed Form C [8].		Comments on the additional information provided 29	Compliance achieved -current status 29[,9]
					Comments	Objective evidence provided		
	exercising the rights and fulfilling the obligations as a coastal State							
50	Control and monitoring programme considered, developed and implemented	Yes		Yes				Yes
50.1	Statistical data collected and trend analyses conducted	Yes		Yes				Yes
50.2	Mechanisms for timely response to pollution incidents established	Yes		Yes				Yes
50.3	Cooperation with flag States and/or port States in investigation of maritime casualties	Yes		Yes				Yes
EVALUATION AND REVIEW								
51	Performance periodically evaluated in respect of exercising its rights and meeting its obligations under the applicable international instruments	No (See FD-18)	Form B for FD-18	Yes				Yes

3.2 Table 2, entitled "Verification index assessment tool", presents the audit team's assessment alongside the Member State's response (for the requirements of Part III of the III Code). It should be noted that no Form C was signed after the audit team confirmed that the corrective actions for FD-17 were effectively implemented.

3.3 After reviewing the Verification Index Assessment Tool, the audit team concluded that corrective actions for 6 Forms B were not effectively implemented, while corrective actions for 15 Forms B were effectively implemented. Applying the formula set out in paragraph 3.2.24, Part A of this Manual, the audit team calculated the Verification Index indicator as follows:

Number of Forms B with completed corrective actions = **15**
Total number of Forms B = **21**

Verification Index indicator = (15/21) %= **71.42%**

4 Assessment of the information provided through the State audit questionnaire (SAQ)

4.1 Following the review of the information communicated through the SAQ, the audit team summarised its findings in the SAQ assessment tool shown in Table 3 below.

Table 3 - SAQ assessment tool

No.[10]	**Reference to the III Code**[33]	**Description**[33]	**Descriptions/ answers/ supporting documents/ links**[33,11]	**Comments/ Additional Information/ clarification requested by the audit team**[12]	**Additional Descriptions/ answers/ supporting documents/ links**[34]	**Final Remarks**[35]	**Assessment of the information communicated**[13,35]
PART 3 – COASTAL STATE							
Implementation (paragraphs 45 to 48)							
47	Paragraph 46.1	Please provide the structure and duties of the entity(ies) 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. *(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 etc.)*	The Directorate General of Shipping, the National Hydrographic Office (NHO), and the State Coast Guard (SCG) are responsible ………..				Adequate

10 Extract from SAQ adopted through resolution A.1112(34)

11 To be completed by the Member State

12 To be completed by the audit team

13 Insert one of the following: "**Adequate**" – The information provided indicates compliance; "**Inadequate**" – The information provided is not sufficient to demonstrate compliance; "**Non-Compliance**" – The information provided indicates non-compliance; and "**N/A**" – The provision of the III Code does not apply to the audited Member State.

No.[10]	Reference to the III Code[33]	Description[33]	Descriptions/ answers/ supporting documents/ links[33,11]	Comments/ Additional Information/ clarification requested by the audit team[12]	Additional Descriptions/ answers/ supporting documents/ links[34]	Final Remarks[35]	Assessment of the information communicated[13,35]
48	Paragraph 46.2	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. *(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 etc.)*	The Directorate General of Shipping is the primary entity responsible for ……..				Adequate
49	Paragraphs 47 and 48.1	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) *(Please provide name of the entity(ies) 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.)*	State Coast Guard (SCG) is responsible for …………….				Adequate
50	Paragraphs 47 and 48.2	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) *(Please provide name of the entity(ies) 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)*	The State Meteorological Office is responsible for ….. While the State Coast Guard (SCG) is responsible for ……………				Adequate

No.[10]	Reference to the III Code[33]	Description[33]	Descriptions/ answers/ supporting documents/ links[33,11]	Comments/ Additional Information/ clarification requested by the audit team[12]	Additional Descriptions/ answers/ supporting documents/ links[34]	Final Remarks[35]	Assessment of the information communicated[13,35]
51	Paragraphs 47 and 48.3	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) *(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 webpage)*	State Coast Guard (SCG is responsible for providing SAR services in ……….				Adequate
52	Paragraphs 47 and 48.4	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) *(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 etc., cooperation with other States, international standards adopted, data management, link to relevant webpage)*	National Hydrographic Office (NHO is responsible for ……………..				Adequate
53	Paragraphs 47 and 48.5	If a mandatory/recommendatory ship routeing has been established in the State, please provide details of the entity responsible and describe the arrangements. (regulation V/10, SOLAS 1974) *(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.)*	Directorate General of Shipping is responsible for ……..				Adequate

No.[10]	Reference to the III Code[33]	Description[33]	Descriptions/ answers/ supporting documents/ links[33,11]	Comments/ Additional Information/ clarification requested by the audit team[12]	Additional Descriptions/ answers/ supporting documents/ links[34]	Final Remarks[35]	Assessment of the information communicated[13,35]
54	Paragraphs 47 and 48.6	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) *(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.)*	The Directorate General of Shipping is responsible for …………				N/A
55	Paragraphs 47 and 48.7	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) *(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, monitoring arrangements, periodical review of the services, entities responsible, existing resources, etc.)*	The Directorate General of Shipping is responsible for …………				N/A

No.[10]	Reference to the III Code[33]	Description[33]	Descriptions/ answers/ supporting documents/ links[33,11]	Comments/ Additional Information/ clarification requested by the audit team[12]	Additional Descriptions/ answers/ supporting documents/ links[34]	Final Remarks[35]	Assessment of the information communicated[13,35]
56	Paragraphs 47 and 48.8	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) *(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.)*	The Directorate General of Shipping is responsible for …………				Inadequate
Enforcement (paragraph 50)							
57	Paragraph 49	Please describe the enforcement measures taken as a coastal State to ensure observance of the mandatory IMO instruments. *(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.)*	Over the last few years, the State Coast Guard (SCG) has issued more than 300 fines ……				Adequate
58	Paragraph 50	Please provide details of a control and monitoring programme relating to coastal State activities that has been developed and implemented by the State. *(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)*	The State Coast Guard (SCG) is ………………				Adequate
Evaluation and review (paragraph 51)							

No.[10]	Reference to the III Code[33]	Description[33]	Descriptions/ answers/ supporting documents/ links[33,11]	Comments/ Additional Information/ clarification requested by the audit team[12]	Additional Descriptions/ answers/ supporting documents/ links[34]	Final Remarks[35]	Assessment of the information communicated[13,35]
59	Paragraph 51	Please explain how your State evaluates its performance as a coastal State. *(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, etc.)*	All government entities are evaluating their performance through a new electronic system established by the Ministry of Finance, which monitors each entity's expenditure. ………	The information provided covers only the financial aspects of the entities' activities. Could you please also provide details on the technical evaluation of these activities?	The established procedure, as detailed in the attached information, covers all aspects of the activities carried out by the relevant entities.	The information provided does not clearly show how the State evaluates its activities. For example, what is the service level of the established aids to navigation?	Inadequate

4.2 After reviewing the SAQ assessment tool, the audit team calculated the SAQ index as follows:

Total number of applicable questions in SAQ:**55**
Total number of applicable responses indicating compliance(Adequate):**39**

SAQ indagator = (39/65)% = **70.09%**

5. LOA eligibility assessment

5.1 Following the calculation of all three indicators (gap analysis, verification index and SAQ), the audit team calculated their average as shown below:

Verification Index indicator = 71.42%
SAQ indagator = 70.09%
Gap analysis indicator = 95.04%

Average of the three indicators = (95.04%+71.42%+70.09%)/3 = **78.85%**
The average of the three indicators is above 75%; thus, the Member State to be audited is eligible for LOA.

APPENDIX 2

Model matrix for the distribution of areas of responsibilities between government entities for the main areas of activities within the III Code
Example for Audit of [Member State XX]

ENTITY	Common Area			Flag State activities						Coastal State activities								Port State activities					
	STRATEGY	Policy and Initial actions (Legislation)	Communication of information to IMO	Implementation (FS)	Delegation of authority (RO)	STCW	Flag State inspectors	Flag State Investigations	Enforcement (FS)	Implementation (CS)	SAR	Radiocommunication	AIDS to NAVIGATION	Hydrographic services	Pollution response	METEO	Enforcement (CS)	Implementation (PS)	PSC	RECEPTION FACILITIES	IMDG/IMSBC CODE	Oil fuel providers	Enforcement (PS)
Ministry of Transport and Communications of the Republic of XX (MoTC)	X	X		X						X								X					X
Ministry of Justice of the Republic of XX (MoJ)	X	X						X															
Maritime Department of XX Transport Safety Administration (XTSA)	X	X	X	X	X	X	X		X	X		X	X	X			X	X	X			X*	X
State Seaport Authority (XSSA)		X										X	X	X	X					X	X		X
Environmental Protection Department under the Ministry of Environment (EPD, MoE)	X									X					X		X	X		X	X	X	X
XX Navy (XN) of XX Armed Forces (Ministry of National Defence)	X																						
Maritime Rescue Coordination Centre of XX Navy (MRCC/XXN)	X										X	X			X								
Meteorological Service																X							

The Maritime Department only provides information concerning fuel oil suppliers. While the National Energy Regulatory Council performs the certification of fuel oil suppliers.

APPENDIX 3

AREAS FOR POSSIBLE EXCLUSION FROM LIMITED ON-SITE AUDIT (LOA)[14]

Paragraph of III Code[15]	Requirement of III Code[15]	Compliance achieved - current status[15] (Verification Index)	Assessment of the information communicated[16] (SAQ)	Gap analysis assessment tool and NEL-III Code-cross matrix (Gap analysis)	Could the provision be excluded from the audit? (Yes/No/ Partially)
COSTAL STATE SPECIFIC REQUIREMENTS **IMPLEMENTATION**					
46.1	Policies implemented through issuance of national legislation and guidance	Yes	Adequate	Inadequate	No
46.2	Responsibilities assigned to update and revise any relevant policies adopted	Yes	Adequate	Adequate	Yes
47	Legislation, guidance and procedures established for the consistent implementation and verification of the rights, obligations and responsibilities of the State contained in the relevant international instruments to which it is a party, in general;	Yes	Adequate	Inadequate	No
48.1	For radiocommunication services;	Yes	Adequate	Inadequate	No
48.2	For meteorological services and warnings;	No (See FD-15)	Adequate	Adequate	No
48.3	For search and rescue services;	Yes	Adequate	Adequate	Yes
48.4	For hydrographic services;	Yes	Adequate	Adequate	Yes
48.5	For ship routeing;	N/A	Adequate	Inadequate	No
48.6	For ship reporting systems;	N/A	N/A	Adequate	N/A
48.7	For vessel traffic services; and	N/A	N/A	Adequate	N/A
48.8	For aids to navigation	Yes	Inadequate	Adequate	No

14 Only the provisions of part 3 of the III Code are shown in this annex.

15 As shown in the Verification index assessment tool

16 As shown in the SAQ assessment tool

Paragraph of III Code[15]	Requirement of III Code15	Compliance achieved - current status[15] (Verification Index)	Assessment of the information communicated[16] (SAQ)	Gap analysis assessment tool and NEL-III Code-cross matrix (Gap analysis)	Could the provision be excluded from the audit? (Yes/No/ Partially)
ENFORCEMENT					
49	All necessary measures taken to ensure observance of international rules when exercising the rights and fulfilling the obligations as a coastal State	Yes	Adequate	Adequate	Partially (only relevant to the activities to be audited)
50	Control and monitoring programme considered, developed and implemented	Yes	Adequate	No reference	Yes
50.1	Statistical data collected and trend analyses conducted	Yes	Adequate	Adequate	Yes
50.2	Mechanisms for timely response to pollution incidents established	Yes	Adequate	Adequate	Yes
50.3	Cooperation with flag States and/or port States in investigation of maritime casualties	Yes	Adequate	Adequate	Yes
EVALUATION AND REVIEW					
51	Performance periodically evaluated in respect of exercising its rights and meeting its obligations under the applicable international instruments	Yes	Inadequate	Adequate	No

APPENDIX 4

EXAMPLE OF PERCENTAGE OF EFFECTIVE IMPLEMENTATION (EI%)

VERIFICATION INDEX

Paragraph of III Code	REQUIREMENT OF III CODE	COMPLIANCE ACHIEVED COMMENT
COMMON AREAS		
STRATEGY		
3.1	An overall strategy exists to ensure that international obligations and responsibilities as a flag, port and coastal State are met	Yes
3.2	Methodology established to monitor and assess that the strategy ensures effective implementation and enforcement of relevant international mandatory instruments; and	Yes
3.3	Continuous review of the strategy undertaken to achieve, maintain and improve the overall organizational performance and capability as a flag, port and coastal State	Yes
GENERAL		
4	Means in place to ensure compliance with relevant international rules and regulations in respect of maritime safety and protection of the marine environment	Yes
4	National legislation exist to give effect to the provisions of relevant IMO instruments	Yes
5	Measures in place to prevent, reduce and control pollution of the marine environment do not transfer, directly or indirectly, damage or hazards from one area to another, or transform one type of pollution into another	Yes
INITIAL ACTIONS (NATIONAL LEGISLATION)		
8	Capability to implement and enforce the provisions of the applicable IMO instruments through appropriate national legislation and to provide the necessary implementation and enforcement infrastructure	No. See FD-1
8.1	Capability to promulgate laws which permit effective jurisdiction and control in administrative, technical and social matters over ships flying its flag	No. See FD-1
8.2	A legal basis in place for the enforcement of national laws and regulations, including the associated investigative and penal processes	No. See FD-1
8.3	Sufficient personnel with maritime expertise to assist in the promulgation of the necessary national laws and to	No. See FD-1

Paragraph of III Code	REQUIREMENT OF III CODE	COMPLIANCE ACHIEVED COMMENT
	discharge all the responsibilities of the State, including reporting as required by the respective conventions	
COMMUNICATION		
9	Strategy, including information on relevant national legislation, communicated to all concerned	Yes
RECORDS		
10	Records established and maintained	No. See FD-2
10	Records are legible, readily identifiable and retrievable	No. See FD-2
10	Documented procedure defining controls on identification, storage, protection, retrieval, retention time and disposition of records	No. See FD-2
IMPROVEMENT		
11	Demonstrates continual improvement of measures giving effect to conventions and protocols accepted	Yes
11	Improvement made through rigorous and effective application and enforcement of national legislation, as appropriate, and monitoring of compliance	Yes
12	A culture exists providing opportunities to people for improvement of performance in maritime safety and environmental protection activities	Yes
13	Action taken to identify and eliminate causes of any non-conformities in order to prevent recurrence	No. See FD-3
13.1	Non-conformities reviewed and analysed	No. See FD-3
13.2	Implementation of necessary corrective actions monitored	No. See FD-3
13.3	Reviews of corrective actions taken	No. See FD-3
14	Action taken to eliminate causes of any potential non-conformities in order to prevent recurrence	Yes
FLAG STATE SPECIFIC REQUIREMENTS		
IMPLEMENTATION		
15.1	Policies implemented through national legislation and guidance	Yes
15.2	Responsibilities within the Administration assigned to update and revise any relevant policies adopted	Yes
16	Resources and processes capable of administering a safety and environmental protection programme in place	No. See FD-4
16.1	Administrative instructions to implement applicable international rules and regulations issued	No. See FD-4

Paragraph of III Code	REQUIREMENT OF III CODE	COMPLIANCE ACHIEVED COMMENT
16.2	Resources in place to ensure compliance with the requirements of IMO instruments, through an independent audit and inspection programme	No. See FD-4
16.3	An audit and inspection programme independent of any administrative bodies is in place, for requirements of STCW 1978, as amended	No. See FD-4
16.3	Training, assessment of competence and certification of seafarers are in accordance with the provisions of STCW 1978	No. See FD-4
16.3.2	STCW certificates and endorsements accurately reflect the competencies of the seafarers, using the appropriate terminology	No. See FD-4
16.3.3	Impartial investigation capabilities ensured	No. See FD-4
16.3.4	Ability exists for certificates or endorsements to be effectively withdrawn, suspended or cancelled	No. See FD-4
16.4	Resources in place to ensure the conduct of investigations into casualties and adequate and timely handling of cases of ships with identified deficiencies	No. See FD-4
16.5	Resources in place to develop, document and provide guidance of requirements that are to the satisfaction of the Administration found in relevant mandatory IMO instruments	No. See FD-4
17	Ships entitled to fly the flag of the State are sufficiently and efficiently manned	No. See FD-5
DELEGATION OF AUTHORITY (*as far as applicable*)		
18.1	The Administration determines that recognized organizations (ROs) have adequate resources	No. See FD-6
18.2	Formal written agreements between the Administration and ROs in place	No. See FD-6
18.3	Specific instructions issued to ROs detailing action to be followed when a ship is unfit to proceed to sea	No. See FD-6
18.4	ROs provided with all appropriate instruments of national law and interpretations thereof	No. See FD-6
18.5	ROs required to maintain records and give the Administration access to them	No. See FD-6
19	Administration does not require its recognized organizations to apply, to ships not entitled to fly its flag, any classification or statutory certification requirements beyond the applicable convention requirements and mandatory IMO instruments"	Yes
20	An oversight programme established or participation in such a programme ensured, with adequate resources	Yes
20.1	Authority exercised to conduct supplementary surveys	Yes
20.2	Supplementary surveys conducted, as necessary	Yes
20.3	Staff available with requisite knowledge to carry out effective oversight of ROs	Yes
21	Nominations of surveyor(s) regulated, as appropriate	Yes

Paragraph of III Code	REQUIREMENT OF III CODE	COMPLIANCE ACHIEVED COMMENT
ENFORCEMENT		
22	All necessary measures to secure observance of international rules and standards by ships entitled to fly the flag of the State and by entities and persons under its jurisdiction so as to ensure compliance with their international obligations	No. See FD-7
22.1	Legal/administrative mechanism exist to prohibit ships from sailing for non-compliance	No. See FD-7
22.2	Periodic inspection of ships entitled to fly the flag of the State to verify that the actual condition of the ship and its crew is in conformity with the certificates it carries	No. See FD-7
22.3.1	Surveyors ensure that seafarers assigned to the ships are familiar with their specific duties	No. See FD-7
22.3.2	Surveyors ensure that seafarers assigned to the ships are familiar with ship arrangements, installations, equipment and procedures	No. See FD-7
22.4	Surveyors ensuring that ship's complement, as a whole, can effectively coordinate their activities in an emergency situation and perform functions vital to safety or to the prevention or mitigation of pollution	Yes
22.5	Penalties of adequate severity to discourage violation of international rules and standards exist in national laws and regulations	No. See FD-7
22.6	Capability to institute proceedings – after an investigation has been conducted – against ships which have violated international rules and standards, irrespective of where the violation has occurred	Yes
22.7	Penalties of adequate severity to discourage violations of international rules and standards by individuals issued with certificates or endorsements under their authority exist in national laws and regulations	No. See FD-7
22.8	Capability to institute proceedings – after an investigation has been conducted – against individuals holding certificates or endorsements who have violated international rules and standards, irrespective of where the violation has occurred	Yes
23	Control and monitoring programme developed and implemented	Yes
23.1	Prompt and thorough casualty investigations, with reporting to IMO, provided	Yes
23.2	Statistical data collected and trend analyses conducted	Yes
23.3	Timely response to deficiencies and alleged pollution incidents reported by port or coastal States	Yes
24.1	Compliance with the applicable international instruments ensured through national legislation	Yes

Paragraph of III Code	REQUIREMENT OF III CODE	COMPLIANCE ACHIEVED COMMENT
24.2	Appropriate number of qualified personnel provided to implement and enforce the national legislation referred to in paragraph 15.1, including personnel for performing investigations and surveys	Yes
24.3	Sufficient number of qualified flag State personnel provided to investigate incidents where ships entitled to fly its flag have been detained by port States	Yes
24.5	Training and oversight of the activities of flag State surveyors and investigators ensured	Yes
25	Appropriate corrective measures to bring own ships into compliance with the applicable international conventions can be taken	Yes
26	Provision for flag State or RO to determine international certificates only issued to ships meeting all applicable standards	Yes
27	International certificate of competency or endorsement only issued after it has been determined that the person meets all applicable requirements	Yes
FLAG STATE SURVEYORS		
28	Responsibilities, authority and interrelation of all personnel who manage, perform and verify work relating to and affecting safety and pollution prevention defined and documented	Yes
29	Personnel responsible for, or performing surveys, inspections and audits on ships and companies covered by the relevant IMO mandatory instruments appropriately qualified	Yes
30	Experience of not less than three years at sea as an officer in the deck or engine department for personnel qualified under paragraph 29.1 of the III Code	Yes
31	Experience of at least three years in a relevant capacity for personnel qualified under paragraph 29.2 of the III Code	Yes
32	Personnel have appropriate practical and theoretical knowledge of ships, their operation and the provisions of the relevant national and international instruments necessary to perform their duties as flag State surveyors obtained through documented training programmes	Yes
33	Personnel assisting surveyors have education, training and supervision commensurate with the tasks they are authorized to perform	Yes
34	Appropriate field training is provided in case of no previous experience	Yes
35	Documented system for qualification of personnel and continuous updating of their knowledge as appropriate to the tasks they are authorized to undertake	Yes

Paragraph of III Code	REQUIREMENT OF III CODE	COMPLIANCE ACHIEVED COMMENT
36	Qualifications depend on the function(s) to be performed	Yes
37	Identification document issued for the surveyor to carry when performing his/her tasks	Yes
FLAG STATE INVESTIGATIONS		
38	Casualty investigations conducted by suitably qualified, impartial investigators, competent in matters relating to the casualty	Yes
38	Qualified investigators provided, irrespective of the location of casualty or incident	Yes
39	Individual investigators have working knowledge and practical experience in those subject areas pertaining to their normal duties	Yes
39	State has ready access to expertise in listed areas: navigation and the Collision Regulations; flag State regulations on certificates of competency; causes of marine pollution; interviewing techniques; evidence gathering; and evaluation of the effects of the human element	Yes
40	Any accidents involving personal injury necessitating absence from duty of three days or more and any deaths resulting from occupational accidents and casualties investigated, and the results of such investigations made public	Yes
41	Ship casualties investigated and reported in accordance with the relevant IMO conventions, and the guidelines developed by IMO	Yes
41	Investigation reports forwarded to IMO together with the flag State's observations	Yes
EVALUATION AND REVIEW		
42	Performance evaluated with respect to the implementation of administrative processes, procedures and resources necessary to meet their obligations as required by the conventions to which they are party	No. See FD-8
43	Measures included in the evaluation of the performance of flag States in order to determine whether staffing, resources and administrative procedures are adequate	No. See FD-8
44	Areas included for regular review	No. See FD-8
COSTAL STATE SPECIFIC REQUIREMENTS		
IMPLEMENTATION		
46.1	Policies implemented through issuance of national legislation and guidance	Yes
46.2	Responsibilities assigned to update and revise any relevant policies adopted	Yes

Paragraph of III Code	REQUIREMENT OF III CODE	COMPLIANCE ACHIEVED COMMENT
47	Legislation, guidance and procedures established for the consistent implementation and verification of the rights, obligations and responsibilities of the State contained in the relevant international instruments to which it is a party, in general;	Yes
48.1	For radiocommunication services;	No. See FD-9
48.2	For meteorological services and warnings;	No. See FD-9
48.3	For search and rescue services;	No. See FD-9
48.4	For hydrographic services;	No. See FD-9
48.5	For ship routeing;	No. See FD-9
48.6	For ship reporting systems;	No. See FD-9
48.7	For vessel traffic services; and	No. See FD-9
48.8	For aids to navigation	No. See FD-9
ENFORCEMENT		
49	All necessary measures taken to ensure observance of international rules when exercising the rights and fulfilling the obligations as a coastal State	Yes
50	Control and monitoring programme considered, developed and implemented	Yes
50.1	Statistical data collected and trend analyses conducted	Yes
50.2	Mechanisms for timely response to pollution incidents established	Yes
50.3	Cooperation with flag States and/or port States in investigation of maritime casualties	Yes
EVALUATION AND REVIEW		
51	Performance periodically evaluated in respect of exercising its rights and meeting its obligations under the applicable international instruments	No. See FD-10
PORT STATE SPECIFIC REQUIREMENTS		
IMPLEMENTATION		
54.1	Policies implemented through issuance of national legislation and guidance	Yes
54.2	Responsibilities assigned to update and revise any relevant policies adopted	Yes
55	Legislation, guidance and procedures established for the consistent implementation and verification of the rights, obligations and responsibilities of the State contained in the relevant international instruments to which it is a party, in general;	Yes
56.1	For provision of appropriate reception facilities or capability to accept all waste streams regulated under the instruments of the Organization;	Yes
56.2	For port State control activities; and	Yes
56.3	For keeping a register of fuel oil suppliers	Yes

Paragraph of III Code	REQUIREMENT OF III CODE	COMPLIANCE ACHIEVED COMMENT
ENFORCEMENT		
57	All necessary measures taken to ensure observance of international rules when exercising the rights and fulfilling the obligations as a port State	Yes
59	No more favourable treatment put in place when carrying out port State control	Yes
60	Processes to administer a port State control programme established consistent with the relevant resolution adopted by the Organization	Yes
61	Port State control carried out only by authorized and qualified port State control officers in accordance with the relevant procedures adopted by the Organization	Yes
62	Port State control officers and persons assisting them free from any commercial, financial and other pressures and have no commercial interest, either in the port of inspection or the ships inspected	Yes
62	Port State control officers and persons assisting them not employed by or undertake work on behalf of recognized organizations or classification societies	Yes
62	Procedures implemented to ensure that persons or organizations external to the port State cannot influence the results of port State inspection	Yes
EVALUATION AND REVIEW		
63	Performance periodically evaluated in respect of exercising its rights and meeting its obligations under the applicable instruments of the Organization	No. See FD-11

Table 1 - Cross-matrix of Member State's compliance for key components of the III Code

State		III Code																																																				
					Common areas							Flag State activities																																		Costal State activities						Port State activities								
Key component		3	4	5	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	46	47	48	49	50	51	54	55	56	57	59	60	61	62	63
1	jurisdiction	X	X	X	X			X	X	X	X								X																										X						X					
2	organization and authority	X					X	X	X	X	X	X							X		X				X									X					X	X	X	X		X			X	X		X						X
3	legislation, rules and regulations				X							X	X	X	X																											X	X					X	X							
4	promulgation of the applicable international mandatory instruments, rules and regulations				X							X	X	X							X																		X	X	X						X									X
5	enforcement arrangements				X														X	X	X	X	X	X																		X			X	X		X			X	X	X	X	X	
6	control, survey, inspection, audit, verification, approval and certification functions;						X						X	X							X	X	X	X	X	X	X	X	X	X	X	X	X	X					X	X	X								X	X				X	X	X
7	selection, recognition, authorization, empowerment and monitoring of recognized organizations, as appropriate, and of nominated														X	X	X	X					X																X	X	X															
8	investigations required to be reported to the Organization					X															X														X	X	X	X								X										
9	reporting to the Organization and other Administrations	X			X	X	X						X							X																		X	X	X	X						X									X

Table 2 - Cross-matrix of compliance for key components of the III Code

State		Common areas									
Key component		3	4	5	8	9	10	11	12	13	14
1	jurisdiction	X	X	X	X			X	X	X	X
2	organization and authority	X					X	X	X	X	X
3	legislation, rules and regulations				X						
4	promulgation of the applicable international mandatory instruments, rules and regulations				X						
5	enforcement arrangements				X						
6	control, survey, inspection, audit, verification, approval and certification functions;						X				
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					X					
9	reporting to the Organization and other Administrations	X			X	X	X				

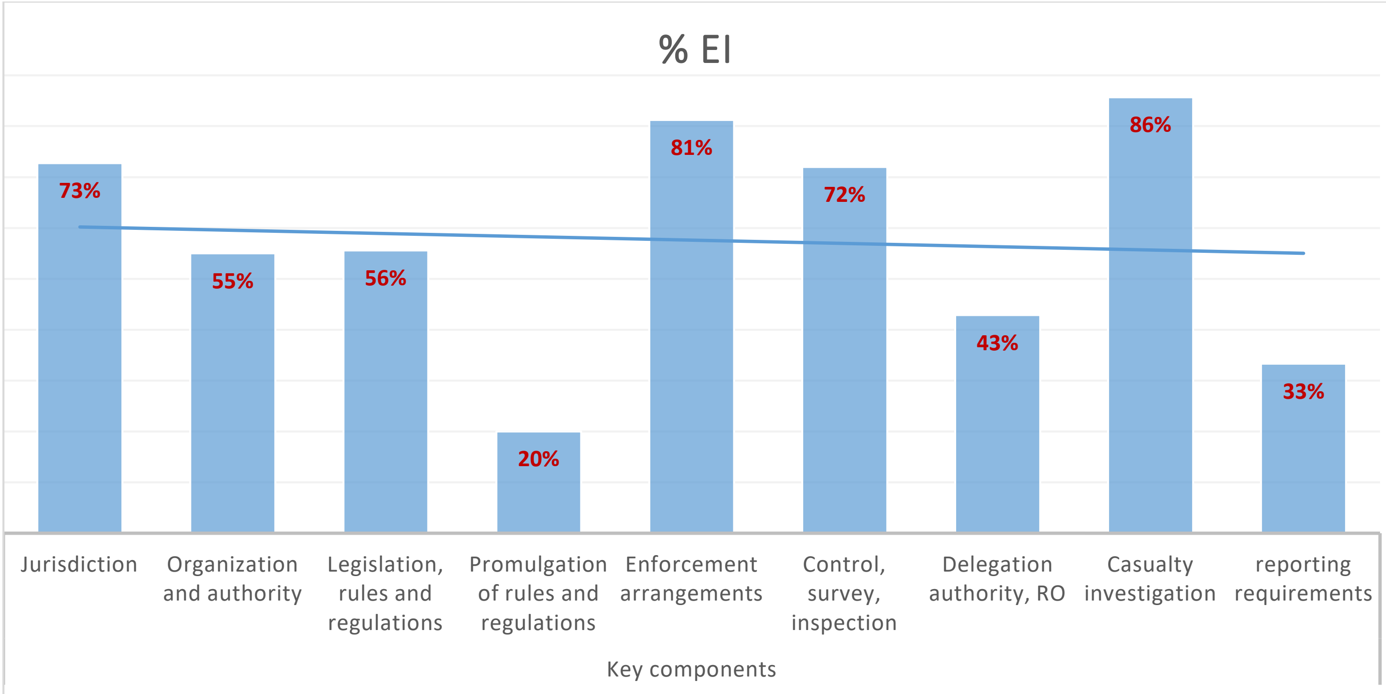
State		Flag State activities																													
Key component		15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44
1	jurisdiction								X																						
2	organization and authority	X							X		X				X									X					X	X	X
3	legislation, rules and regulations	X	X	X	X																										
4	promulgation of the applicable international mandatory instruments, rules and regulations	X	X	X							X																		X	X	X
5	enforcement arrangements								X	X	X	X	X	X																	
6	control, survey, inspection, audit, verification, approval and certification functions;		X	X							X	X	X	X	X	X	X	X	X	X	X	X	X	X					X	X	X
7	selection, recognition, authorization, empowerment and monitoring of recognized organizations, as appropriate, and of nominated surveyors				X	X	X	N/A						X															X	X	X
8	investigations required to be reported to the Organization										X														X	X	X	X			
9	reporting to the Organization and other Administrations		X							X																		X	X	X	X

State		Costal State activities						Port State activities								
Key component		46	47	48	49	50	51	54	55	56	57	59	60	61	62	63
1	jurisdiction				X						X					
2	organization and authority	X		X			X	X		X						X
3	legislation, rules and regulations	X	X					X	X							
4	promulgation of the applicable international mandatory instruments, rules and regulations						X									X
5	enforcement arrangements	X			X	X		X			X	X	X	X	X	
6	control, survey, inspection, audit, verification, approval and certification functions;								X	X				X	X	X
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					X										
9	reporting to the Organization and other Administrations						X									X

Key components compliance results

		No. of compliance references	No. of references with compliance achieved	% Effective implementation
Key components	Jurisdiction	11	8	73%
	Organization and authority	20	11	55%
	Legislation, rules and regulations	9	5	56%
	Promulgation of rules and regulations	10	2	20%
	Enforcement arrangements	16	13	81%
	Control, survey, inspection	25	18	72%
	Delegation authority, RO	7	3	43%
	Casualty investigation	7	6	86%
	Reporting requirements	12	4	33%

Graph 1: Effectiveness of implementation (EI) in key components[17]



17 "The line shows the average effective implementation of the key components of the III Code by a Member State, in accordance with the IMSAS audit methodology".

ANNEX 1

Model Draft Audit Interim Report

IMO MEMBER STATE AUDIT SCHEME (IMSAS)

IMSAS CONTINUOUS MONITORING MECHANISM (ICMM)

AUDIT OF [name of Member State]

[dates of audit]

MODEL [DRAFT] INTERIM REPORT

TABLE OF CONTENTS

1 Introduction and background

1.1 The IMO Member State Audit Scheme creates a basis to assess the extent to which a Member State complies with its obligations set out in the various IMO instruments to which it is a Party. In addition, the *IMO Instruments Implementation (III) Code* (resolution A.1070(28)) stipulates a number of principles a Member State should adhere to in order for its maritime administration to deliver on its obligations and responsibilities, with respect to maritime safety and protection of the marine environment, and to be capable of improving its performance in the discharge of its duties.

1.2 This report has been drafted in accordance with the *Framework and Procedures for the IMO Member State Audit Scheme* (resolution A.1211(34)).

1.3 The audit of [name of Member State] was undertaken from [date] to [date], by [three] auditors drawn from [___, ___ and ___]. The scope of the audit included the flag, coastal and port State obligations of [name of Member State] in relation to the applicable IMO instruments to which it was a Party.

1.4 The audit team was appointed by IMO on [date].

1.5 The audit team was granted access to the appropriate web-based platform [MSA Module in GISIS,] on [dates], where they reviewed the State audit questionnaire (SAQ) provided online by [Member State], including the gap analysis tool based on the non-exhaustive list and the updated verification index, all of which are critical for the audit team's preparatory work.

1.6 Based on the assessment of information available in the IMSAS continuous monitoring mechanism (ICMM) web-based platform, the [name of Member State] was/was not[18] eligible for Limited On-site Audit (LOA). The LOA eligibility assessment was completed on [date].

1.7 The Memorandum of Cooperation (MoC) signed between [name of Member State] and IMO, concerning participation in the IMO Member State Audit Scheme, was signed on [date].

1.8 The detailed audit timetable and programme regarding the audit of [name of Member State] was confirmed on [date].

1.9 The opening meeting was held at [place, city] on [date] Those entities of the State that are involved in the implementation and enforcement of the provisions of the various mandatory IMO instruments and which were represented at the meeting were:

.1 *[…]*
.2
.3

1.10 The closing meeting was held on [date] at [city].

1.11 The current audit of [*Member State]* was undertaken using fully the principles established under the *Framework and Procedures for the IMO Member State Audit Scheme* and the III Code. This report sets out the outcome of this audit in the format adopted under section [7] of the Procedures for the Scheme.

---

[18] Delete as appropriate.

2 Members of the Audit Team

.1	[Name – Nominated Member State]	Audit Team Leader
.2	[Name – Nominated Member State	Audit Team Member
.3	[Name - IMO Secretariat]	Audit Officer

3 Involved Officials from the Member State

[Only list appropriate and pertinent officials who facilitated the audit; and not necessarily all officials who were present at the opening meeting or who were involved in audit interviews. The full list of attendees to the opening will be included in Annex 2. Include name, position and entity which represents]

4 Acknowledgement

4.1 The auditors wish to express their considerable thanks to [principal entity for the audit], other entities of the State for their fullest cooperation during this audit. In particular, thanks are due to [name and position of SPC or facilitator during the audit] for [his/her] efforts during the preparation for this audit and for its facilitation.

5 Scope, objectives, and activities of the Audit

5.1 The Scope of the audit of the [Member State] was based on the eligibility/non-eligibility[19] of the [Member State] for LOA and assessment of VGS and addressed common areas [, flag] [, coastal] [and port State obligations][20].

5.2 The objectives of the audit were:

.1 to determine the extent that [Member State] met the obligations imposed upon it through its adoption of the following applicable mandatory IMO instruments:

[Insert instruments listed in [section 5, paragraph 10 of the MoC]]; and

.2 the effectiveness of the implementation of these objectives.

[Insert any relevant issues agreed under Section 10 of the MoC "Additional Provisions"]

5.3 The audit was conducted using the programme set out at annex 1. The methodology used was to establish through a series of visits, interviews, examination of written records and databases, the objective evidence which would determine the extent to which the maritime administration achieved the objectives.

5.4 The programme followed a process which sought initially to determine the strategy for the implementation of the applicable IMO instruments, the review processes in place and the arrangements for continual improvement. Following this, an examination of the national legislation in place and which provides the instruments with force of law was undertaken. The processes by which the State develops and makes known its interpretations, policies and instructions regarding these instruments, as well as the practical implementation of these arrangements were also reviewed.

[19] Delete as appropriate.

[20] Specify as appropriate.

5.5 At the closing meeting, which was held [day, date and city], a draft interim report was tabled to assist in focusing discussion and the next steps to be taken.

[5.6 *Provide description of the outcome of eligibility assessment for the State*

5.7 *Provide description of the areas excluded from the audit, if any*]

6 Overview and maritime activities of the State

6.1 Structure of the maritime administration

6.1.1 The maritime administration of [name of Member State] is divided between [number of entities]. Annex 3 sets out in diagrammatic format the general structure of the entities involved.

6.1.2 *[Provide general division of responsibilities among State entities.]*

6.2 Specific circumstances related to all areas of activities (if any)

6.2.1 [*Provide general information relevant to all areas of activities (common areas, flag, coastal and port State activities), for example:*

.1 If there are no ships engaged on international voyages or sailing in international waters;

.2 The Member State does not conduct port State control inspections; and

.3 The Member State does not have port reception facilities for some types of ship generated wastes based on a regional agreement communicated to IMO]

6.3 State audit questionnaire (SAQ)

6.3.1 The SAQ is designed to gather detailed and comprehensive information on each Member State's maritime activities, including legislative, regulatory, organizational, operational, technical, and administrative aspects in line with the III Code. Each Member State is required to complete and continuously update its SAQ through the web-based platform for ICMM, enabling monitoring of the level of maritime activities in relation to the scope of the audit.

6.3.2 Specific general, flag, coastal and port State obligations and responsibilities of [Member State] have been audited taking into account the information provided in SAQ which can be found [*here - hyper link to SAQ*].

6.4 Gap analysis based on Non-exhaustive list of obligations (NEL)

6.4.1 The gap analysis tool based on NEL is designed to gather detailed and comprehensive information on the implementation of applicable provisions of the mandatory IMO instruments included in NEL. Each Member State is required to complete and continuously update its gap analysis tool through the web-based platform for ICMM, enabling monitoring of the level of implementation in relation to the scope of the audit.

6.4.2 Specific general, flag, coastal and port State obligations and responsibilities of [Member State] have been audited taking into account the information provided in gap analysis tool which can be found [*here - hyper link to the gap analysis tool*].

7 Audit results

7.1 Common areas

7.1.1 The following findings and observations were issued:

Findings (FD)

.1 *[To include a statement of the finding] (convention/code reference & III Code reference). See Form A...*

Root cause

[To include a succinct summary of root cause(s) in the audit final report.]

Corrective action

[To include a succinct summary of corrective action in the audit final report.]

Observations (OB)

.1 *[To include a statement of the observation] (III Code reference). See Form A...*

Root cause

[To include a succinct summary of root cause(s) in the audit final report.]

Corrective action

[To include a succinct summary of corrective action in the audit final report.]

7.2 Flag State activities

7.2.1 The following findings and observations were issued:

Findings (FD)

.1 *[To include a statement of the finding] (convention/code reference & III Code reference). See Form A...*

Root cause

[To include a succinct summary of root cause(s) in the audit final report.]

Corrective action

[To include a succinct summary of corrective action in the audit final report.]

Observations (OB)

.1 *[To include a statement of the observation] (III Code reference). See Form A...*

Root cause

[To include a succinct summary of root cause(s) in the audit final report.]

Corrective action

[To include a succinct summary of corrective action in the audit final report.]

7.3 Coastal State activities

7.3.1 The following findings and observations were issued:

Findings (FD)

.1 *[To include a statement of the finding] (convention/code reference & III Code reference). See Form A...*

Root cause

[To include a succinct summary of root cause(s) in the audit final report.]

Corrective action

[To include a succinct summary of corrective action in the audit final report.]

7.4 Port State activities

7.4.1 The following findings and observations were issued:

Findings (FD)

.1 *[To include a statement of the finding] (convention/code reference & III Code reference). See Form A...*

Root cause

[To include a succinct summary of root cause(s) in the audit final report.]

Corrective action

[To include a succinct summary of corrective action in the audit final report.]

8 Comments and recommendations

8.1 In order to ensure a consistent review of each Member State's activities falling within the scope of the III Code, all applicable items from the verification index, which closely follows the requirements of the III Code, have been verified and the outcome provided in the verification index that served for the calculation of EI%.

8.2 Analytical and graphical information in relation to percentage of effective implementation (EI%) by key elements of the III Code is set out in appendix 2 to this report.

8.3 Areas of positive development include:

Best practices (if any):

.1 …

Other areas of positive development;

.2 …

[Describe a practice that may be useful to other Member States in their process of continuous improvement, or due to the innovative nature of such practices]

8.4 Areas for further development include:

.1 …
.2 …

9 Corrective action plan

9.1 In accordance with the *Framework and Procedures for the IMO Member State Audit Scheme* [resolution A.xxxx(xx)], the Member State provided its comments to the draft interim report on [date]. The comments were reviewed by MSA and taken into consideration in the production of this [interim/final] report.

9.2 [Member State] uploaded the CAP onto the MSA Module in GISIS on [date].

[*formats of appendices to be finalized and inserted]:*

Appendix 1
Findings and observations (model Forms A)

Appendix 2
Percentage of effective implementation (EI%)

Appendix 3
Corrective action plan (model Forms B)]

Annexes

Annex 1
Audit programme
(to be completed and inserted by the audit team)

Annex 2
Agenda and list of attendees to the opening meeting
(to be prepared and inserted by the audit team)

Annex 3
Structure of the maritime Administration
(to be inserted by the audit team)

ANNEX 2

GAP ANALYSIS ASSESSMENT TOOL[21]

PART 1 – COMMON AREAS

Source[22]	**Summary Description[22]**	**Comments[22]**	**Reference to the national legislation (Specific section/ paragraph) [23]**	**Link to legislation Document(s) [23]**	**Responsible Entity (ies) [23]**	**Additional comments or clarifications [23]**	**Comments[24]**	**Assessment of the information communicated "Adequate," Inadequate", or "N/A"[24,25]**	**Related paragraphs of the III Code (NEL-III Code Cross-matrix)[24,26]**
TONNAGE 1969									
Article 1	General obligation under the Convention								
Article 5(2)	Force majeure								

[21] Only the first page of the gap analysis tool is presented in this annex.

[22] As shown in the 2025 Non-Exhaustive List of obligations under instruments relevant to the IMO Instruments Implementation Code (III Code).

[23] To be completed the Member State.

[24] To be completed by the audit team.

[25] "Adequate": Information indicates compliance; " Inadequate": Information is vague or incomplete or not provided; "N/A": The obligation is not relevant to the Member State.

[26] To be completed only if the assessment of the information communicated is "Inadequate".

Source[22]	Summary Description[22]	Comments[22]	Reference to the national legislation (Specific section/ paragraph) [23]	Link to legislation Document(s) [23]	Responsible Entity (ies) [23]	Additional comments or clarifications [23]	Comments[24]	Assessment of the information communicated "Adequate," Inadequate", or "N/A"[24,25]	Related paragraphs of the III Code (NEL-III Code Cross-matrix)[24,26]
Article 8	Issue of a certificate by another Government								
Article 10	Cancellation of certificate								

ANNEX 3

VERIFICATION INDEX ASSESSMENT TOOL[27]

Paragraph of III Code [28]	Requirement of III Code[28]	Compliance achieved after the audit[29,31]	Related Form B (if applicable) [29]	Compliance achieved after the audit follow-up [29]	Actions taken to address previous audit shortcomings without a signed Form C [30].		Comments on the additional information provided [29]	Compliance achieved -current status [29,31]
					Comments	Objective evidence provided		
COMMON AREAS								
STRATEGY								
3.1	An overall strategy exists to ensure that international obligations and responsibilities as a flag, port and coastal State are met							
3.2	Methodology established to monitor and assess that the strategy ensures effective implementation and enforcement of relevant international mandatory instruments; and							
3.3	Continuous review of the strategy undertaken to achieve, maintain and improve the overall organisational performance and capability as a flag, port and coastal State							

27 Only the provisions of Part 1 of the III Code are shown in this annex.

28 As shown in the verification index.

29 To be completed by the audit team.

30 To be completed by the Member State.

31 "**Yes**" – Indicating compliance; "**No (See FD-x or OB-x)**" – Indicating no compliance; "**Partially (See FD-x or OB-x)**" – Indicating compliance with some provisions; "**N/A**" – Indicating that the provision is does not apply; "**Not assessed**" – Indicating that the provision was not assessed; and "**Excluded**" – Indicating that the requirement was not been assessed.

Paragraph of III Code [28]	Requirement of III Code[28]	Compliance achieved after the audit[29,31]	Related Form B (if applicable) [29]	Compliance achieved after the audit follow-up [29]	Actions taken to address previous audit shortcomings without a signed Form C [30].		Comments on the additional information provided [29]	Compliance achieved -current status [29,31]
					Comments	Objective evidence provided		
GENERAL								
4	Means in place to ensure compliance with relevant international rules and regulations in respect of maritime safety and protection of the marine environment							
4	National legislation exist to give effect to the provisions of relevant IMO instruments							
5	Measures in place to prevent, reduce and control pollution of the marine environment do not transfer, directly or indirectly, damage or hazards from one area to another, or transform one type of pollution into another							
INITIAL ACTIONS (NATIONAL LEGISLATION)								
8	Capability to implement and enforce the provisions of the applicable IMO instruments through appropriate national legislation and to provide the necessary implementation and enforcement infrastructure							
8.1	Capability to promulgate laws which permit effective jurisdiction and control in administrative, technical and social matters over ships flying its flag							
8.2	A legal basis in place for the enforcement of national laws and regulations, including the associated investigative and penal processes							
8.3	Sufficient personnel with maritime expertise to assist in the promulgation of the necessary national laws and to discharge all the responsibilities of the							

Paragraph of III Code [28]	Requirement of III Code[28]	Compliance achieved after the audit[29,31]	Related Form B (if applicable) [29]	Compliance achieved after the audit follow-up [29]	Actions taken to address previous audit shortcomings without a signed Form C [30].		Comments on the additional information provided [29]	Compliance achieved -current status [29,31]
					Comments	Objective evidence provided		
	State, including reporting as required by the respective conventions							
COMMUNICATION								
9	Strategy, including information on relevant national legislation, communicated to all concerned							
RECORDS								
10	Records established and maintained							
10	Records are legible, readily identifiable and retrievable							
10	Documented procedure defining controls on identification, storage, protection, retrieval, retention time and disposition of records							
IMPROVEMENT								
11	Demonstrates continual improvement of measures giving effect to conventions and protocols accepted							
11	Improvement made through rigorous and effective application and enforcement of national legislation, as appropriate, and monitoring of compliance							
12	A culture exists providing opportunities to people for improvement of performance in maritime safety and environmental protection activities							
13	Action taken to identify and eliminate causes of any non-conformities in order to prevent recurrence							
13.1	Non-conformities reviewed and analysed							
13.2	Implementation of necessary corrective actions monitored							

Paragraph of III Code [28]	Requirement of III Code[28]	Compliance achieved after the audit[29,31]	Related Form B (if applicable) [29]	Compliance achieved after the audit follow-up [29]	Actions taken to address previous audit shortcomings without a signed Form C [30].		Comments on the additional information provided [29]	Compliance achieved -current status [29,31]
					Comments	Objective evidence provided		
13.3	Reviews of corrective actions taken							
14	Action taken to eliminate causes of any potential non-conformities in order to prevent recurrence							

ANNEX 4

STATE AUDIT QUESTIONNAIRE (SAQ) ASSESSMENT TOOL[32]

No.[33]	**Reference to the III Code**[33]	**Description**[33]	**Descriptions/ answers/ supporting documents/ links**[33,34]	**Comments/ Additional Information/ clarification requested by the audit team**[35]	**Additional Descriptions/ answers/ supporting documents/ links**[34]	**Final Remarks**[35]	**Assessment of the information communicated**[35,36]
PART 1 - COMMON AREAS							
Strategy							
9	Paragraph 3	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. *(Please include details such as:* *.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*					

[32] Only the SAQ for part 1 is shown in this annex..

[33] Extract from SAQ adopted through resolution A.1112(34).

[34] To be completed by the Member State.

[35] To be completed by the audit team.

[36] Insert one of the following: "**Adequate**" – The information provided indicates compliance; "**Inadequate**" – The information provided is not sufficient to demonstrate compliance; "**Non-Compliance**" – The information provided indicates non-compliance; and "**N/A**" – The provision of the III Code does not apply to the audited Member State.

No.[33]	Reference to the III Code[33]	Description[33]	Descriptions/ answers/ supporting documents/ links[33,34]	Comments/ Additional Information/ clarification requested by the audit team[35]	Additional Descriptions/ answers/ supporting documents/ links[34]	Final Remarks[35]	Assessment of the information communicated[35,36]
		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 webpage or attach relevant document; *.2 methodology to monitor and evaluate the strategy; and* *.3 methodology to continuously review the strategy)*					
General and initial actions							
10	Paragraph 4	Please provide details of the process for developing national legislation while becoming a Party to a mandatory IMO instrument or as a flow chart. *(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.)*					
11	Paragraph 8	Please provide details of the process for incorporating and giving effect to amendments to the					

No.[33]	Reference to the III Code[33]	Description[33]	Descriptions/ answers/ supporting documents/ links[33,34]	Comments/ Additional Information/ clarification requested by the audit team[35]	Additional Descriptions/ answers/ supporting documents/ links[34]	Final Remarks[35]	Assessment of the information communicated[35,36]
		mandatory IMO instruments that enter into force for the State *(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)*					
12	Paragraph 8	Please provide the mechanism by which necessary infrastructure is established when a mandatory IMO instrument enters into force for the State. *(Please include details such as availability of personnel, systems, processes and facilities 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)*					
13	Paragraph 8.3	Please provide information about the resources available to assist in the promulgation of maritime legislation. *(Please provide information such as key personnel associated with drafting and*					

No.[33]	Reference to the III Code[33]	Description[33]	Descriptions/ answers/ supporting documents/ links[33,34]	Comments/ Additional Information/ clarification requested by the audit team[35]	Additional Descriptions/ answers/ supporting documents/ links[34]	Final Remarks[35]	Assessment of the information communicated[35,36]
		the promulgation of maritime legislation, including reporting to IMO, their qualifications and experience, an overview of their roles and responsibilities)					
Communication of information							
14	Paragraph 9	Please describe the process/procedure in place for communicating information to IMO and/or reporting to IMO: *(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.)*					
Records							
15	Paragraph 10	Please describe the record management system in the maritime administration. *(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)*					
Improvement							

No.[33]	Reference to the III Code[33]	Description[33]	Descriptions/ answers/ supporting documents/ links[33,34]	Comments/ Additional Information/ clarification requested by the audit team[35]	Additional Descriptions/ answers/ supporting documents/ links[34]	Final Remarks[35]	Assessment of the information communicated[35,36]
16	Paragraphs 11 and 12	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. *(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 various State entities, availability of resources, coordination between entities etc.)*					
17	Paragraph 13	Please describe the measures in place to identify and eliminate the root causes of any non-conformities. *(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;*					

No.[33]	Reference to the III Code[33]	Description[33]	Descriptions/ answers/ supporting documents/ links[33,34]	Comments/ Additional Information/ clarification requested by the audit team[35]	Additional Descriptions/ answers/ supporting documents/ links[34]	Final Remarks[35]	Assessment of the information communicated[35,36]
		development of corrective actions and monitoring of their implementation)					
18	Paragraph 14	Please describe the measures in place to anticipate potential non-conformities in order to prevent their occurrence. *(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)*					

ANNEX 5

NEL-III CODE CROSS-MATRIX[37]
EXAMPLE

PART 3 – COASTAL STATES

Provisions of the III Code		**Implementation**											**Enforcement**				**Evaluation and review**
	Obligations as appear in the NELs[38]	**46.1**	**46.2**	**47**	**48.1**	**48.2**	**48.3**	**48.4**	**48.5**	**48.6**	**48.7**	**48.8**	**49**	**50.1**	**50.2**	**50.3**	**51**
SOLAS 1974	Reg. IV/5	x	x	x	x								x	x			x
	Reg. IV/5-1	x	x	x	x	x							x	x			x
	Reg. IV/5-2	x	x	x	x	x							x	x			x
	Reg. V/4	x	x	x		x							x	x			x
	Reg. V/7.1	x	x	x			x						x	x			x
	Reg. V/7.2	x	x	x			x						x	x			x
	Reg. V/8	x	x	x			x						x	x			x
	Reg. V/9	x	x	x				x					x	x			x
	Regs. VII/6.1 and 7-4.1	x	x	x									x	x	x	x	x
MARPOL	**Annex I**																
	Reg. 4.3	x	x	x									x	x	x	x	x
	Annex II																
	Reg. 3.1.3	x	x	x									x	x	x	x	x
	Reg. 13.2.3	x	x	x									x	x	x	x	x

37 Only obligations under part 3 of the III Code are shown in this annex.

38 Non-exhaustive list of obligations under instruments relevant to the IMO Instruments Implementation Code (III Code) (NEL), A.1208(34).

Link and QR Code to the NEL III Code Cross Matrix

https://wwwcdn.imo.org/localresources/en/OurWork/MSAS/Documents/Auditors_Manual/NEL-IIICode_Cross_Matrix.pdf

ANNEX 6

MODEL TIMETABLE AND PROGRAMME

MODEL OVERVIEW OF TIMETABLE FOR THE AUDIT OF [MEMBER STATE] [DATE]

[date]	[date]	[date]	[date]	[date]	[date]
Day 1	**Day 2**	**Day 3**	**Day 4**	**Day 5**	**Day 6**
Opening Meeting Time and Session nos. **All Auditors** Strategy Legislation Other areas within Common areas **[Member State representatives/bodies]**	Implementation of Flag/Coastal/Port State areas according to the scope of the audit Time and Session nos. **All Auditors** **[Member State representatives/bodies]**	Flag/Coastal/Port State areas according to the scope of the audit Time and Session nos. **All Auditors** **[Member State representatives/bodies]**	Port/Coastal State areas according to the scope of the audit Time and Session nos. **All Auditors** **[Member State representatives/bodies]**	Accident investigation/Any outstanding issues Time and Session nos. **All Auditors** **[Member State representatives/bodies]**	Closing meeting – submission of draft interim report including findings and observations, and draft executive summary report

MODEL DETAILED AUDIT TIMETABLE AND PROGRAMME

[MEMBER STATE] [DATE]

Day 1			
Time	**Activity**	**Participants**	**Division and Location (address)**
10.00 – 10.30	Opening Meeting	All auditors [Titles and names of Member State representatives/ bodies]	
10.45 – 11.30	Introduction • Overall maritime strategy • Structure and responsibilities of entity(s) comprising the maritime administration • Processes for continual review • Risk analysis and performance measurement/evaluation/ improvement	All auditors [Titles and names of Member State representatives/ bodies]	
11.30 – 12.15	Strategy • Processes for continual review • Risk analysis and performance measurement/evaluation • Controlling	All auditors [Titles and names of Member State representatives/ bodies]	
12.15 – 13.15	**Lunch break**	**All auditors**	
13.00 – 15.00	Legislation processes • Review of legislation, interpretations and guidance notes	All auditors [Titles and names of Member State representatives/ bodies]	
15.15 – 16.00	**SOLAS** • Legislation processes • Review of legislation, interpretations and guidance notes	Auditor(s) [to be determined] [Titles and names of Member State representatives/ bodies]	
15.15 – 16.00	MARPOL/LOAD LINES/TONNAGE • Legislation processes • Review of legislation, interpretations and guidance notes	Auditor(s) [to be determined] [Titles and names of Member State representatives/ bodies]	
16.00 -	**Debriefing and private meeting**	**All auditors**	

Day 2			
Time	**Activity**	**Participants**	**Division and Location**
09.30 – 12.00	• Implementation of MARPOL • Operational pollution response and enforcement.	Auditor(s) [to be determined] [Titles and names of Member State representatives/ bodies]	
09.30 – 12.00	Review of policies for the implementation of SOLAS	Auditor(s) [to be determined] [Titles and names of Member State representatives/ bodies]	
12.00 – 13.00	**Lunch break**	**All auditors**	
13.00 – 14.45	Legislation processes and implementation of STCW	Auditor(s) [to be determined] [Titles and names of Member State representatives/ bodies]	
13.00 – 14.00	Review of policies for the implementation of MARPOL, Tonnage and Load Lines	Auditors(s) [to be determined] [Titles and names of Member State representatives/ bodies]	
14.00 – 16.00	Implementation of MARPOL, Tonnage and Load Lines	Auditor(s) [to be determined] [Titles and names of Member State representatives/ bodies]	
15.00 – 16.00	Implementation of SOLAS	Auditor(s) [to be determined] [Titles and names of Member State representatives/ bodies]	
16.00 -	**Debriefing and private meeting**	**All auditors**	

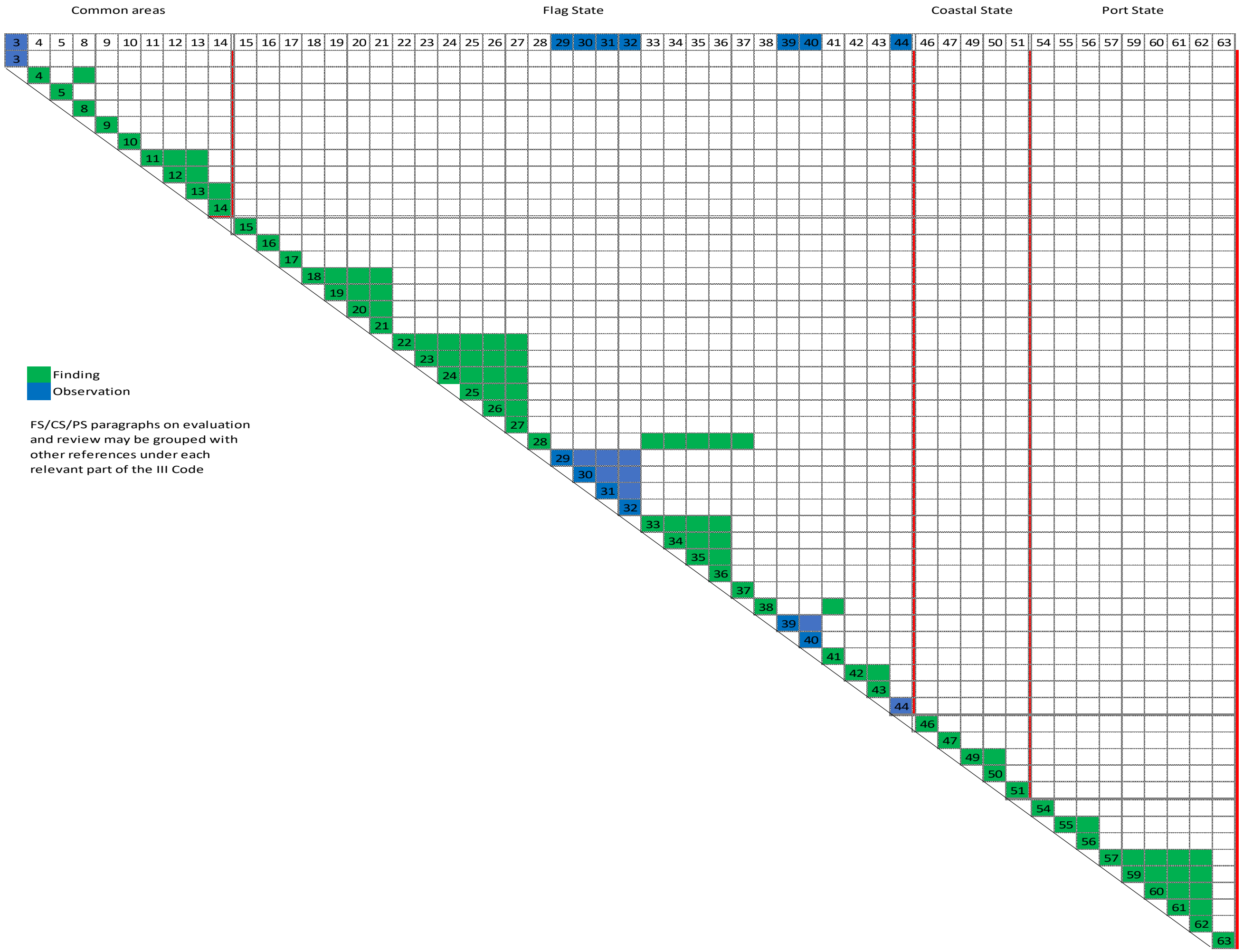
Day 3			
Time	**Activity**	**Participants**	**Division and Location**
09.30 – 12.00	Implementation of MARPOL, including provision of port reception facilities	Auditor(s) [to be determined] [Titles and names of Member State representatives/ bodies]	
09.30 – 12.00	Coastal rescue SAR coordination Aids to navigation	Auditor(s) [to be determined] [Titles and names of Member State representatives/ bodies]	
12.00 – 13.00	**Lunch break**	**All auditors**	
13.00 – 13.45	Introduction to RO monitoring	Auditor(s) [to be determined] [Titles and names of Member State representatives/ bodies]	
14.00 – 15.00	Implementation of RO monitoring	Auditor(s) [to be determined] [Titles and names of Member State representatives/ bodies]	
13.00 – 15.00	Implementation of survey, policies for PSC, flag State inspections, surveys	Auditor(s) [Titles and names of Member State representatives/ bodies]	
15.15 – 16.00	Surveyor training and recruitment	Auditor(s) [to be determined] [Titles and names of Member State representatives/ bodies]	
16.00 -	**Debriefing and private meeting**	**All auditors**	

Day 4			
Time	**Activity**	**Participants**	**Division and Location**
09.30 – 12.00	Implementation of survey, PSC, flag State inspection policies	Auditor(s) [to be determined] [Titles and names of Member State representatives/ bodies]	Field office (as applicable)
09.30 – 12.00	SAR coordination Aids to navigation Operational pollution response and enforcement Provision of port reception facilities	Auditor(s) [to be determined] [Titles and names of Member State representatives/ bodies]	Field office (as applicable)
12.00 – 13.00	**Lunch break**	**All auditors**	
13.00 – 16.00	Any outstanding Issues	Auditor(s) [to be determined] [Titles and names of Member State representatives/ bodies]	Field office (as applicable)
13.00 – 16.00	SAR coordination Aids to navigation Operational pollution response and enforcement Provision of port reception facilities	Auditor(s) [to be determined] [Titles and names of Member State representatives/ bodies]	Field office (as applicable)

Day 5			
Time	**Activity**	**Participants**	**Division and Location**
09.30 – 12.00	Casualty Investigation	Auditor(s) [to be determined] [Titles and names of Member State representatives/ bodies]	
09.30 – 12.00	Review of policies for the implementation of: • COLREG • SOLAS chapters IV + V • incl. training policies for VTS, AIS and remaining navigational issues •	Auditor(s) [to be determined] [Titles and names of Member State representatives/ bodies]	
12.00 – 13.00	• Lunch break	**All auditors**	
13.00 –	Debriefing and private meeting Outstanding issues	**All auditors**	

Day 6			
Time	**Activity**	**Participants**	**Division and Location**
10.00 – 12.30	Closing Meeting Submission of draft interim report including findings and observations, and draft executive summary report	All auditors	

ANNEX 7
GUIDANCE FOR GROUPING FINDINGS OR OBSERVATIONS



ANNEX 8

MODEL ATL MISSION REPORT

1. Executive summary

The audit of ……………… was undertaken from ……to ……, by [No. OF AUDITORS] auditors drawn from [STATE, STATE] and [IMO Secretariat].

The opening meeting was held at [PLACE e.g. the Ministry of Transport and Communication], on [DATE], after which the audit team, sometimes separately, visited the various branches within the [STATE's] maritime administration which were subject to the audit.

The closing meeting was held in [PLACE] on [DATE].

The following report provides information of experiences during the preparation and the conduct of the audit.

2. Members of the audit team

Mr. /Ms. ……………	(STATE)	Audit Team Leader
Mr. /Ms. ……………	(STATE)	Audit Team Member
[Mr. /Ms. …………...	(STATE)	[Observer]
Mr. /Ms. ……………	(IMO Secretariat)	Audit Team Member

A full review of the ATMs' performance in the conduct of the audit is attached in the Annex.

3. Single point of contact

[NAME OF SPC], [JOB TITLE] was appointed as the Single Point of Contact for the IMSAS audit of [STATE].

[Discuss your interaction with SPC and rest of the team].

4. Preparation of audit and documentation

4.1 State audit questionnaire (SAQ) and annexes

The SAQ and annexes were received on [DATE]/ made available on the MSA module on [DATE]. [OTHER TEXT e.g. extra documents requested and/or provided during the audit]

4.2 Other documentation

[free text]

4.3 Audit plan

[freetext]. [e.g. The time table was very detailed and the audit was carried out according to it. The State suggested locations and times in the timetable. Only a few minor changes were needed during the audit.]

5. Travel arrangements and accommodation

The travel to and from …………. [FREE TEXT]. Also hotels were [DESCRIBE ACCOMMODATION/HOTEL/STAY CONDITIONS].

6. Actual audit

6.1 Conduct of the audit

[During the audit the team was split/not split [to be able to cover more locations]] and any issues of note or concern.

6.3 Outcome of the audit

[e.g. The team communicated all findings and experiences to the State at the end of each day. This allowed the State to continuously follow the process and be well prepared before the closing meeting. The closing meeting was well attended. The findings were presented, explained and accepted by the State.]

7. Reporting

7.1 Draft Interim Report (DIR)

[The Draft Interim Report including Verification index and Forms A [and the Executive Summary Report] were prepared using the standard form developed by IMO and made available in the MSA module as reference during the weekend after the audit and sent by e-mail to the SPC. This allowed everybody to study the report, make comments and to be prepared for the closing meeting].

[Any issues using the system to prepare reports]

8. Other

8.1 Difficulties encountered in general (if any)
[free text]

8.2 Positive elements (if any)
[free text]

8.3 Improvements and/or recommendations
[free text]

ANNEX

TEMPLATE APPRAISAL OF AUDIT TEAM MEMBERS (ATMs)[39]

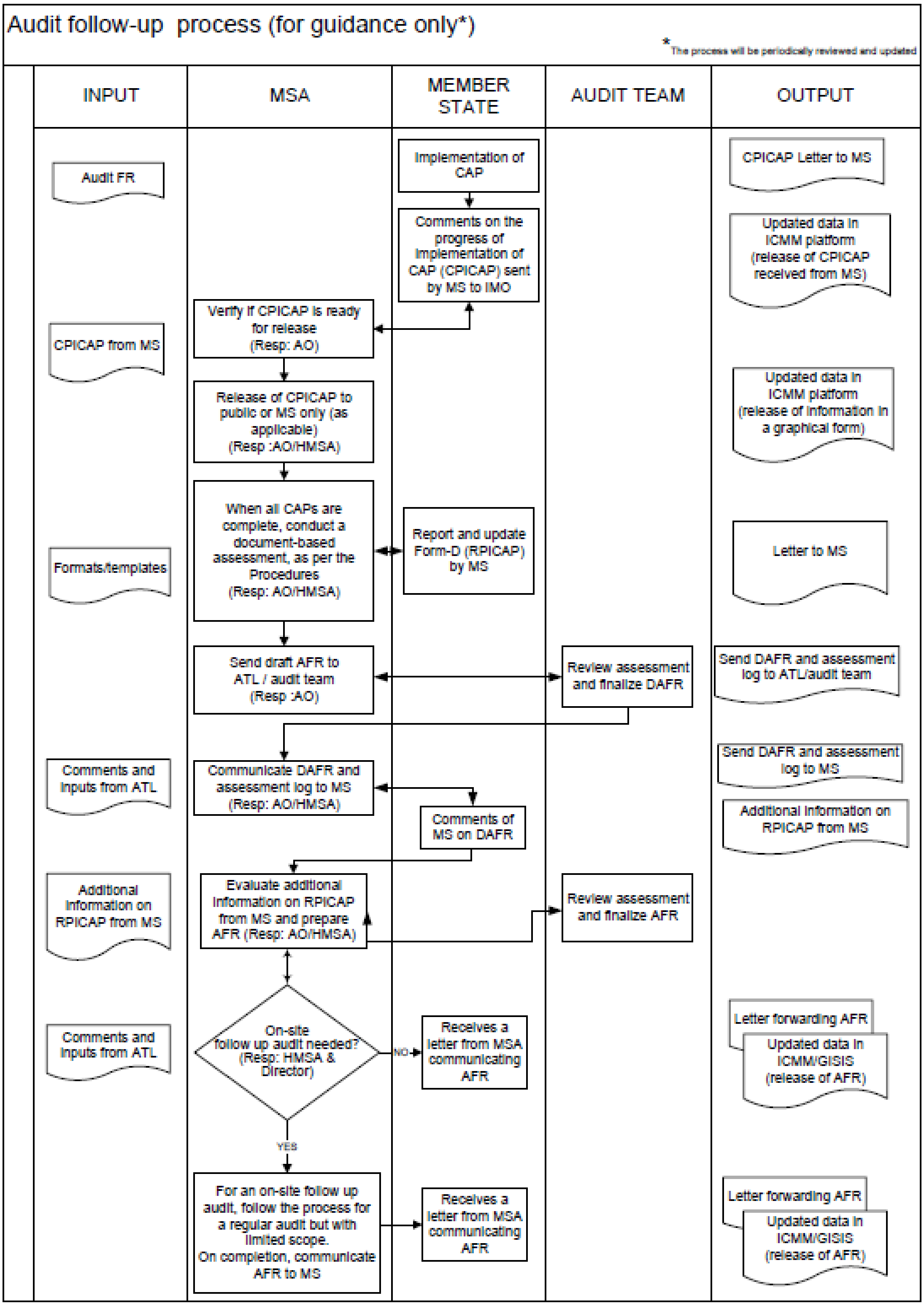
Areas of Interest	ATM 1 *(Name)*	ATM 2/ OA *(Name)*
Knowledge of mandatory instruments		
Effective Application of audit standard (the Code)		
Knowledge of the functions of a maritime administration		
Auditing skills		
Reporting skills		
Interpersonal/ communication skills		
Assessment of aptitude for future ATL		

[Name, ATL]
[Date]

39 The appraisal does not include the Audit Officer.

ANNEX 9

AUDIT FOLLOW-UP PROCESS



ANNEX 10

Model of the Audit Follow-up Report

IMO MEMBER STATE AUDIT SCHEME

AUDIT OF [NAME OF MEMBER STATE]

[Dates of audit]

[DRAFT] AUDIT FOLLOW-UP REPORT

ISSUED ON [date of issuance of AFR]

<table>
<tr><td>Name of State</td><td colspan="6">[NAME OF MEMBER STATE]</td></tr>
<tr><td>Principal Government entity</td><td colspan="6">[Name of the Principal Government entity as shown in ESR]</td></tr>
<tr><td>Other entities involved</td><td colspan="6">[List all the other entities involved as shown in ESR]</td></tr>
<tr><td>Period of audit</td><td colspan="6">[Period of audit as shown in ESR]</td></tr>
<tr><td>Scope</td><td colspan="6">[Scope of audit the as shown in ESR]</td></tr>
<tr><td>Areas</td><td>Flag State</td><td>X</td><td>Coastal State</td><td>X</td><td>Port State</td><td>X</td></tr>
<tr><td>Audit process and reporting</td><td colspan="6">The State was audited in accordance with resolution A.1067(28) on Framework and Procedures for the IMO Member State Audit Scheme (hereafter referred to as Framework and Procedures) and resolution A.1070(28) on IMO Instruments Implementation (III) Code serving as the audit standard.

During the audit the following were established:

1 [xx or No] findings and [xx or no] observation were revealed under general responsibilities and obligations of the State;

2 [xx or No] findings and [xx or no] observations were revealed under flag State activities;

3 [xx or No] findings and [xx or no] observations were revealed under coastal State activities; and

4 [xx or No] finding and [xx or no] observations were revealed under port State activities.

[There were a number of areas of good practices revealed, as well as areas where improvements were possible.]

The State responded to the audit findings [and observations] through the agreed corrective action plan (CAP). The final report of the audit of [name of Member State], which includes a summary of the corrective action plan and related Forms B, was issued on [Date of issuance of FR].

The State was requested, through a letter of [Date of issuance of Letter (L No.)], to provide relevant comments on the progress of implementation of the corrective action plan (CPICAP and RPICAP), along with documented evidence, within the timeline of the target completion date for each finding and observation issued during the audit.

For the [xx] findings and [xx] observation(s) revealed during the audit, the State provided [xx] CPICAPs reflected in the RPICAP(s), along with relevant documentary evidence, on [list all the dates], which had been successively released through the MSA module in the Global Integrated Shipping Information System (GISIS).</td></tr>
</table>

Audit follow-up activities	The audit follow-up activities were conducted in accordance with [section X of the Procedures and, in particular, with section X.X of the Procedures stipulating that "the audit follow-up should normally be conducted in the form of a document-based audit. Where the full implementation of the corrective action cannot be effectively verified by reviewing the documentary evidence submitted by the audited Member State, the Secretary-General should consider constituting an on-site audit follow-up for that purpose.]" As a starting point in the audit follow-up activities, all information and documentary evidence provided by [name of Member State] through the CPICAPs/RPICAP submitted was assessed to verify the full implementation of CAP. The outcome of the assessment was provided in a separate CPICAP assessment log and in the RPICAP as a log, with a summary included in this report for each finding [and observation], followed by further specific audit questions and request for information and evidence to verify the completion and effectiveness of the implementation of the corrective actions undertaken. The additional information and evidence sought are shown in appendix 1 of this report, as well as the feedback[40] received from [name of Member State], which formed the basis for reaching conclusions on the status of implementation of corrective actions. The outcome of the evaluation performed to confirm, as appropriate, the completion and the effectiveness of the implementation of the corrective actions undertaken for each finding and observation is shown below. Effectiveness of the implementation may only be verified for those corrective actions that have been completed.
General	**Finding (FD-[xx])** **[FD-XX as shown in ESR, including references]** **Summary of assessment of documentary evidence** [Based on assessment of CPICAP and RPICAP, [not] [all] [corrective actions have been completed and [not] [all] root causes were [not] addressed]. Additional] information and evidence were sought [and response received] [to verify [completion [and] [effectiveness] of the implementation of corrective actions] as set out in appendix 1 to this report. **Status of implementation of corrective action(s)**

40 Feedback, as provided by the Member State, is shown in appendix 1 (section 2 of the block for each finding and observation).

	[Corrective action(s) was found effectively implemented and finding was signed off. (See appendix 1, FD-xx; and appendix 2, Form C, FD-xx)] Or [Corrective action(s) was found completed but its effective implementation could not be verified. (See appendix 1, FD-xx)] Or [Corrective action(s) was found not [fully] implemented. (See appendix 1, FD-xx)] Or [The requested additional information and evidence were not provided, therefore no progress could be made in verification of the status of implementation of corrective action.(See appendix 1, FD-xx)] --- **Observation (OB-[xx])** **[OB-XX as shown in ESR, including references]** **Summary of assessment of documentary evidence** [Based on assessment of CPICAP and RPICAP, [not] [all] [corrective actions have been completed and [not] [all] root causes were [not] addressed]. Additional] information and evidence were sought [and response received] [to verify [completion [and] [effectiveness] of the implementation of corrective actions] as set out in appendix 1 to this report. **Status of implementation of corrective action(s)**

Flag State activities	**Finding (FD-[xx])** **[FD-XX as shown in ESR, including references]** **Summary of assessment of documentary evidence** [Based on assessment of CPICAP and RPICAP, [not] [all] [corrective actions have been completed and [not] [all] root causes were [not] addressed]. Additional] information and evidence were sought [and response received] [to verify [completion [and] [effectiveness] of the implementation of corrective actions] as set out in appendix 1 to this report. **Status of implementation of corrective action(s)** -- **Observation (OB-[xx])** **[OB-XX as shown in ESR, including references]** **Summary of assessment of documentary evidence** [Based on assessment of CPICAP and RPICAP, [not] [all] [corrective actions have been completed and [not] [all] root causes were [not] addressed]. Additional] information and evidence were sought [and response received] [to verify [completion [and] [effectiveness] of the implementation of corrective actions] as set out in appendix 1 to this report. **Status of implementation of corrective action(s)**
Coastal State activities	**Finding (FD-[xx])** **[FD-XX as shown in ESR, including references]** **Summary of assessment of documentary evidence** [Based on assessment of CPICAP and RPICAP, [not] [all] [corrective actions have been completed and [not] [all] root causes were [not] addressed]. Additional] information and evidence were sought [and response received] [to verify [completion [and] [effectiveness] of the implementation of corrective actions] as set out in appendix 1 to this report. **Status of implementation of corrective action(s)**
Port State activities	**Finding (FD-[xx])** **[FD-XX as shown in ESR, including references]** **Summary of assessment of documentary evidence** [Based on assessment of CPICAP and RPICAP, [not] [all] [corrective actions have been completed and [not] [all] root causes

	were [not] addressed]. Additional] information and evidence were sought [and response received] [to verify [completion [and] [effectiveness] of the implementation of corrective actions] as set out in appendix 1 to this report. **Status of implementation of corrective action(s)**
Outcome of audit follow-up[41]	After evaluation of the additional relevant information and evidence provided, the following were established: .1 sufficient information and evidence was provided to demonstrate that corrective actions addressing [xx] findings and [xx] observations were effectively implemented and corresponding Forms C are set out in the appendix to this report; .2 information and evidence provided in relation to corrective action(s) addressing [xx] findings and [xx] observations could not demonstrate their completion and/or effective implementation and additional actions are necessary. .3 [CPICAP and RPICAP forms, as well as] additional information and evidence were not provided in relation to [xx] findings and [xx] observations. Thus, assessment of the completion of the corrective actions undertaken and/or their effectiveness could not be carried out.
Note: For those findings and observations which could not be signed-off during audit follow -up, the State is encouraged to continue implementing corrective actions and providing comments on the progress through RPICAPs.	

41 To be completed at the end of audit follow-up.

ANNEX 1

ADDITIONAL INFORMATION AND EVIDENCE TO VERIFY THAT THE CORRECTIVE ACTION PLAN HAS BEEN COMPLETED AND EFFECTIVELY IMPLEMENTED[42]

Ref.	**[FD] [OB]-[XX]**
1 ADDITIONAL INFORMATION AND EVIDENCE SOUGHT	
1.1 Qs to verify completion of corrective action [(*from the* CPICAP *assessment log and RPICAP*)] - please provide the following: .1 [Question 1] (Action xx) .2 [Question 2] (Action xx) .n [Question n] (Action xx)	
1.2 Qs to verify that root causes were addressed [(*from the* CPICAP *assessment log and RPICAP*)] - please provide the following: .1 [Question 1] .2 [Question 2] .n [Question n]	
1.3 Qs to verify effectiveness of the implementation of corrective action - please provide the following *(effectiveness **of the implementation may only be verified for those corrective actions that have been completed)***: .1 [Question 1] .2 [Question 2] .n [Question n]	
2 MEMBER STATE'S FEEDBACK AND EVIDENCE PROVIDED *(please include succinct answers to each Q above and a list of evidence. All related evidence should be provided separately by email)*:	
2.1 Feedback to demonstrate completion of corrective action: .1 [Answer to question 1] .2 [Answer to question 2] .n [Answer to question n]	

[42] Feedback provided by the Member State in section 2 for each finding and observation has not been edited.

2.2	**Feedback to demonstrate that root cause(s) [was] [were] addressed:**
.1	[Answer to question 1]
.2	[Answer to question 2]
.n	[Answer to question n]
2.3	**Feedback to demonstrate effectiveness of the implementation of corrective action:**
.1	[Answer to question 1]
.2	[Answer to question 2]
.n	[Answer to question n]
3	**ASSESSMENT OF STATUS OF IMPLEMENTATION OF CORRECTIVE ACTION(S)** ***(audit team to insert, as appropriate)*****:**

ANNEX 2

VERIFICATION OF EFFECTIVE IMPLEMENTATION

Forms C

VERIFICATION OF EFFECTIVE IMPLEMENTATION OF THE CORRECTIVE ACTION			
Member State:		**Audit Period:**	
Department:		**Team leader:**	
Finding No.: FD-xx		**Observation No.:**	

Action Implemented:

By ______________________________ On ________________

Verification of Effective Implementation/Comments (if any):

Sign-off, as appropriate:

Audit Team Leader	Date	IMO Secretariat	Date

Comment: If no form C is issued, the following text will be inserted, in square brackets, and the empty form is not attached:

Forms C

[No form C was issued]

ANNEX 3

Verification Index (updated)

ANNEX 11

MODEL FORMS

(Form A)

FINDINGS/OBSERVATIONS NOTICE	
Member State: **Department:**	**Audit period:**
Finding No.:	**Observation No.:**
STATEMENT: **EVIDENCE:**	
APPLICABLE PROVISION OF THE AUDIT STANDARD AND/OR IMO INSTRUMENT:	
APPLICABLE KEY COMPONENTS OF THE III CODE:	
Audit team leader:	**Date:**
Member State:	**Date received:**

(Form B)

CORRECTIVE ACTION			
Member State:		**Audit period:**	
Department:		**Audit team leader:**	

Finding No.:	**Observation No.[43]:**
Area(s) of root cause:	**Category(ies) of root cause:**

Root cause description:

Corrective action:
Proposed target completion date:

Action plan submitted: By ______________________	On ______________	
To: Audit team leader:	______________ Name ______________ Signature and date	IMO Secretariat: ______________ Name ______________ Signature and date

[43] This form may be completed with a corrective action plan to address an observation.

FORM C

VERIFICATION OF EFFECTIVE IMPLEMENTATION OF THE CORRECTIVE ACTION			
Member State:		**Audit Period:**	
Department:		**Team leader:**	
Finding No.:		**Observation No.:**	

Action Implemented:

By ____________________ On ____________________

Verification of Effective Implementation/Comments (if any):

Sign-off, as appropriate:

Audit Team Leader Date IMO Secretariat Date

CPICAP FORM

Comments on the progress of implementation of corrective action plan

<table>
<tr><td colspan="4">MEMBER STATE'S COMMENTS ON THE PROGRESS OF IMPLEMENTATION OF THE CORRECTIVE ACTION</td></tr>
<tr><td>Member State</td><td></td><td>Audit Period</td><td></td></tr>
<tr><td>Department</td><td></td><td>Team leader</td><td></td></tr>
<tr><td>Finding No.:</td><td>-</td><td>Observation No.:</td><td>-</td></tr>
<tr><td colspan="4">Actions implemented (describe all actions put forward in relation to the progress made in the implementation of the CAP)</td></tr>
<tr><td colspan="4">List of evidence (list bellow and attach to this form all relevant documented evidence)</td></tr>
<tr><td colspan="2">Date:</td><td colspan="2"></td></tr>
</table>

FORM D

Report on the progress of implementation of corrective action plan

FD/OB reported during the audit	Paragraph of III Code	Requirement of the III Code	Progress in (completion of) implementation of corrective action	List of evidence provided
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]		

TABLE OF CONTENTS

PART B

ASSESSMENT OF COMPLIANCE USING THE III CODE

PART B

ASSESSMENT OF COMPLIANCE USING THE III CODE

1 INTRODUCTION

1.1 Part B of this Manual is structured in line with the *IMO Instrument Implementation Code* (III Code) (resolution A.1070(28)). It provides understanding, practices, and interpretations based on the most recurrent provisions identified in the Consolidated Audit Summary Reports (CASRs), the provisions of the III Code, and auditors' experiences gained during audits, for which audit team members (ATMs) would benefit from developing a greater understanding of the requirements of the different paragraphs of the III Code. Furthermore, this part of the Manual aims to ensure consistency between the auditing approaches that each auditor may have regarding the provisions of the III Code, bringing awareness and understanding, and thus, contributing to the principle of consistency, fairness and objectivity, established in the Framework for the IMO Member State Audit (resolution A.1211(34)).

1.2 Auditors should remember that, in line with the principles of the IMO Member State Audit Scheme (IMSAS), the III Code has very important functions to assist Member States to improve their capabilities and overall performance in order to be able to comply with the IMO instruments. The main functions of the III Code are as follows:

.1 It serves as the audit standard. It identifies auditable areas and may be considered as a "book of questions". Almost every sentence in the III Code may be a question in an audit.

.2 For Member States, it is a list of actions on efficiency and effectiveness for the common, flag, coastal and port State duties and implementation and enforcement of the IMO instruments. If a State follows the provisions of the III Code effectively, it may effectively implement its common, flag, coastal and port State functions. In other words, if a Member State does not effectively comply with the provisions of the III Code, it may be quite challenging to improve its capabilities and performance to comply with the obligations stipulated in the IMO instruments.

.3 It provides regulatory connectivity between the provisions of the instruments (requirements containing obligations and responsibilities) and their consistent, efficient and effective implementation and enforcement. The IMO instruments list the obligations, and the III Code explains how to effectively and consistently meet with that obligations.

2 COMMON AREAS

Objective (III Code, paragraphs 1 and 2)

2.1 The objective of the III Code is to enhance global maritime safety and protection of the marine environment and assist Member States in the implementation and enforcement of mandatory IMO instruments. The III Code meets its objective through its functions as explained under paragraph 1.2 above.

2.2 Auditors should take into account that the provisions of the III Code are to be applied in accordance with the scope of the audit and the specific circumstances of the audited Member State. Owing to geographical, operational, and administrative factors, the extent to which a Member State exercises its responsibilities as a flag State, port State, or coastal State may vary. Some Member States may predominantly exercise flag State functions, while others may have more significant port State or coastal State responsibilities.

2.3 In this context, auditors shall apply their professional judgment, knowledge, and experience to assess the effective implementation of the relevant obligations and to support the Member State in identifying opportunities for improvement, taking into consideration its particular roles and responsibilities.

2.4 For instance, where a Member State maintains a substantial fleet flying its flag, the audit should comprehensively examine the flag State responsibilities set out in part 2 of the III Code. Similarly, where a Member State has a coastline exposed to meteorological and navigational hazards and is subject to dense shipping traffic, it exercises a significant coastal State function, and the provisions of part 3 of the III Code should be subject to detailed scrutiny.

Strategy (III Code, paragraph 3)

2.5 The general aspect of the audit should seek to establish whether there exists an overall strategy[44] by the State to meet its obligations and responsibilities as a maritime administration (flag, port and coastal State) under the various mandatory IMO instruments, as outlined in part I of the III Code. Furthermore, the existence of a methodology to monitor and assess that the strategy ensures effective implementation and enforcement of relevant mandatory IMO instruments, also at the national level; as well as a system ensuring the continuous review of the strategy to achieve, maintain and improve the overall organizational performance and capability as a flag, port and coastal State; needs to be verified.

2.6 The foregoing should not be confused with the strategies, and performance evaluation of individual ministries and entities. Instead, the above-mentioned strategy and performance measurement is an umbrella and collective evaluation of all ministries and agencies performing maritime functions relating to the applicable IMO instruments to which the State is a Party. In reviewing the overall strategy, due account should be taken of the division of responsibilities among the various entities of the State, involved in the implementation and enforcement of the mandatory IMO instruments. A mechanism should be put in place for all involved entities of the State to contribute to the overall effectiveness of the State in the discharge of its obligations and responsibilities under the applicable IMO instruments. In that context, the overall strategy should present a framework, which effectively coordinates their maritime-related work and provides a mechanism for assessing the overall effectiveness of the State in meeting its international obligations under the mandatory IMO instruments.

2.7 In some instances, multiple maritime administrations are represented by a single IMO Member State, as dependent territories or other political subdivisions. In such cases where the dependent territory itself has a separate national strategy then the existence of linkages between the Member State and the dependent territories should be verified.

2.8 The mechanism for developing strategy could include:

.1 identifying and establishing competence and areas of responsibility of entities involved in a State's maritime activities;

44 Document TC 73/INF.2 could be considered when developing guidelines on the overall strategy.

.2 clear lines of authority for each entity, leading to an overall coordinating body, with a mandate for all maritime activities, which would then collectively constitute the maritime administration;

.3 processes and procedures for determining each entity's performance against its areas of responsibility, and the overall organizational performance of those entities forming the maritime administration; and

.4 a system to monitor, evaluate and improve the performance of the maritime administration.

2.9 The strategy could be a high-level document, decree, or official government paper, which may also provide for the appointment of a coordinating body and define its functions and powers. For this purpose, a maritime administration may not be a single agency but a collection of entities with the implementation and enforcement responsibilities under the applicable IMO instruments. Auditors may consider the following issues:

.1 How are the functions of the maritime administration undertaken?

.2 How is the strategy communicated to all concerned entities?

.3 How would planning for a new convention or amendment to an existing one be done?

.4 How do entities communicate?

.5 What are some joint responsibilities and how are these allocated?

.6 How is performance assessed against convention obligations and future performance indicators? and

.7 How is the overall assessment to be done?

2.10 The strategy may encompass items such as:

.1 a high-level document decree or official government paper setting out the national strategy, including the appointment of a coordinating body and its powers;

.2 setting of quality targets and key objectives;

.3 records of continuous review and verification of the State's effectiveness in respect of its international obligations; and

.4 assessment or performance evaluation of overall organizational effectiveness and capability, including administrative capacity to implement the instruments, e.g. qualified mariners, ship detentions, etc.

2.11 The ATMs need to be aware that a strategy is not the same as, for example, a national maritime transport policy or an entity's quality policy. The transport policy sets the high-level policy direction for governance, regulation and development in the maritime transport sector and is not necessarily focused on the implementation of mandatory IMO instruments to meet flag, port and coastal State responsibilities. The quality policy is a policy related to quality assurance and again it is not necessaaily focused on the implementation of the said instruments.

2.12 To achieve, maintain and improve the performance and capability in the implementation of the III Code, auditors need to verify that a mechanism is in place to continuously review and improve the strategy. Specific provisions should be in place and implemented for such continuous review and improvement.

2.13 As the requirement for an overall strategy is recommendatory in the III Code, any shortcoming in this area should only be recorded as an observation in the report.

Initial actions (paragraph 8)

2.14 A process for the incorporation of the mandatory IMO instruments into national legislation should be in place and it should ensure that the regulatory processes within the State do indeed deliver timely and adequate regulations on a consistent basis.

2.15 All of the mandatory IMO instruments require a Party thereto to put in place legislation relevant to the mandatory IMO instrument in question. Therefore, the audit team should make use of some of the recent amendments to the mandatory IMO instruments, as contained in the Non-exhaustive list to assess the viability of the process and whether enabling legislation/regulations have been properly issued, no later than the entry into force date of the amendment concerned or, in the case of a new treaty, the entry into force date for the State concerned.

2.16 If the government entity that is responsible for the implementation of the mandatory IMO instruments is not granted the authority to enact them into national legislation, the audit team should take a practical approach during its evaluation of this area. In doing so, it should take into account the Member State's constitution, its current national legislative process and its legislation framework.

2.17 The audit team needs to be aware of the State's legal system and the legislative process that usually emanates from the main legislative act as the constitution of the State. The following should also be verified during the audit: legislative processes of the Member State for ratification/accession to the mandatory IMO instruments; process for promulgating implementing (primary and subsidiary) national legislation; entities involved in drafting; and hierarchy of legislation (decrees, regulations, incorporatioo by reference system, or other).

2.18 In this context, Member States also need to demonstrate the existence of a system or processes for incorporating the amendments to the mandatory IMO instruments in a timely manner, before their entry into force, to keep the national legislation updated; and the system in place dealing with the mandatory codes and non-mandatory IMO instruments, such as guidelines.

2.19 The audit team needs to verify that the government entities[45] responsible for the implementation and enforcement of the mandatory IMO instruments are granted the authority to enact them into the national legislation. In some instances, national legislation only provides authority to ministries or departments to create regulations which provide greater detail necessary for actual implementation and enforcement, including the associated investigative and penal processes. The Member State should be requested to describe how authority from national legislation cascades down via regulation, policy and procedures. In rare instances national legislation may be sufficiently detailed to implement directly by field personnel without

[45] Different government entities may be involved and individually responsible for the relevant legislation and enforcement. They may have their own policy and/or work instruction.

intermediate regulations but there should be a policy or work instruction that describes enforcement in the individual entity.

2.20 One related aspect that the audit team may consider during the audit process is the methodology in place to deal with the IMO non-mandatory instruments (NMI). The IMO bodies such as the Assembly, committees and sub-committees create large numbers of NMI to assist and facilitate effective implementation of mandatory provisions. The III Code, in several paragraphs in parts 2, 3 and 4 refer to national and IMO guidance. Several IMO NMIs, such as Principles of Safe Manning, Procedures for port State control (PSC), part III of the Casualty Investigation Code and part III of the RO Code, are mentioned in the body or footnotes of the III Code What should the course of action be, if these mentions are not considered in the audited Member State?

2.21 IMO adopts the NMIs with the intention of Member States bringing them to the attention of those involved or including them in the relevant legislation through referencing or direct transposition. The IMO NMIs are not applicable unless Member States take specific action on them. Therefore, a methodology should exist in the Member State to follow and consider the IMO NMIs on a continuous basis and to ensure the IMO NMIs, which are found relevant and beneficial for the State after a review process, to be promulgated,referred to or transposed into national legislation and to be implemented accordingly. The Member State may have a national process which differs from the methodology recommended in the IMO NMI. For example a Member State may have mandatory minmum safe manning scales in its national regulations rather than the goal based approach used in the IMO NMI for manning. This is acceptable provided that the IMO mandatory requirements are satisfied.

2.22 Another related issue is the implementation of IMO Unified Interpretations (UIs) for the instruments by Member States. The IMO UIs are needed in cases where mandatory provisions contain only functional requirements, allow alternative solutions to prescriptive requirements, or are generally or vaguely worded. For effective and consistent implementation of mandatory provisions of the instruments, the Member States should approve IMO UIs as a policy issue, as otherwise international consistency cannot be achieved.

2.23 The audit team needs to consider that, whilst the issue of sufficient personnel with maritime expertise is subjective, the discharge of those responsibilities listed in paragraph 8.3 of the III Code, is a mandatory provision of the applicable IMO instruments. In that context, some States authorize non-governmental third parties to execute some of their responsibilities. These arrangements should be carefully evaluated by the audit team to ensure that the delegated functions are executed effectively, and that they are monitored and controlled by an appropriate government entity.

2.24 To ensure that all obligations are met, identification and description of the division of responsibilities relating to the effective implementation and enforcement versus the latest version of the non-exhaustive list, is recommended. This may assist the Member State in identifying the division of responsibilities, obligations, and any gaps in the list of obligations and should be verified during the audit.

Communication of information (paragraph 9)

2.25 Reporting requirements include the obligation of communication of information under various IMO instruments, as well as those under paragraph 9 of the III Code. An inventory of reporting requirements under the mandatory IMO instruments, including associated guidance and information, is available in the Reporting Requirements Dashboard module in GISIS and the audit team should verify it in preparation for audits.

2.26 The ATMs need to verify arrangements are in place to fulfil the communication of information requirements. Member States may consider establishing a reporting system by identifying the obligations for communication of information under the applicable IMO instruments and assigning related responsibilities among relevant entities participating in the implementation and enforcement of the applicable IMO instruments[46].

2.27 An implemented system for communication of information, such as a comprehensive reporting plan (CRP) may include, but is not limited to, the following:

.1 coordinating department(s) for communication of information to IMO and other entities;

.2 format of the reports;

.3 frequency of reporting;

.4 modality(ies) for reporting; and

.5 periodical evaluation of the fulfilment of obligations.

2.28 As information may have to be communicated by several entities, the system in place should first identify relevant parties, and respective reporting requirements, and whether the communication is done through GISIS or by any other means of communication, such as courier or email. While doing so, care should be taken to ensure consistency of information and to avoid repetitive reporting and excessive use of resources.

2.29 The system in place for communicating information to IMO, the reporting time and frequency should be given due attention and the following factors may be considered:

.1 for the information reported directly from Member States to IMO:

  .1 reporting frequency should be followed when it is clearly stated in the instruments;

  .2 when reporting frequency is not clearly stated in the IMO instruments;

  .3 the texts of national legislation should be communicated after promulgation of such legislation or, alternatively, uploaded onto relevant webpages of the Member State, with a link sent to IMO;

  .4 for information such as the change of contact points or the outcomes of hook evaluation regarding lifeboat release and retrieval system, the communication should be made through GISIS as and when the changes take place; and

  .5 all other information should be reported annually; and

.2 for the information to be communicated by Member States under the IMO instruments to other international organizations or institutions, the reporting frequency should be implemented by Member States according to requirements of the organizations or the institutions; and

46 Refer to Guidance on Communication of Information by Member States (resolution A.1139(31)) and to resolutions A.1029(26) and A.1074(28) on the Global Integrated Shipping Information System (GISIS) and on Notification and circulation through GISIS, respectively.

.3 for the information to be communicated by Member States under the IMO instruments to other Member States, the reporting approaches and frequency should be followed when it is clearly stated in the instruments or as agreed between those Member States.

2.30 The audit team should also verify if there is a mechanism in place to evaluate the effectiveness of Member State's communication of information. The evaluation mechanism may include internal and external checks. In the context of an internal check, evidence of a Member State's self evaluation to determine whether remedial measures need to be taken to enhance implementation capabilities should be verified.

2.31 In addition to reporting to IMO, paragraph 9 of the III Code further requires the communication of the overall strategy, as outlined in paragraph 3, and the dissemination of information on national legislation to all relevant parties.

2.32 The audit team should verify that the overall strategy is effectively communicated to all entities involved in its development and implementation. Relevant stakeholders in the national maritime community, including maritime academies, training facilities, unions, maritime associations, chambers of shipping, and other non-governmental organizations (NGOs), should also be informed. The communication of the strategy can be conducted through various suitable means, such as publication on official wwbsites, formal correspondence between authorities, distribution of informational posters, videos, and photographic materials, as well as electronic dissemination methods. It is essential that all entities clearly understand the details of the overall strategy, as well as their respective roles and responsibilities in its implementation. This understanding may be verified during interviews with the relevant authorities conducted as part of the audit process.

2.33 In addition, auditors should keep in mind that information regarding national legislation may be disseminated through appropriate channels used by the Member State, such as national journals, centralized legislative databases, or the official websites of relevant authorities. The disseminated legislation, however, should comprehensively cover all levels, ranging from primary legislation to lower-level instruments such as instructions and guidance. All maritime-related entities within the State, including recognized organizations (ROs), shipowners, seafarers, NGOs, and other stakeholders, should be adequately informed of national legislation through appropriate methods.

Records (paragraph 10)

2.34 The audit team needs to verify that records, as appropriate, are established and maintained to provide evidence of conformity to requirements and of the effective operation of the State. Records may be filed as hardcopies or electronically and may include, for example, copies of minutes of meetings, certificates, exemptions, equivalents, inspection reports, investigation reports, technical cases such as newbuilding's and ships' drawings.

2.35 The existence of a documented procedure to define the controls needed for the identification, storage, protection, retrieval, retention time and disposition of records should be verified. Auditors may note that, such a procedure in general, includes the following components:

.1 identification: Application of procedures, policies, definitions, types of records (paper and electronic), responsibilities etc.;

.2 storage: Document identification and classification systems, categories of paper and electronic records, cloud storages, databases, storage requirements, handling of official e-mails etc.;

.3 protection: Levels of confidentiality, protection policies, protection methods etc.

.4 retrieval: Security procedures, access rights, retrieval methods etc.;

.5 retention: Retention times, retention methods (paper or electronic), retention locations; and

.6 disposition: Methods and times of disposition.

2.36 The documented procedure may be a corporate procedure for all the entities or an individual procedure for each entity, e.g. as part of the entity's quality management system (QMS). In other cases, a national law on archives may be in place, therefore, the ATMs need to verify if such law or the record keeping procedure (based on the law) is specific enough to ensure compliance with the requirements of paragraph 10 of the III Code.

Improvement (paragraphs 11-14)

2.37 The ATMs need to verify that aspects covered by paragraphs 11 and 12 of the III Code are addressed by the Member State in support of both the overall organizational performance measurement and the evaluation, under flag, coastal and port State activities. Evaluation and review with respect to specific flag, coastal or port State responsibilities are also dealt with under those areas.

2.38 In addition to examples provided in paragraph 12 of the III Code, auditors should note that States may foster a culture which promotes opportunities for improvement of performance in maritime safety and environmental protection activities by carrying out the following activities:

.1 promulgation of safety and environment protection oriented policies;

.2 safety and pollution prevention speeches, campaigns, meetings, workshops, coordination meetings;

.3 examples showing leadership commitment to safety and pollution prevention such as speeches, campaigns, printed media, social media etc.; and

.4 training campaigns for maritime community, stakeholders, unions, port operators, schools, local boat owners, fishermen, passengers, private boat owners and general public for maritime safety and pollution prevention; such as meetings, workshops, lectures, courses, video clips, posters, advertisements, commercials and social media

2.39 Auditors should remember that a very effective method of improvement of performance may be through the measurement of current implementation and enforcement practices in a collective manner. The State may establish and maintain documented procedures for the periodic measurement and evaluation of its performance in the areas of safety and environmental protection. These procedures may include clearly defined common key performance indicators (KPIs), methods of data collection, responsibilities, and reporting intervals to ensure objective and consistent performance monitoring by all involved authorities.

2.40 A State may review performance at regular intervals through collective coordination meetings convened for the purpose of assessing progress against established KPIs. These meetings would provide a structured forum to analyse results, identify deficiencies, assess risks, and determine whether objectives are being met.

2.41 Based on the outcomes of performance reviews, the State authorities would take appropriate decisions, implement corrective and preventive actions, and introduce improvements where necessary to enhance effectiveness and compliance. The effectiveness of actions taken should be collectively monitored and reassessed as part of the continuous improvement process.

2.42 The involved authorities should ensure that all performance measurement activities are adequately documented. Records shall be maintained to demonstrate the conduct of performance reviews, the results achieved, decisions taken, actions implemented, and subsequent follow-up, in accordance with applicable record-keeping requirements.

2.43 Without prejudice to the State's discretion to define additional or alternative indicators, and in addition to common safety and pollution prevention KPIs, auditors may see the use of following KPIs to support performance measurement in the areas of safety and environmental protection:

.1 number of safety and environmental organizations, committees, or units established or supported;

.2 number of training events conducted related to safety and environmental protection;

.3 number of safety drills, meetings, workshops, campaigns carried out;

.4 number of pollution response drills, exercises, meetings, workshops, campaigns conducted;

.5 number of coordination, review, or management meetings held; and

.6 number of identified problems, deficiencies, or non-conformities resolved.

2.44 Auditors may verify that adopted KPIs are periodically reviewed to ensure their continued relevance, adequacy, and effectiveness in measuring performance and supporting continual improvement.

2.45 Regarding establishment and implementation of reward and incentive mechanisms aimed at encouraging shipping companies, shipowners, operators, and seafarers to improve performance in the areas of maritime safety and pollution prevention, the audit team should verify that such mechanisms are transparent, objective, and based on predefined eligibility criteria linked to measurable performance outcomes.

2.46 The auditors should note that rewards and incentives may be granted in recognition of sustained compliance, exemplary safety performance, effective implementation of pollution prevention measures, or proactive safety initiatives. The Administration shall ensure that the application of incentives does not compromise statutory oversight or the integrity of inspection and enforcement activities.

2.47 Examples, (indicative) of reward and incentive measures may include, inter alia:

.1 issuance of a Certificate of Achievement recognizing outstanding safety or environmental performance;

.2 award of a Medal of Achievement to ships, companies, or individual seafarers demonstrating exceptional commitment to safety and pollution prevention;

.3 provision of small-value commemorative gifts or tokens of appreciation, in accordance with applicable administrative and ethical rules;

.4 the organization of a congratulatory dinner or award ceremony hosted by an entity of the maritime administration/Administration on a periodic basis (e.g. every six months) to recognize newly qualifying ships or organizations;

.5 the publication of the names of awarded ships, companies, or owners on the Administration's official website or other official communication platforms;

.6 the preparation and publication of interviews or short promotional videos highlighting good safety practices and lessons learned, for awareness-raising and educational purposes;

.7 the application of a reduced national inspection frequency or decreased number of non-statutory inspections for ships demonstrating consistently high performance, in accordance with risk-based inspection principles and applicable regulations; and

.8 provision of priority services by the Administration, where appropriate and permissible, without prejudice to statutory requirements.

2.48 Auditors should also verify that the Administration periodically reviews the effectiveness of reward and incentive mechanisms to ensure that they continue to support improved safety performance, environmental protection, and a positive safety culture within the maritime sector.

2.49 It should be noted that the improvement and monitoring of compliance mentioned in these paragraphs of the III Code requires a common and collective approach by all involved entities of the State, similar to the development and implementation of the overall strategy.

2.50 Improvement of performance by individual entities, for areas under their jurisdiction and responsibilities may be verified under evaluation and review requirements in parts 2, 3 and 4 of the III Code. The common improvement, on the other hand, that should be verified in this part should specifically be related to requirements that have shared (collective) implementation responsibilities among different entities. These shared responsibilities, among others, may include areas such as incorporation of the mandatory IMO instruments and their amendments into national legislation, promulgation of legislation, flag State investigations, radio communications, meteorological services, search and rescue, aids to navigation, provision of reception facilities, pollution response and carriage of dangerous goods.

2.51 The audit team should verify the presence and effective working of an efficient coordination and collaboration mechanism to deal with the non-conformities and potential non-conformities in shared areas of safety and pollution prevention responsibilities.

2.52 Further, government entities should take action to identify and eliminate the cause of any non-conformities in order to prevent recurrence. There may be many different approaches to this. If a QMS is in place, these actions could be documented in the individual records, but it could also be found in management reviews or take place during regular management level meetings.

2.53 To monitor the overall improvement of the performance of the State, it could be beneficial to assess and address the outcome (on managerial level) and related actions of the separate performance of the different entities in high level meetings of the State, to ensure sufficient priority, resources, and follow-up.

2.54 For these meetings, the outcome of the evaluation and review monitoring under the flag, coastal and port State areas could be taken into account and discussed to develop an overall (multi-annual) action plan and/or evaluate, if amendments to the strategy are deemed necessary.

2.55 To support the overall performance and continuous improvement and in conjunction with the suggested State's high-level meetings, an internal audit cycle, or equivalent monitoring, assessing the status of implementation of the III Code and the applicable IMO instruments could be part of the management system or QMS in place.

2.56 Although QMS developed/established/certified under any of the ISO standards or similar, are not a mandatory requirement; audit teams will check if the audited entity of the State has a QMS (certified or internal) in place. This will assist in verifying that, among others, processes, procedures and working instructions are being identified and addressed, as well as that objectives, managements reviews, internal/external audits and corrective actions have been established, carried out and analysed. This may be verified throughout the audit for entities participating in the implementation and enforcement of flag, coastal and port State activities.

3 FLAG STATES

Implementation (paragraphs 15-17)

3.1 Paragraphs 15 to 17 of the III Code, provide a detailed list of areas for establishing the extent of a Member State's implementation of the mandatory IMO instruments. The audit team should use these areas listed and match them with the specific regulations in the mandatory IMO instruments in order to assess the degree of compliance of the Member State concerned.

3.2 The audit team needs to verify if the Member State has issued any policies, through national legislation and guidance, to assist in the implementation and enforcement of the requirements of the mandatory IMO instruments, which it is a Party to, including mandatory codes. In addition, it should be verified if responsibilities have been assigned among the different entities or if persons have been tasked with various flag State activities.

3.3 In verifying the above, audit teams should keep in mind that national legislation may, according to the legislative structure of the Member State, include not only legislation promulgated by the national parliament/congress, but also administrative instructions in the form of resolutions, circulars, shipping notices, technical regulations, etc., that contribute to the effective implementation of the applicable IMO instruments. Secondary legislation and administrative instructions may be issued by the head/director or similar, of the responsible entities, therefore, paragraphs 15.1 and 16.1 of the III Code are closely related.

3.4 In many cases, responsibilities related to environmental protection matters are distributed between the principal entity of the maritime administration and the entity responsible for issuing environmental policies, whereas the Administration is responsible for implementing, both the mandatory IMO instruments and those policies. In other cases, the environmental authorities may also be responsible for the latter. In that context, the audit team should verify compliance with the mandatory IMO instruments whilst confirming the scope of responsibilities of various entities involved. They should also assess if legislation/administrative instructions have been issued and implemented, how the responsible authorities interact and coordinate their actions.

3.5 In the case of extraterritorial offices that usually are responsible for managing flag State activities, the audit team needs to verify the system in place to ensure compliance with the mandatory requirements, as well as who is responsible for issuing policies and/or administrative instructions and how the latter are approved/communicated/agreed between the parties, etc. (see related paragraphs 3.1.10, 3.4.1, 3.4.2, 3.6.8, 3.7.1.7, 4.2.2, 4.2.7, and 4.5.2 in part A of this Manual).

3.6 The use of an audit and inspection programme by the Member State, independent of any administrative body, as stipulated in paragraph 16.2 of the III Code, may be considered as fully meeting the requirements of the III Code when:

.1 it is integrated in the Member State's own evaluation programme as far as there is independence (in terms of an organogram, own activities, reporting lines etc.) from audited/inspected activities and at the same time the necessary knowledge and skills are available; and/or

.2 an external organization, with no conflict of interest and necessary competencies, assesses the activities as for example QMS audited and certified under an ISO standard or similar.

3.7 To cover different flag State activities a combination of both is also an option. It is up to the Member State to demonstrate how this independence and capacity to audit/inspect has been ascertained.

3.8 One particular area, which is of interest and significance in the implementation of the mandatory requirements, is paragraph 16.5 of the III Code – "to the satisfaction of the Administration", or equivalent. Whilst there is a specific question in SAQ on the application of this phrase, the audit team should verify exactly what action the Member State has taken in respect of those provisions of the mandatory IMO instruments containing this phrase. This should always be recorded in the draft interim report.

3.9 The audit team should verify if the Member State addressed all the areas in the mandatory IMO instruments where the terminology "to the satisfaction of the Administration", or equivalent is used. The Member State's actions in respect of the provisions of the mandatory IMO instruments containing that phrase may include development, documentation, and provision of guidance to relevant personnel in the State, shipping companies, seafarers, nominated surveyors and ROs, taking into account the types of ships flying the flag of the State. In their verification, audit teams should check the approach taken by the Member State, which may include a peel-off approach, for example:

.1 develop, promulgate and maintain specific flag State interpretations/instructions for the relevant regulations that include "to the satisfaction of the Administration", or equivalent by making use of IMO's established framework of the conventions, guidelines, guidance, recommendations or relevant interpretations;

.2 in the absence of specific interpretations/instructions by the Administration (so are not included in the above) ROs and other relevant stakeholders may be instructed to use the relevant Unified Interpretations adopted by the Organization or other available unified interpretations, unified/procedural requirements or recommendations accepted by the Administration. In the event that a Unified Interpretation of the Organization is in conflict with the unified interpretation implemented by RO either in whole or in part, the Administration shall specify which unified interpretation is to be followed by RO; and

.3 for interpretation of regulations not addressed by the above, interpretations might be developed on a case-by-case basis. In that case Administrations should:

.1 provide, publish, and record, specific instructions to ROs and other stakeholders, including relevant personnel within the Member State, shipping companies, seafarers and nominated surveyors, specifying the conditions under which this task might be performed; and

.2 communicate the outcome into the specific flag State interpretations as referenced under .1 and circulate to all ROs and other relevant stakeholders for uniform implementation.

3.10 The audit teams are encouraged keep abreast of the latest resolutions/circulars/guidelines of the Organization containing provisions left "to the satisfaction of the Administration", or equivalent, in the mandatory IMO instruments.

3.11 Paragraph 16.3 of the III Code addressses compliance with the requirements related to STCW 1978, as amended. The audit teams should always be guided by the restrictions established in that Convention related to the audit.

3.12 Another requirement related to flag State implementation that auditors need to verify is how type approval of materials and equipment has been interpreted and regulated, as well as how exemptions, dispensations and equivalent arrangements are approved.

3.13 Another area of concern is safe manning principles, in terms of ensuring that ships entitled to fly the flag of the State are sufficiently and efficiently manned. The audit teams need to verify the system in place for implementing these principles, and if relevant and existing measures such as the Principles of Safe Manning adopted by the Organization have been taken into account.

3.14 Furthermore, audit teams need to verify that appropriate systems and provisions are in place for the implementation of requirements stemming from IMO instruments applicable to all ships, including ships engaged in domestic voyages and fishing vessels (e.g. certain MARPOL requirements).

Delegation of authority (paragraphs 18-21)

Recognized organizations

3.15 In most cases, Member States have delegated all or some statutory responsibilities to ROs. The audit should be rigorous in verifying that the Member State has granted authority to each RO in accordance with the Code for recognized organizations (RO Code) (resolutions MSC.349(92) and MEPC.237(65)), as appropriate), and that such ROs have been duly scrutinized and confirmed to comply with the RO Code. Therefore, paragraphs 18 to 21 of the III Code dealing with delegation of authority should be fully covered during the audit.

3.16 The audit teams need to verify, among others, the national legal basis for delegation of authority; if the RO Code has been adopted and incorporated into national legislation or arrangements are in place; the scope of delegation; if existing agreements are concluded in accordance with the RO Code provisions; and if requirements of the III Code had been met.

3.17 Another area of interest in the delegation of authority to ROs, which is sometimes overlooked in terms of compliance with the RO Code, as appropriate, is work subcontracted by ROs to specialized entities (e.g. private companies). This may include such things as radio equipment survey and certification, cargo gear/lifting appliances and approval of grain loading manuals and authorizations among other services that are related to issuance of one or more certifications under IMO regulations. Notwithstanding the specialized nature of this type of work, the granting of authority to any entity to carry out statutory surveys should always be approved and monitored by the RO, issuing the relevant statutory certificate on behalf of the Administration, according to an established and documented programme for these services. This programme should include the definition of the specific requirements that the company and its personnel are to meet, in order to be able to carry out their services.

Monitoring of recognized organizations

3.18 The audit teams should verify how the Administration implements and manages an oversight programme for ROs that act on its behalf to assess its effectiveness. The oversight programme may include various monitoring activities, which may, inter-alia consist of:

.1 audits of the RO local offices;

.2 supplementary surveys and audits;

.3 review of survey reports, certificates issued by ROs and other relevant documentation;

.4 regular informative meetings with ROs; and

.5 un-scheduled meetings with ROs to follow-up on specific cases or incidents.

3.19 The RO Code provides detailed guidance relative to the establishment of an oversight programme and the management of such a programme, respectively. The Member State should have sufficient technical personnel that are qualified and capable of monitoring and evaluating the work of ROs in quantitative and qualitative terms. This area should be explored by the audit team.

3.20 The RO Code allows for cooperation and information sharing on RO performance via memorandums of cooperation with other Member States who utilize all or some of the same ROs. In addition, the audit team should enquire if the Member State uses the factual statements[47] issued by the International Quality Assessment Review Body (IQARB)[48] in the context of its oversight programme.

3.21 In the context of monitoring the activities of ROs, some States may also use private sector organizations or independent surveyors to perform State duties, such as the conduct of flag State inspections, as a part of the flag State's responsibility to carry out oversight of their ROs. The State should regulate the authorization of such organizations or independent surveyors including full knowledge of their activities and should exert control over the quality and consistency of their work, including the reqqirement for the minimum qualifications of the flag State surveyors. (See paragraphs 3.31 to 3.37 on "Flag State surveyors" of this part of the Manual).

Nominated surveyors

3.22 As indicated above, most Administrations delegate authority to ROs to perform the required surveys and verifications as a basis for them to issue the relevant certificates; or authorise the ROs to perform the required surveys and verifications to issue the relevant certificates on their behalf. However, some Administrations use their officers or the services of nominated surveyors to perform the required surveys and verifications.

3.23 Nominated surveyors are individuals who are not part of the Administration, who are authorized to carry out surveys, audits and inspections on its behalf. These individuals are not required to work exclusively for the Administration.

3.24 In cases where the Administration chooses to use the services of nominated surveyors, the selection, recognition, authorization, empowerment and monitoring of nominated surveyors should be considered and addressed during the development of policies, legislation and administrative procedures for the implementation and enforcement of the relevant obligations and responsibilities of the Administration. The audit team should verify that the Administration has adequately addressed the issues mentioned above, and that:

.1 authorizations of nominated surveyors are controlled and recorded;

.2 specific instructions are issued to nominated surveyors regarding the tasks that they are authorized to handle; and

.3 the qualification and training of nominated surveyors fulfil the requirements of part B sections 3.30 to 3.36 on "Flag State surveyors" of this Manual and regularly monitored.

Use of subcontractors

3.25 The audit team needs to verify the existing arrangements in place where Member States, in some cases, delegate responsibilities and authorize miscellaneous private subcontractors including the handling of, for example flag State obligations, such as response to deficiencies and alleged pollution incidents.

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[47] Regarding the organizational elements of the RO Code which are general in nature and related to effective implementation of a Quality Management System.

[48] Updated information on developments regarding the International Quality Assessment Review Body (IQARB), as well as Factual Statements issued by IQARB, are submitted periodically to the Maritime Safety Committee (MSC). Audit team members are encouraged to be aware and updated in this regard.

3.26 In addition, the ATMs need to verify whether the Member States have developed and implemented a control and monitoring programme as appropriate, in order to:

.1 control and record the authorizations of the companies;

.2 determine that the company has adequate resources and equipment to accomplish the tasks it is being authorized to handle; and

.3 issue specific instructions to the companies detailing the tasks they are authorized to handle.

Enforcement (paragraphs 22-27)

3.27 Enforcement is a critical component in ensuring global and uniform implementation of the mandatory IMO instruments. However, this area could be very problematic for auditors as enforcement provisions may not necessarily rest within the maritime laws and regulations. In some cases, this is incorporated under civil or criminal law statutes and some enforcement actions may rest with another governmental entity that is not directly participating in the audit. One aspect that is almost always present is what role, if any, does the maritime authority play in the collection and provision of adequate information to enforcement agencies. In this instance, auditors should use their sound judgement in determining who to interview and what documentation they would like to see.

3.28 In the context of verifying compliance with the provisions of paragraph 22 of the III Code, audit teams should verify if there is a legal framework for the enforcement, empowering [the head of the main entity of the maritime administration] to impose penalties to ships and/or seafarers of adequate severity; and whether enforcement proceedings to discourage violation of international rules and standards are established.

3.29 Enforcement powers should be provided in national legislation and authorization given to officers of the competent entity for, inter alia:

.1 boarding and inspecting a ship or her equipment to verify that the actual condition of the ship and its crew is in conformity with the certificates it carries;

.2 requiring the production of any book, certificate or document relating to any ship or persons on the ship, verifying familiarization and coordination of crew;

.3 detaining a ship; suspension and/or revoking of ship and crew certificates; and

.4 conducting investigations and instituting proceedings. These investigations are to be carried out separately from the casualty investigations described in paragraphs 3.38 to 3.45 of this part of the Manual.

3.30 Another important area to verify is how the Administration oversights the corrective measures for detained ships, as required by paragraph 25 of the III Code. The auditors should check the legislation, guidance, procedures and ask for recent practical examples to verify that the Administration is maintaining a consistent control over the ships with identified deficiencies.

Flag State surveyors[49] (paragraphs 28-37)

3.31 Paragraphs 28 to 37 of the III Code contain a list of issues that would be expected of an Administration if its responsibilities as a flag State were to be properly executed. Surveyors are at the sharp end of implementation and enforcement. Therefore, the audit should explore the issue of flag State surveyors, with a view to encouraging improvement and the implementation of this part of the III Code by Member States. Paragraph 29.3 of the III Code allows for accreditation of surveyors through formalized training programmes that lead to the same standards as paragraphs 29.1 and 29.2. A practical view should be taken regarding the application of this equivalence. The skills necessary to be a competent flag State surveyor are not the same as those necessary to be a ships officer. Although a basic knowledge of ships' structures and systems provide an excellent foundation for surveyors, the mere possession of a degree or a license attesting to shipboard skills does not itself make a competent surveyor.

3.32 As required by paragraph 28 of the III Code, definition and documentation of the responsibilities, authority and interrelation of surveyors is an important area to be covered during the audit. Such details are usually specified in the legislation and written in work descriptions, job orders, employment contracts, working procedures or surveyor handbooks by the Administration.

3.33 As the requirement for the minimum qualifications of the flag State surveyors is recommendatory in the III Code (paragraphs 29, 30, 31, 32 and 34), any shortcoming referring to these paragraphs should only be recorded as an observation in the audit report.

3.34 The audit teams need to verify the legal basis in place for empowering surveyors to perform their duties and for the different types of surveys; number of flag State surveyors; and if documented responsibilities, authority and interrelation of the flag State surveyors that have been developed and implemented.

3.35 The ATMs need to verify if a documented system for training and qualification of personnel is in place. A system that provides essential knowledge of the ships' systems, combined with a rigorous knowledge of applicable regulations, together with the maintenance of competencies and continuous updating of their knowledge through, for example, periodical refresher trainings, or a surveyor mentoring programme can be seen as evidence of conformity with the requirement of paragraph 35 of the III Code.

3.36 The training programmes developed for flag State surveyors should encompass inspectors, auditors, and other technical experts carrying out duties that require certain expertise.

3.37 The evidence of the existence of a documented system for training and qualification of relevant personnel encompass:

.1 procedures for the documented system including definition and handling of all relevant records;

.2 requirements for the recruitment of the personnel;

.3 description and requirements regarding the qualifications and authorization of the personnel;

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49 Personnel of the Member State responsible for, or performing surveys, inspections and audits on ships and companies.

.4 education, training and mentoring (e.g. on-the-job training programmes for the inspectors, auditors and other technical experts); and

.5 description and requirements regarding maintenance and continuous updating of knowledge of the personnel.

Flag State investigations (paragraphs 38-41)

3.38 The issue of investigation of marine casualties and pollution incidents is a mandatory requirement under a number of IMO instruments, including the Casualty Investigation Code. The audit, therefore, should not only seek to establish that the Member State has in place adequate mechanisms to investigate casualty and incidents; but also that reports of investigations are provided to interested parties and to the Organization. There are numerous regulations that would support findings in this area. Auditors should be careful when identifying any shortcoming, to ensure that it is specific and supported by mandatory provisions and the Casualty Investigation Code.

3.39 There should be national legislation or regulations that define the thresholds for timely mandatory reporting of casualties by ships to the flag State Administration. The thresholds should, at a minimum, meet the requirements for the conduct of investigations in the Casualty Investigation Code, but they may also be more extensive.

3.40 Paragraph 40 of the III Code indicates that the Administrations should, subject to any agreement in accordance with chapter 7 of the Casualty Investigation Code, carry out a marine safety investigation for every accident involving the total loss of the ship or a death or severe damage to the environment. In addition, it is recommended that any accident involving personal injury necessitating absence from duty of three days or more should be investigated, and the results of such investigations made public. In case of non-compliance with the latter, an observation would be issued.

3.41 The Member State may choose to require greater reporting of casualties or near miss situations for the purpose of conducting trend analysis, but need to investigate, as a minimum, those specified by the Casualty Investigation Code. Also, there should be a linkage between reporting of ship damage for survey purposes and casualty reporting to the Administration to ensure consistency. This is especially valid when a RO is the primary recipient of damage reports, as the damage may meet the casualty reporting thresholds of the flag State.

3.42 The audit team needs to verify that the legal basis is in place to conduct marine casualty investigations; obligation to investigate very serious marine casualties, as a minimum; if the Casualty Investigation Code and related requirements are incorporated into national law and implemented; and if the investigators are empowered to board a ship to conduct an investigation.

3.43 Part of the casualty investigation process is to evaluate if there are measures that should be taken to prevent future reoccurrence of similar casualties. Continual improvement by an Administration relies on unbiased self-critical analysis. This process is essential to deriving the maximum organizational benefit from the casualty investigation process. For this reason, there is a mandatory requirement that investigators are impartial and objective, as well as that, results of marine safety investigations are reported without direction or interference from any persons or organizations that may be affected by its outcome. In small Administrations, with few employees, this separation of duties between investigators and inspectors may prove difficult to achieve. It is not necessary that investigators be completely divorced from any ship inspection duties, but when they are serving as investigators their work should not be influenced by their inspector/surveyor duties or by those who supervise them as inspectors. Where clear boundaries between investigators and inspectors do not exist, the auditors should use their judgement to determine if a conflict of interest existed for a particular investigation or that such a conflict of interest could likely exist based on the organizational structure of the maritime administration. An important role of an investigator is to evaluate if their own or other flag Administrations' inspection processes were capable of detecting and adequately addressing the cause(s) of a casualty and thus preventing future casualties. For this reason, auditors should carefully evaluate if casualty investigators are impartial and that they are empowered to recommend corrective actions to, inter alia, inspection processes. Maritime administrations should document that investigation recommendations have been evaluated, addressed and implemented, as appropriate.

3.44 Auditors should verify whether marine safety investigations are conducted by impartial and objective investigators, who are suitably qualified and knowledgeable in matters relating to the casualty. The flag State is recommended to ensure that individual investigators have working knowledge and practical experience in those subject areas pertaining to their normal duties.

3.45 The auditors also need to verify if the Administration ensures ready access to experts in areas related to the casualty, if necessary, and if there is any agreement in this regard with other States or individual experts. As this is a recommendation in the III Code, any shortcoming in this area should be recorded as an observation.

Evaluation and review (paragraphs 42-44)

3.46 Apart from the Member State's overall organizational performance review, separate and detailed methodology should be in place for the Member State concerned to evaluate its performance as a flag State. Paragraphs 42 to 44 of the III Code provide the recommended process for such a review. The audit team should explore this, which would also confirm whether measures taken to implement and enforce mandatory provisions on ships entitled to fly the flag of the State are effective and lessons learned are being used for continual improvement.

3.47 The audit teams need to consider paragraph 43 of the III Code which provides recommended areas for regular review when verifying the aforementioned methodology, including:

.1 progress/status on implementation of the mandatory IMO instruments, national legislation, instructions, guidance, administrative processes, procedures and resources;

.2 results of independent audit and inspection programme;

.3 statistics on transfer of ships (in/out);

.4 port State control detention rates and number of deficiencies for ships flying their flag, corrective measures followed by the Administration;

.5 flag State inspection results, efficiency of the control and monitoring programme;

.6 statistics on the application and deterrence of penalties and other enforcement proceedings; numbers of detentions, withdrawal, suspension or cancellation of certificates or endorsements;

.7 status of qualification management of its inspectors, investigators and auditors, training programmes, records and statistics;

.8 performance of ROs, efficiency and results of RO oversight;

.9 casualties and casualty investigations statistics;

.10 trends and signals identified for ships flying their flag;

.11 efficiency of communication and information processes;

.12 annual loss statistics; and

.13 assessment of adequacy of staffing, resources, including administrative procedures.

3.48 In case that flag State obligations are carried out by different entities of the State, and in some cases operating under different ministries or similar; audit teams need to consider that it will be difficult for the State to have a unique system or methodology for evaluating and reviewing its performance. Therefore, the requirements of paragraphs 42 to 44 of the III Code will be fulfilled if these entities evaluate their performance individually and then this evaluation contributes as an input into the monitoring of the implementation of the overall strategy, as well as for the continuous review of the strategy, as per sub-paragraphs 3.2 and 3.3 of the III Code.

3.49 In cases where extraterritorial offices are responsible for carrying out flag State activities, depending on the nature of such territorial offices, auditors also need to verify that there is a mechanism in place to evaluate their performance in this regard.

4 COASTAL STATES

Implementation (paragraphs 45-48)

4.1 Whilst there are not many coastal States' rights and obligations, they are crucial, particularly as the International Convention on Maritime Serach and Rescue (SAR Convention) is not yet included under the scope of the Scheme. Paragraph 48 of the III Code provides a non-exhaustive list of rights, obligations and responsibilities, implementation and enforcement of which should be verified by the audit. In this area, full use should be made of the provisions of SOLAS chapter V. Also, additional guidance has been provided in documents MSC 81/24/1 (Part 2) (IALA) and MSC 81/24/4 (IHO), which are included in the appendix to this part of the Manual. These forms are provided to the State in advance and should be completed before the audit. The ATMs may consider this information as deemed necessary.

4.2 In some instances, coastal States enter into bilateral or regional agreements for the sharing of coastal State responsibilities, thus levering scarce resources to achieve a superior outcome. The execution of coastal State responsibilities is as unique as the geography of each coastal State. Auditors should, therefore, carefully evaluate not just the resources of the individual Member State but also the combined resources, which are available through the State's agreements with neighbouring States.

4.3 The audit team needs to identify and address the legal basis for carrying out coastal State activities by the different entities of the State participating in the maritime administration. Similarly to the flag State area, States shall have in place and implement policies, through issuing national legislation and guidance, to assist in the implementation and enforcement of requirements of the mandatory IMO instruments related to coastal State activities; and assign responsibilities to update and revise any relevant policies adopted, as necessary

4.4 The coastal State activities may include:

.1 radiocommunication services;

.2 meteorological services and warnings;

.3 search and rescue services;

.4 hydrographic services;

.5 ships' routeing;

.6 ship reporting systems;

.7 vessel traffic services (VTS); and

.8 aids to navigation (AtoN).

4.5 In cases where a State uses private sector organizations to perform State duties, such as pollution response in coastal areas, SAR, maintenance of AtoN, vessel traffic management, waste reception or charting/hydrography, considerations as presented in paragraphs 3.25 and 3.26 of this part of the Manual applied.

4.6 In some cases, for accident investigation, a substantially interested State will be a Coastal State, and they will have to adhere to most of the same responsibilities under the Casualty Investigation Code. Therefore, areas to be audited and methodology similar to the flag State responsibilities for casualty investigation could be addressed as stated in paragraphs 3.38 to 3.45 of this part of the Manual.

4.7 As mentioned previously, auditors may request for policies, and legal framework for implementing and enforcing coastal State activities as outlined in paragraph 46 of the III Code and paragraph 4.3 of this part of the Manual; and verify if there is a mechanism in place to review the adequacy of existing policies, legislation, guidance, etc., and to update them, as necessary.

4.8 The following paragraphs consider in greater detail the different coastal State activities that will be audited and provide guidance on possible issues that auditors should address. This guidance is not intended to be exhaustive, since it will depend on the circumstances of each State and the arrangements it has in place. The audit team will use its knowledge and good judgment to address more topics within each area according to the circumstances and information presented.

Enforcement (paragraphs 49-50)

4.9 The provisions of the customary international law, concerning the use of the right of the innocent passage may limit the enforcement options of the coastal States for the foreign ships to specific cases. Nevertheless, the State should be in a position to enforce its coastal State related legislation effectively to ensure effective implementation and to limit the violations. In most cases, the principal enforcement option may be reporting the violations to the flag State. The audit team should verify that legislation, pocesses and procedures exist, and examples are available for reporting of violations.

4.10 In addition, direct enforcement provisions should be available and applicable for other coastal State related areas, such as pollutions, not providing assistance during SAR operations, false distress alerts, damaging of AtoN, violation of VTS, routeing and reporting requirements.

Radiocommunication services

4.11 The audit teams need to identify which entity or entities of the State is or are responsible for providing radiocommunication services and the legal basis empowering such entity or entities and how they coordinate among themselves in case of shared responsibilities. In addition, depending on the specifics of the coastal State, the following areas should be verified:

.1 related legislation, policies, procedures and processes;

.2 justification and decision regarding practicality and necessity for available shore based facilities;

.3 systems for registration of the global maritime distress and safety system (GMDSS) identities, records of identities;

.4 methodology for communication of navigation warnings, danger messages, maritime safety information and weather messages to shipping;

.5 communication to IMO regarding available services;

.6 consideration of IMO radiocommunications-related recommendations; and

.7 performance monitoring for review and improvement.

Meteorological services and warnings

4.12 The audit team needs to identify which entity or entities of the State is or are responsible for providing meteorological services, arrangements in place and the legal basis empowering such entity or entities and how they coordinate among themselves in case of shared responsibilities. In addition, depending on the specifics of the coastal State, the following areas should be verified:

.1 general requirements of SOLAS 1974, regulation V/5.1;

.2 meteorological arrangements as required by SOLAS 1974, regulation V/5.2;

.3 cooperation and mutual arrangements by neighbouring states as required by SOLAS 1974, regulation V/5.4; and

.4 measures taken to evaluate the effectiveness of meteorological services.

Search and rescue (SAR) services

4.13 The audit team needs to identify which entity or entities of the State is or are responsible for providing SAR services, arrangements in place and the legal basis empowering such entity or entities and how they coordinate among themselves in case of shared responsibilities.

4.14 The areas to be covered by the audit regarding SAR services are established by SOLAS 1974, regulations V/7.1, V/7.2 and V/7.3. SAR 1979 is not under the scope of the audit. Therefore, the following areas shall be verified:

.1 if arrangements are made for distress communication and coordination in their area of responsibility and for the rescue of persons in distress at sea around its coasts. These arrangements shall include the establishment, operation and maintenance of such SAR facilities as are deemed practicable and necessary, having regard to the density of the seagoing traffic and the navigational dangers and shall, so far as possible, provide adequate means of locating and rescuing such persons;

.2 if available information was communicated to the Organization concerning existing SAR facilities and the plans for changes therein, if any, and

.3 if SAR cooperation plans are in place in case of an emergency between passenger ships, SAR services and companies. The said plan shall include provisions for periodical exercises to be undertaken to test its effectiveness. The plan shall be developed based on the guidelines developed by the Organization.

4.15 Depending on the specifics of the coastal State, the following areas should be verified:

.1 related legislation, policies, procedures and processes;

.2 SAR plans, update status, contact details of involved authorities;

.3 use of life saving signals, training of SAR operators;

.4 arrangements for distress communications;

.5 SAR assets, resources, national cooperation;

.6 SAR drills, exercises, drills with passenger ships;

.7 consideration of IMO SAR-related recommendations; and

.8 performance monitoring for review and improvement.

Hydrographic services

4.16 The audit teams need to identify which entity or entities of the State is or are responsible for providing hydrographic services, arrangements in place and the legal basis empowering such entity or entities and how they coordinate among themselves in case of shared responsibilities. In addition, depending on the specifics of the coastal State, the following areas should be verified:

.1 arrangements regarding collection and compilation of hydrographic data and the publication, dissemination and keeping up to date of all nautical information;

.2 arrangements for hydrological surveys, percentage of surveys; (See Appendix (annex to document MSC 81/24/4);

.3 issue of navigational charts, nautical publications, promulgation of notices to mariners, data management arrangements;

.4 uniformity in charts and publications, consideration of the International Hydrographic Organization (IHO) resolutions and recommendations;

.5 coordination of hydrographic activities with other States; and

.6 measures taken to evaluate the effectiveness of hydrography services.

Ships' routeing, ship reporting systems and vessel traffic services

4.17 Ship routeing, ship reporting systems and VTS are not obligations, but rights of the coastal State. Member States incur additional obligations if they decide to provide these systems and services. If the State does not have such systems and services, the justification and risk assessment may be checked. Otherwise, depending on the specifics of the coastal State, the following areas should be verified:

.1 related legislation, policies, procedures and processes;

.2 extent of mandatory or recommendatory systems and services; (for all ships, certain categories of ships, certain cargoes, certain locations etc.);

.3 information promulgated to coastal shipping;

.4 training of operators, training records;

.5 consideration of IMO/International Organization for Marine Aids to Navigation (IALA) guidance;

.6 periodical review/monitor of traffic separation schemes;

.7 enforcement arrangements and penalties for violation of legislation; and

.8 measures taken to evaluate the effectiveness of services

4.18 Ship routeing, ship reporting and VTS are coastal State functions for the audit purposes. These coastal State functions should not be confused with the ship reporting and traffic services carried out for berth allocation, pilotage, entry and departure of ships in individual ports by port States. Such port traffic management systems are not mentioned in the applicable IMO instruments and are not part of the audit. The audit team should only cover the coastal State ship routeing, ship reporting systems and VTS in the audit.

4.19 If ship's routeing, and ship reporting systems are adopted by IMO, Member States shall comply with provisions of SOLAS 1974, regulations V/10 and V/11, and follow the guidelines developed by the Organization.

4.20 If Member States planned and implemented VTS, it should be verified whether they, wherever possible, follow the guidelines developed by the Organization.

Aids to navigation (AtoN)

4.21 Audit teams need to identify which entity or entities of the State is or are responsible for establishment and maintenance of AtoN, arrangements in place and the legal basis empowering such entity or entities and how they coordinate among themselves in case of shared responsibilities. Related provisions of Appendix (Annex to document MSC 81/24/1, Part 2) should be checked. In addition, depending on the specifics of the coastal State, the following areas should be verified:

.1 related legislation, policies, procedures and processes;

.2 processes for justifying the provision of AtoN relative to the volume of traffic and degree of risk;

.3 maintenance methodologies, training of maintenance personnel, resources, spares;

.4 methods used to ensure the availability and operational efficiency of AtoN;

.5 consideration of IMO/IALA guidance;

.6 enforcement arrangements and penalties for violation of legislation; and

.7 measures taken to evaluate the effectiveness of services

Pollution response

4.22 The audit team should consider that the pollution response mechanism should cover both the oil and chemical spills. In this regards, the audit team needs to identify which entity or entities of the State are involved in combatting marine pollution, and the legal basis empowering such entity or entities and how they coordinate among themselves in case of shared responsibilities.

4.23 It should also be noted that there are no pollution-response related provisions in the mandatory IMO instruments that are under the scope of the audit. The main reference for this requirement may be found in paragraph 50.2 of the III Code and depending on the specifics of the coastal state, the following areas should be verified:

.1 related legislation, policies, procedures and processes;

.2 national regional and local contingency (pollution response) plans, status of approval and update;

.3 national and local assets, resources, requirements and stocks;

.4 pollution response drills and exercises: records and plans for future drills;

.5 policy for use of dispersants, allowed dispersants;

.6 requirements for ship masters reporting of pollution incidents;

.7 enforcement arrangements and penalties for violations and pollution; and

.8 measures taken to evaluate the effectiveness of services.

Evaluation and review (paragraph 51)

4.24 Apart from the Member State's overall organizational performance review, audit teams should verify if a separate and detailed methodology is in place for the Member State concerned to evaluate its performance as a coastal State.

4.25 As coastal State obligations are usually carried out by different entities of the State participating in the maritime administration, audit teams need to consider that it will be difficult for the State to have a unique system or methodology for evaluating and reviewing its performance in conducting coastal State activities. Therefore, the requirements of paragraph 51 of the III Code will be fulfilled if all these entities evaluate their performance individually and then this evaluation is provided as an input into the monitoring and assessment of the overall strategy, as well as for the continuous review of the strategy, as per sub-paragraphs 3.2 and 3.3 of the III Code.

4.26 Except as already provided under specific coastal State activities, the following areas can be included in the methodology developed and implemented by entities of the State in the evaluation and review of their performance:

.1 evaluation of the effectiveness of policies (on e.g. enforcement) in place to achieve the goals set for any coastal State activity;

.2 evaluation of the incidents/accidents (including near misses if reported) in the coastal zone with possible assessment of the relation with its effectiveness of VTS, ship reporting systems and ships' routeing systems);

.3 (risk) analysis of activities in the coastal zone (shipping, mining, wind parks at sea, hydrographic issues, fisheries etc.);

.4 analysis of availability and reliability of AtoNs, including corrective measures in case of down time;

.5 evaluation of the cooperation on SAR with passenger ships visiting the ports of the State;

.6 evaluation and assessment of hydrographic services capability and capacity in publishing and keeping updated navigational charts and nautical publications;

.7 efficiency of communication and information processes (including the reporting of meteorological and maritime safety warnings) and any reported failures;

.8 evaluate the use of dispersants in case of pollution incidents; and

.9 assessment of adequacy of staffing, resources, including administrative procedures.]

5 PORT STATES

Implementation (paragraphs 52-56)

5.1 A port State has rights and obligations. Sometimes these are heavily weighted on the right to exercise port State control (PSC) on foreign flag ships and the associated reporting requirement, with the latter being seen as the obligation. There are a number of other important areas of responsibility assigned to port States, as set out in paragraph 56 of the III Code, and these should be explored by the audit team.

5.2 The auditors should verify the existence of policies and legal framework for implementing and enforcing port State activities, as detailed in paragraph 54 of the III Code, and also verify if there is a mechanism in place to review the adequacy of existing policies, legislation, guidance, etc., and to update them, as necessary.

5.3 The port State activities include:

.1 port State control (PSC);

.2 reception facilities;

.3 register of fuel oil suppliers (for those States that are Party to MARPOL, Annex VI); and

.4 dangerous goods and grain.

5.4 In cases where a State uses private sector organizations to perform port State duties, such as pollution response in port areas or port reception facilities, considerations as presented in paragraphs 3.25 and 3.26 of this part of the Manual applied.

5.5 The following paragraphs consider in greater detail the different port State activities that will be audited and provide guidance on possible issues that auditors should address. This guidance is not intended to be exhaustive, since it will depend on the circumstances in each State and the arrangements it has in place. The audit team will use its knowledge and judgment to address more topics within each area according to the circumstances and information presented.

Enforcement (paragraphs 57-62)

5.6 The port State should be in a position to enforce its port State related legislation effectively to ensure effective implementation and to reduce violations. The audit team should verify that enforcement related legislation, processes and procedures exist, and examples are available for application of penalties in case of violations.

5.7 For most port State activities, direct enforcement provisions should be available and applicable, such as detentions and stopping of operations under PSC, non-provision of adequate reception facilities by port operators, violations related to the carriage of dangerous goods, or supply of non-compliant fuel oil.

Port State control (PSC)

5.8 The audit team needs to recognize that PSC is not an obligation but a right under the applicable IMO instruments. (If the audited State is not exercising its right of PSC, no finding should be issued). If the State exercises this right, then it incurs additional responsibilities derived from the mandatory IMO instruments and national legislation. Member States are only entitled to exercise the right on PSC for those conventions they ratified, promulgated and implemented into their national legissation.

5.9 Auditors should focus on the qualification of PSC officers (PSCOs), and the quality and consistency of PSC inspections that are conducted in accordance with IMO guidelines. Also, port States should engage with the ship's flag State and ROs when deficiencies are revealed by PSCOs. Port States are required to have procedures for notification of a detained ship to the flag State In addition, depending on the specific circumstances of the port State, the following areas should be verified:

.1 PSC authority and responsibilities in national legislation;

.2 PSC related legislation, policies, procedures and processes;

.3 compliance with the IMO procedures;

.4 supervision of work of PSCOs, appeal and review procedures and requests;

.5 national or regional inspection targets, ratios, meeting of such targets;

.6 sufficiency of available PSC resources;

.7 training and qualifications of PSCOs;

.8 identification documents for PSCOs; and

.9 measures taken to evaluate the effectiveness of PSC inspections.

Reception facilities

5.10 The audit team needs to identify which entity or entities of the State is or are responsible for managing and providing port reception facilities (PRF) or equivalent arrangements and the legal basis empowering such entity or entities and how they coordinate among themselves in case of shared responsibilities.

5.11 The establishment of reception facilities as required by MARPOL should be verified for those States that are a Party to specific annexes of MARPOL.

5.12 Auditors may be assisted by the various guidelines and publications issued by the Organization on PRF. In addition, depending on the specifics of the port State, the following areas should be verified:

.1 authority and responsibilities for establishment and maintenance of PRF in national legislation;

.2 PRF related legislation, policies, procedures and processes;

.3 availability of PRF for all applicable MARPOL annexes: (national or regional PRF as applicable);

.4 consideration of IMO guidance on PRF;

.5 adequacy of PRF, supervision of the authority, complaints received, replies for complaints and follow up;

.6 reporting to IMO;

.7 enforcement mechanisms against service providers, port operators, ships etc; and

.8 measures taken to evaluate the effectiveness of PRF.

Register of fuel oil suppliers

5.13 For those Member States that are a Party to the Protocol of 1997 to MARPOL 73/78.

5.14 Auditors should verify the legal basis, organization and responsibilities, as well as policies and procedures in case more than one entity is involved. In addition, depending on the specific circumstances of the port State, the following areas should be verified:

.1 maintenance of a registry of fuel oil suppliers;

.2 requirements for local fuel oil suppliers (legislation or instructions);

.3 enforcement against non-compliant fuel oil providers;

.4 consideration of IMO guidance in this issue; and

.5 review and evaluation for improvement of performance.

Dangerous goods and grain

5.15 The III Code does not specifically refer to the port State obligations with regard to the IMDG Code, the IMSBC Code and the International Code for the Safe Carriage of Grain in Bulk (Grain Code). As it is one of the major obligations and high-risk activities in a port, the State should ensure that it has assigned a leading coordinating competent authority and implemented the requirements as set out in the IMDG Code for all entities involved. Subjects of special interest include, but are not limited to:

.1 assignment of the responsible Government entity and competent authority;

.2 legislation and procedures for the handling of dangerous goods;

.3 arrangements for small ships carrying dangerous goods;

.4 approval of packaging, gas containers, portable tanks etc.

.5 training of shore-based personnel;

.6 sufficient and adequate means for first response to an incident;

.7 instructions for emergency preparedness and response;

.8 execution of drills and exercises (including those with emergency services);

.9 handling of radioactive materials, radiation protection programme and management system acceptable by the competent authority;

.10 procedures for carriage of uncategorized bulk or liquid substances (tripartite agreements);

.11 verification of grain calculations;

.12 enforcement against non-compliances and violations;

.13 formal consideration of IMO guidance in this issue; and

.14 review and evaluation for improvement of performance.

5.16 Furthermore, audit teams need to verify the legal basis, organization and responsibilities, as well as policies, procedures and guidelines in place to ensure the effective implementation of the IMDG Code and IMSBC Code.

Evaluation and review (paragraph 63)

5.17 Apart from the Member State's overall organizational performance review, audit teams need to verify if a separate and detailed methodology is in place for the Member State concerned to evaluate its performance as a port State.

5.18 As port State obligations are usually carried out by different entities of the State participating in the maritime administration, audit teams need to consider that it will be difficult for the State to have a unique system or methodology for evaluating and reviewing its performance in conducting port State activities. Therefore, the requirements of paragraph 63 of the III Code will be fulfilled if all these entities evaluate their performance individually and then this evaluation is provided as an input into the monitoring and assessment of the overall strategy, as well as for the continuous review of the strategy, as per sub-paragraphs 3.2 and 3.3 of the III Code.

5.19 In addition to what is already provided under specific port State activities, the following areas can be included in the methodology developed and implemented by entities of the State in the evaluation and review of their performance:

.1 evaluating the effectiveness of policies (on e.g. penal systems) in place to achieve the goals set for any port State activities;

.2 achievement of targets on number of PSC inspections (agreed upon on a national or regional level);

.3 analysis of number of accidents in their port with (dangerous) goods;

.4 evaluation of the emergency preparedness and response (times);

.5 analysis of incidents with foreign ships visiting their ports;

.6 assessment of adequacy of the port reception facilities;

.7 assessment of monitoring fuel oil suppliers;

.8 efficiency of communication and information processes;

.9 cross-evaluating the outcome of drills and exercises of the different entities also to be able to signal any trends;

.10 status of qualification management of its PSC inspectors, training of personnel involved in the handling of dangerous goods, etc. and

.11 assessment of adequacy of staffing, resources, including administrative procedures.

APPENDIX

ANNEX TO DOCUMENT MSC 81/24/1 (PART 2)

SOLAS regulations V/12 and 13 refer to the appropriate recommendations and guidelines of IMO and IALA. The IALA Recommendations and Guidelines are freely available for download in pdf format at www.iala-aism.org under "publications". Information on the general management of AtoN and VTS can be found in IALA Manuals (NAVGUIDE and IALA VTS Manual).

Legislation

- What national administration is responsible for AtoN?
- What national administration is responsible for VTS?
- Under what law(s) does each administration act?

Organization

- How is each administration organized?
- To what other bodies, if any, has responsibility for AtoN and/or VTS been delegated?
    - Has this delegation been formally established and documented?

Resources

- What is the mechanism for establishing resource requirements (Equipment / Human)?
- What are the funding mechanisms for the administration?
- What is the mechanism for ensuring competence of personnel?

International Recommendations / Regulations

- What national legislation is in place to support provision of, and compliance with, AtoN and VTS systems?
- What international recommendations and guidelines in respect of AtoN and VTS are reflected in the administration's policies and procedures?

ANNEX TO DOCUMENT MSC 81/24/4, WHICH HAS BEEN PROVIDED FOR GUIDANCE TO MEMBER STATES AND AUDITORS

General

1 Are you a member of the IHO?

2 Are you a member, or associate member, of an IHO Regional Hydrographic Commission?

3 Do you have a Hydrographic Office? If not, is there another governmental, or non-governmental, agency with responsibility for hydrographic matters?

4 Is the responsibility for providing hydrographic services officially assigned by your government, by decree or any other legal text, to an organization within your country?

5 Do you require Capacity-Building Support to help develop your hydrographic services? If the answer to this question is yes, please indicate in which of the following areas

support is required: Hydrographic Surveys, Production of paper and/or electronic charts, Promulgation of MSI, Training.

6 If you provide hydrographic services, are those related to safety of navigation accredited with quality assurance certification (e.g. ISO 9001)? If yes, what does the certification apply to (surveys, charting, broadcasting nautical information)?

SOLAS regulations V/4 and V/9

1 Hydrographic Surveys

.1 Do you conduct hydrographic surveys? If yes, do you comply with the IHO Standards for Hydrographic Surveys (S-44)?

.2 Do you conduct hydrographic surveys in cooperation with other countries, through bilateral agreements or otherwise? If yes, please provide details.

.3 Do you contract out hydrographic surveys to commercial companies? If yes, do these surveys comply with S-44?

.4 Please complete the following information relating to the status of hydrographic surveys as reported in IHO Publication S-55 "Status of Hydrographic Surveying and Nautical Charting Worldwide" – 3rd Edition. Comments should be added wherever appropriate:

A1 The percentage of national waters, 0-200 m in depth, which is adequately surveyed: [ ] %.

A2 The percentage of national waters, greater than 200 m in depth, which is adequately surveyed: [ ]%.

B1 The percentage of national waters, 0-200 m in depth, which requires resurveying at a larger scale or to modern standards: [ ]%.

B2 The percentage of national waters, greater than 200 m in depth, which requires resurveying at a larger scale or to modern standards: [ ]%.

C1 The percentage of national waters, 0-200 m in depth, which has never been systematically surveyed: [ ]%.

C2 The percentage of national waters, greater than 200m in depth, which has never been systematically surveyed: [ ]%.

2 Nautical Charting

.1 Do you produce nautical paper charts, RNCs, ENCs, and nautical publications as defined in paragraph 2 of SOLAS regulation V/2?

.2 If the answer to a. is yes, do you maintain these by issuing NtM/ER?

.3 Do you have bilateral agreements with other countries for the production of nautical charts? If yes, please give details.

.4 Are the charts you produce available to worldwide shipping?

.5 Do you have an agreement with a Regional ENC Co-ordinating Centre (RENC) for the distribution of ENCs and RNCs? If yes, please give details.

.6 Please complete the following information relating to the status of nautical charting as reported in IHO Publication S-55 "Status of Hydrographic Surveying and Nautical Charting Worldwide" – 3rd Edition. Comments should be added wherever appropriate:

A. Offshore passage and small-scale charts:

The percentage of national waters covered by INT[50] Charts: [ ]%.
The percentage of national waters covered by RNCs[51] [ ]%.
The percentage of National waters covered by ENCs[52] [ ]%.

B. Landfall, coastal passage and medium-scale charts:

The percentage of national waters covered by INT Charts: [ ]%.
The percentage of national waters covered by RNCs: [ ]%.
The percentage of National waters covered by ENCs: [ ]%.

C. Approaches, ports and large-scale charts:

The percentage of national waters covered by INT Charts: [ ]%.
The percentage of national waters covered by RNCs: [ ]%.
The percentage of National waters covered by ENCs: [ ]%.

3 Maritime Safety Information

.1 Are you a NAVAREA Coordinator? If so, for which area?

.2 Are you a Sub-Area Coordinator? If so, for which sub-area?

.3 Are you a National Coordinator? If not, who is your National Coordinator?

.4 Please complete the following information relating to the promulgation of MSI as reported in IHO Publication S-55 "Status of Hydrographic Surveying and Nautical Charting Worldwide" – 3rd Edition. Answers may be Yes, No or Partial and comments should be added wherever appropriate:

A Navigational Warnings:

Do you issue local warnings?
Do you issue coastal warnings?
Do you issue port information?

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50 INT = International Charts or national equivalent meeting the standards set out in IHO publication "Regulations of the IHO for International (INT) Charts and Chart Specifications of the IHO" (M-4).

51 RNC = Raster Navigational Chart meeting the standards set out in IHO Publication "Product Specification for Raster Navigational Charts (RNCs)" (S-61).

52 ENC = Electronic Navigational Charts meeting the standards set out in IHO Publication "IHO Transfer Standards for Digital Data" (S-57).

Do you issue NAVAREA warnings?

B GMDSS Implementation (IMO GMDSS Handbook):

Master Plan?
A1 Area?
A2 Area?
A3 Area?
NAVTEX?
SafetyNET?