

Category: Instruction No.: 4-2020

Operational       Nautical      Our ref. and file No.: 2020/781

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*This document is electronically signed, and has therefore no written signatures*

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## Increasing the possibility of performing remote audits and inspections

### 1. Purpose

- 1.1. As a consequence of restrictions imposed due to the coronavirus disease (COVID-19) pandemic, Instructions to Class (IC) 4-2020 instruct Recognised Organisations (ROs) on the possibility of carrying out remote audits and inspections as an alternative to on-site audits/inspections for the purpose of verifying compliance with the requirements of the ISM and ISPS Codes and MLC 2006.

### 2. Application

- 2.1. IC 4-2020 applies to ships registered in the Norwegian Ordinary Ship Register (NOR) or the Norwegian International Ship Register (NIS)<sup>1</sup>.

### 3. Definitions

- 3.1. N/A

### 4. References

- 4.1. Agreement of 1 June 2002 between the Ministry of Trade, Industry and Fisheries and ROs' concerning surveys of ships registered in a Norwegian ship register (the Agreement) article 2.2.
- 4.2. Annex I to the Agreement paragraph 3.1
- 4.3. Annex II to the Agreement paragraph 3.1.6, 3.1.13 and 3.3
- 4.4. IMO Circular Letter No. 4204/Add.1, Add.2, Add.3, Add.4, Add 10, Add 18
- 4.5. IMO Res. A.1118(30) "Guidelines on the implementation of the International Safety Management (ISM) Code by Administrations"
- 4.6. IC 1-2020 Extension of certificates and vessel instructions

### 5. Background

- 5.1. There are reasons to believe that the COVID-19 pandemic and subsequent restrictions imposed will continue for quite some time.

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<sup>1</sup> With reference to Annex II to the Agreement, paragraphs 3.1.13 and 3.3 apply to cargo ships only

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- 5.2. The Norwegian Maritime Authority (the NMA) has therefore opted to expand the possibility of carrying out remote audits to include DOC, SMC and ISPS audits and MLC inspections in cases where it is not possible to conduct physical audits or inspections on board the vessel or at the company's office due to restrictions or the risk of infection.
  - 5.3. Since the outbreak of the COVID-19 pandemic, the NMA has received inquiries from shipowners and ROs to allow alternatives to on-site audits for the purpose of verifying that companies and ships comply with the statutory requirements of MLC 2006, the ISM and ISPS Codes.
  - 5.4. Travelling, both nationally and internationally, has become increasingly difficult with the currently imposed travel bans. Combined travel restrictions laid down by governments and companies cause difficulties in terms of verifying compliance by on-site audits and inspections.
  - 5.5. Based on the measures introduced by governments aimed to slow down the spread of the coronavirus, the NMA will allow for remote audits and inspections for the purpose of verifying that the company and its shipboard management operate in accordance with requirements of the ISM, ISPS and MLC Code.
  - 5.6. For Norwegian ships and companies, the NMA accepts that internal audits required by the ISM Code Part A paragraph 12.1 and ISPS Code part A paragraph 9.8 are carried out as remote audits using digital means. Approval by the NMA is not required.
  - 5.7. If the 12-months interval for internal audits is exceeded, records shall be available.

## **6. Repeal**

- 6.1. Instructions to Class 4-2020 repeals Instructions to Class 3-2020 COVID-19 - Verification of safety management systems (ISM) by means of remote audits

## **7. Item**

- 7.1. As an alternative solution to on-site ISM and ISPS audits and MLC inspections during the COVID-19 pandemic, the NMA has decided that audits and inspections may be carried out as remote audits using digital means given that:
  - 7.1.1. it is not possible to carry out physical audits or inspections;
  - 7.1.2. the RO finds this appropriate, and
  - 7.1.3. the NMA has given its approval.
- 7.2. The objective of remote audits/inspections is to achieve the same results as obtained with regular audits/inspections. Digital means shall be used to remotely obtain audit evidence and evaluate it objectively. Thus, we can determine to what extent the auditee conforms to the requirement of the ISM, ISPS and MLC Code.
- 7.3. Interviews, audit/assessment of documents and records including verifying the condition of the vessel and accommodation may be carried out by means of teleconference facilities, including e.g. audio, video and data sharing.
- 7.4. The following audits/inspections may be carried out as remote audits using digital means:
  - 7.4.1. renewal audits and annual DOC audits;
  - 7.4.2. renewal and intermediate SMC and ISSC audits;

- 7.4.3. renewal and intermediate MLC inspections;
- 7.4.4. interim SMC, DOC, ISSC audits and interim MLC inspections;
- 7.4.5. additional audits.
- 7.5. Conditions for carrying out remote audits/inspections:
  - 7.5.1. A request for a permit to carry out a remote audit/inspection according to paragraph 7.4 above, shall be submitted to the NMA for consideration and acceptance via the head office or dedicated regional office of the RO. This request shall:
    - 7.5.1.1. explain why a physical audit/inspection is not possible due to COVID-19 restrictions;
    - 7.5.1.2. confirm that means and facilities required for carrying out a remote audit/inspection are available and operating;
    - 7.5.1.3. provide documentation that a risk assessment has been carried out to determine whether it is possible and appropriate to carry out the requested audit as a remote audit, assessing the following: risk profile and records of ship and company, non-conformities and deficiencies from previous inspections, detentions, accidents or other information.

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